

Virginia General Assembly

2012 Session Summary



Virginia Division of Legislative Services

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Contents

Introduction.	1
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Bills by Subject

Administration of Government.	3
Agriculture, Animal Care, and Food	19
Alcoholic Beverage Control Act.	20
Aviation	22
Behavioral Health and Developmental Services	22
Civil Remedies and Procedure	24
Commonwealth Public Safety	27
Conservation	29
Corporations	31
Counties, Cities and Towns	32
Courts Not of Record	39
Courts of Record.	41
Crimes and Offenses Generally	43
Criminal Procedure.	54
Domestic Relations.	58
Drainage, Soil Conservation, Sanitation and Public Facilities Districts.	59
Education	59
Educational Institutions	66
Elections	71
Eminent Domain.	78
Fiduciaries Generally	79
Financial Institutions and Services	79
Fire Protection.	80
Fisheries and Habitat of the Tidal Waters	81
Game, Inland Fisheries and Boating.	82
General Assembly.	84
General Provisions	87
Health	87
Highways, Bridges and Ferries.	91
Homestead and Other Exemptions	94
Housing.	94
Insurance.	95
Labor and Employment	101
Libraries	101
Mechanics' and Certain Other Liens.	102
Military and Emergency Laws	102
Mines and Mining.	102
Motor Vehicles	103
Notaries and Out-Of-State Commissioners	110
Pensions, Benefits, and Retirement	110
Persons with Disabilities.	112
Police (State).	112
Prisons and Other Methods of Correction	113

Contents

Professions and Occupations	114
Property and Conveyances	120
Public Service Companies	124
Religious and Charitable Matters; Cemeteries	129
Taxation	130
Trade and Commerce	146
Unemployment Compensation	147
Uniform Commercial Code - General Provisions	148
Virginia Energy Plan	148
Waters of the State, Ports and Harbors	149
Welfare (Social Services)	150
Wills and Decedents' Estates	155
Workers' Compensation	156
 Miscellaneous Bills and Resolutions	
Constitutional Amendments	157
Other Resolutions	160
Budgets and Bonds	163
Charters	164
Study Resolutions	166
 Appendix A: Session Statistics	
Appendix B: Session Highlights	173
Index of House Bills	175
Index of Senate Bills	183
	190

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

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

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

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

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

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.

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

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

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

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.

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.

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

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

[P]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

[F]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

[F]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

[F]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

[F]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

[P]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

[P]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

[P]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

[P]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

[P]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

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

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

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

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

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

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

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

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

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

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

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.

[F]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.

[F]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.

[F]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.

[F]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

[F]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

[F]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

[F]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

[F]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

[F]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

[F]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

[F]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

[F]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

[F]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

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. This bill was incorporated into SB 431.

Patron - Herring

[F]SB317 Drug Treatment Courts. Provides for the establishment of drug treatment courts in the City of Danville and the Counties of Buchanan, Dickenson, Goochland, Montgomery, Russell, and Washington, and a drug treatment court in the County of Wise that shall serve the Counties of Lee, Scott, and Wise.

Patron - Carrico

[F]SB345 Recruitment of persons for criminal street gang; penalty. Raises the penalty for a person who 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 from a Class 1 misdemeanor to a Class 6 felony and from a Class 6 felony to a Class 5 felony if an adult solicits a juvenile.

Patron - McDougle

[F]SB379 Firearms transfers; penalties. Creates a Class 2 misdemeanor for a person who is not a licensed dealer to sell, rent, trade, or transfer a firearm to any other person who is not a licensed dealer. The bill also creates a Class 2 misdemeanor for a person who is not a licensed dealer to buy, rent, trade, or transfer a firearm from any other person who is not a licensed dealer.

Patron - McEachin

[F]SB386 Conversion of leased property. Removes the provision that a person who fails to return leased property within 10 days after expiration of the lease or rental period stated in a written lease is deemed guilty of larceny. The bill also removes the provision that failure to return leased property to the lessor within 10 days of the giving of written notice that the rental period for the property has expired is prima facie evidence of the intent to defraud.

Patron - McEachin

[F]SB389 Pneumatic gun ordinances. Allows localities to enact an ordinance to prohibit the possession of pneumatic guns on school property, at a school function held on property open to the public, and on school buses. The bill further provides that an ordinance may not prohibit possession of a pneumatic gun by a law-enforcement officer, as part of the school's curriculum or activities, or in a closed container in a motor vehicle on school property or at a school function.

Patron - Marsden

[F]SB431 Financial exploitation of elderly or incapacitated adults; penalty. Provides that it is a felony punishable by imprisonment in a state correctional facility for not less than one nor more than 20 years to knowingly and without legal justification, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an incapacitated adult's money, assets, property, or financial resources with the intent to 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 in a position of trust it is a Class 3 felony. The bill allows forfeiture of personal property used in connection

with the crime. This bill incorporates SB 222, SB 285, and SB 443.

Patron - Stuart

[F]SB443 Financial exploitation of elderly or vulnerable adults; penalty. Provides that it is unlawful 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. A violation is deemed larceny unless the violation is by a caregiver or person with a fiduciary relationship in which case it is a Class 3 felony. The bill also allows forfeiture of personal property used in connection with the crime. This bill was incorporated into SB 431.

Patron - Vogel

[F]SB484 Abortion; informed consent. Requires that, as a component of informed consent to an abortion, to determine gestation age, every pregnant female shall undergo 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 heartbeat. 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. This bill incorporates SB 279.

Patron - Vogel

[F]SB486 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 - Newman

[F]SB626 Crimes; urinating in public. Creates the crime of urinating in public, punishable as a Class 4 misdemeanor.

Patron - Petersen

[F]SB637 Virginia Pain-Capable Unborn Child Protection Act; penalty. Creates the Virginia Pain-Capable Unborn Child Protection Act. The act, created in new Article 9.1 of Chapter 4 of Title 18.2, prohibits an abortion after 20 weeks gestation unless, in reasonable medical judgment, the mother has a condition that so complicates her medical condition as to necessitate the abortion to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function. The prohibition is predicated on the assertion that a fetus is capable of feeling pain at 20 weeks. When an abortion is not prohibited post-20 weeks gestation, the physician is required to terminate the pregnancy in a manner that would provide the unborn child the best opportunity to survive. The bill punishes an abortion in violation of the article as a Class 6 felony. The bill also provides for civil remedies against a physician who performs an abortion in violation of the article.

Patron - Obenshain

[F]SB648 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 - McEachin

[F]SB670 Concealed handgun permits; fingerprint submission upon application. Removes the provision allowing localities to require a person to submit to fingerprinting upon application for a concealed handgun permit. This bill was incorporated into SB 67.

Patron - Garrett

Carried Over

[C]HB48 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.

Patron - Bell, Richard P.

[C]HB237 Criminal history record information checks upon handgun purchases; protective order registry; dissemination of information. Provides that certain criminal history record information and protective order registry information shall be made available to the Attorney General of the United States for the purposes of a National Instant Criminal Background check to determine a person's eligibility to possess or purchase a firearm under state or federal law. The bill also limits the requirement for a Virginia-specific criminal history record information check to the purchase of handguns only. Under current law, the Virginia-specific criminal history record information check applies to all purchases of any firearm in the Commonwealth.

Patron - Cosgrove

[C]HB592 Criminal history record information check for transfer of certain firearms; exemption for concealed handgun permittees. Provides an exemption from Virginia-specific criminal history record information checks upon the purchase of firearms from licensed dealers when the purchaser is a Virginia resident holding a valid Virginia-issued concealed handgun permit.

Patron - Merricks

[C]HB707 Funeral protests; penalty. Makes it unlawful for a person to disrupt a funeral or memorial service during the 60 minutes immediately preceding through the time immediately following such service with the intent to disrupt the service. A violation of this provision is a Class 2 misdemeanor for the first offense and a Class 1 misdemeanor for a subsequent offense.

Patron - Filler-Corn

[C]HB807 Use of electronic tracking devices; penalty. Provides that any person who uses an electronic tracking device through intentionally deceptive means and without consent to track the location of another person is guilty of a Class 3 misdemeanor. The bill includes exceptions. This bill is a recommendation of the Joint Commission on Technology and Science.

Patron - May

[C]HB859 Criminal history record information check for transfer of certain firearms; exemption for concealed handgun permittees. Provides an exemption from the required criminal history record information check upon fire-

arms transfers in the Commonwealth for persons holding a valid Virginia-issued concealed handgun permit.

Patron - Gilbert

[C]HB923 Reorganizing and recodifying the law related to carrying concealed weapons and concealed handgun permits. Reorganizes the existing § 18.2-308 into a new Article 6.1 in Chapter 7 of Title 18.2. The new article creates separate, discrete sections to address the general criminal prohibition against carrying concealed weapons; the requirements for applying for a concealed handgun permit; the process the circuit court follows in reviewing, issuing, and denying permits; the appeals process; procedures for nonresidents to obtain permits; the renewal process; disqualifications; and other procedural issues currently addressed in § 18.2-308. The bill also contains numerous technical amendments. This bill does not make any substantive changes to existing law.

Patron - Lingamfelter

[C]HB992 Assault and battery of a family or household member; penalties. Provides for a Class 1 misdemeanor for the assault followed by a battery through the application of physical force against a member of a family or household member. The bill addresses the decision in *U.S. v. White* from the Fourth Circuit Court of Appeals in 2010.

Patron - Loupassi

[C]HB1012 Criminal history record information checks; elimination of fees. Eliminates the fees to be collected by licensed dealers for every firearms transaction that requires a criminal history record information check.

Patron - Ramadan

[C]HB1052 Carrying weapons in air carrier airport terminals; removing prohibition against carrying firearms. Removes the prohibition against carrying certain firearms and other weapons in air carrier airport terminals. The bill retains the prohibition against carrying explosives in such areas.

Patron - Anderson

[C]HB1135 Out-of-state concealed handgun permits; photo identification. Removes certain requirements for an out-of-state concealed handgun permit to be recognized and accepted in Virginia. Requires an out-of-state permittee to carry and present a valid government-issued photo identification in order for his valid out-of-state concealed weapon permit to be recognized and accepted in Virginia.

Patron - Ware, R.L.

[C]HB1285 Virginia Pain-Capable Unborn Child Protection Act; penalty. Creates the Virginia Pain-Capable Unborn Child Protection Act. The act, created in new Article 9.1 of Chapter 4 of Title 18.2, prohibits an abortion after 20 weeks gestation unless, in reasonable medical judgment, the mother has a condition that so complicates her medical condition as to necessitate the abortion to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function. The prohibition is predicated on the assertion that a fetus is capable of feeling pain at 20 weeks. When an abortion is not prohibited post-20 weeks gestation, the physician is required to terminate the pregnancy in a manner that would provide the unborn child the best opportunity to survive. The bill punishes an abortion in violation of the article as a Class 6 felony. The bill also provides for civil remedies against a physician who performs an abortion in violation of the article.

Patron - Anderson

[C]SB21 Rape by coercion. Provides that any person who has sexual intercourse with a complaining witness, accom-

plished against the complaining witness's will by coercion, is guilty of rape. Currently such an offense must be accomplished by force, threat, or intimidation.

Patron - Stuart

CSB24 Welfare and other entitlement fraud; penalties.

Requires a 180-day mandatory minimum sentence for misdemeanor entitlement fraud, a one year mandatory minimum sentence for felony entitlement fraud, a repayment of three times the benefits received, and a lifetime bar on receipt of entitlement. The entitlements covered by the bill are housing assistance programs, medical assistance, food stamps, energy assistance, and any other program designated under regulations of the State Board of Social Services, State Board of Health, or Board of Medical Assistance Services.

Patron - Stuart

CSB71 Grand larceny; first offender. Allows the court to defer disposition for a person charged with larceny who has not previously been convicted of or charged with a felony, an offense related to larceny, embezzlement, fraud, or any crime of moral turpitude. As a condition of probation the court must require the defendant to complete any required treatment or education program, make a reasonable effort to secure and maintain employment, perform community service, and make restitution.

Patron - Reeves

CSB96 Publication of unlawful photographs; penalty. Provides that it is a Class 6 felony for a person to publish on the Internet a photograph or video made in violation of the current law prohibiting filming, videotaping, or photographing a nonconsenting person in certain situations where there is an expectation of privacy.

Patron - Edwards

CSB172 Poker; definition of illegal gambling and charitable gaming; poker games authorized; regulation of poker tournaments. Provides that poker is a game of skill and therefore not illegal gambling. The bill also allows a qualified organization to conduct poker games in conjunction with its charitable gaming activities, but does not allow charitable organization to conduct poker tournaments. The bill requires the Department of Agriculture and Consumer Services and the Charitable Gaming Board to regulate poker tournaments, defined in the bill as a competition organized for the purpose of conducting poker games at one or multiple tables where (i) competitors play a series of poker games, (ii) prizes are awarded to winning players on a fixed or proportional payout basis, and (iii) the total prize amount awarded to all winning players at the event is \$50,000 or more. Finally, the bill requires poker tournament sponsors to obtain a permit before conducting a tournament, and tournament manager and operators to be registered with the Department. The bill contains technical amendments.

Patron - Petersen

CSB175 Postrelease supervision of felons. Amends provisions regarding the imposition of an additional term of incarceration and postrelease supervision for certain felons who are sentenced to an active prison term. The bill clarifies that an additional term of incarceration is to be imposed and provides that if the court fails to impose the term, the length of the term is six months.

Patron - Stuart

CSB224 Assault and battery of a family or household member; penalties. Provides for a Class 1 misdemeanor for a battery through the application of physical force against a family or household member. This provision addresses the deci-

sion in **U.S. v. White** from the Fourth Circuit Court of Appeals in 2010. The proposal also expands the list of offenses that may be counted as prior convictions for the purposes of enhancing the penalty for assault and battery of a family or household member to include unlawful wounding under § 18.2-51 and nonmalicious injury by a caustic substance or fire, in violation of § 18.2-52.

Patron - Herring

CSB277 Forced or coerced abortion prohibited; penalty. Provides that any person who forces or coerces a pregnant female to have an abortion against her will is guilty of a Class 1 misdemeanor. The bill also creates a private right of action against the person who coerced her to have an abortion for the female herself and for the wrongful death of the unborn child.

Patron - Smith

CSB429 Criminal history record checks for firearms; required forms. Provides that only certain information about the purchaser may be required on the State Police form to be completed when purchasing a firearm.

Patron - Ruff

CSB434 Funeral protests; penalty. Makes it unlawful for a person to address speech to a person attending a funeral or memorial service that is reasonably likely to provoke an imminent breach of the peace, or to engage in picketing activity within 250 feet of a funeral or memorial service that targets one or more persons attending such service. A violation of this provision is a Class 1 misdemeanor.

Patron - Puller

CSB435 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 - McDougle

CSB452 Charitable gaming; network bingo. Authorizes the conduct of a new charitable game known as network bingo. The bill sets out the terms and conditions under which network bingo may be conducted, provides for the licensing of network bingo network providers, and sets the maximum prize amount for network bingo. The bill defines the terms "network bingo," "pari-mutuel play," and "network bingo network provider," and contains technical amendments.

Patron - Vogel

CSB547 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 person employed as a prison contractor as defined in § 53.1-261.

Patron - Northam

CSB554 Possession or transportation of firearms; certain emergency protective orders; penalty. Creates a Class 1 misdemeanor for the physical possession of a firearm while in the residence of the alleged victim or the transport of a firearm by a person subject to an emergency protective order issued as a result of an assault and battery against a family or household member.

Patron - Favola

CSB612 Criminal history record information checks upon handgun purchases; dissemination of information.

The bill limits the requirement for a Virginia-specific criminal history record information check to the purchase of handguns. The bill requires the Virginia Attorney General to inform the U.S. Attorney General of Virginia law provisions regarding the purchase of firearms and that certain information regarding juvenile criminal history records and protective orders will be forwarded to the Central Criminal Records Exchange for use in the National Instant Criminal Background Check System.

Patron - Black

CSB667 Child endangerment; penalty. Relocates the crime of child endangerment to Title 18.2 (Crimes and Offenses Generally) from Title 40.1 (Labor and Employment) in order to emphasize its general application. The bill removes language that prohibited willfully or negligently causing or permitting a child to be placed in a situation that his life, health, or morals may be endangered and adds language stating that it is child endangerment, a Class 6 felony, to endanger the life or health of a child by willful act or omission that is so gross, wanton, and culpable to show a reckless disregard for human life.

Patron - Garrett

CSB668 Felony punishment for subsequent misdemeanor sex offense; penalty. Provides that when a person is convicted of a specified misdemeanor sex offense and it is alleged in the warrant that he was convicted of two or more substantially similar offenses under the laws of another state or territory of the United States, the District of Columbia, or the United States within the previous 10 years, he is guilty of a Class 6 felony. Currently, the prior convictions are limited to convictions under Virginia law.

Patron - Garrett

Criminal Procedure

Passed

PHB17 Electronic filing of search warrant affidavits.

Allows for the electronic filing of search warrant affidavits by means other than the currently authorized electronic facsimile.

Patron - Kilgore

PHB77 Sentencing proceeding by the jury after conviction. Provides that criminal sentencing by a jury shall be done by a different jury when the original jury cannot agree on punishment, unless the parties and the court agree to sentencing by the court.

Patron - Habeeb

PHB185 Manner of enforcement of state criminal offenses. Provides that when a law-enforcement officer of the Department of State Police or any other division of the state government makes an arrest or issues a summons for a violation of a provision of the Code of Virginia, the person arrested or summoned must be charged with a violation of that Code provision and not with a substantially similar local ordinance. All fines and forfeitures collected upon conviction are to be credited to the Literary Fund.

Patron - Gilbert

PHB278 Bonds in recognizances; how payable. Provides that bonds in recognizances in criminal or juvenile cases

are payable to the county or city where the case is prosecuted, not the locality where the recognizance was taken.

Patron - Iaquinto

PHB348 Asset forfeitures. Consolidates certain forfeiture provisions found in two chapters in Title 19.2 and found in Title 4.1 and eliminates redundancies. The bill also provides that, unless otherwise provided by law, forfeitures are to be governed by Chapter 22.1 (§ 19.2-386.1 et seq.) of Title 19.2. This bill is identical to SB 325.

Patron - Miller

PHB770 Protective orders against law-enforcement officers. Provides that no emergency protective order may be issued against a law-enforcement officer for any action arising out of the lawful performance of his duties.

Patron - Landes

PHB856 Critical incident stress management teams; privileged information. Provides that information communicated to critical incident stress management team members by public safety personnel who are the subjects of peer support services shall not be disclosed. The bill allows the public safety personnel to waive the privilege. This bill incorporates HB 1101 and is identical to SB 362.

Patron - Yost

PHB948 Criminal Injuries Compensation Fund; crimes included. Expands the category of crime victims entitled to receive compensation from the Fund to include injured victims of felony vehicular hit and run. Under current law, injuries resulting from the operation of a motor vehicle are not covered unless they were intentionally inflicted or resulted from a violation of DUI or DUI maiming.

Patron - Bell, Robert B.

PHB1123 Dissemination of criminal history record information; state treasurer. Allows the State Treasurer access to criminal history record information for the purpose of determining whether a person receiving compensation for wrongful incarceration has been subsequently convicted of a felony.

Patron - Keam

PHB1152 Threat assessment teams; criminal history and juvenile records. Authorizes threat assessment teams established by private nonprofit institutions of higher education to receive health and criminal history records of students for the purposes of assessment and intervention.

Patron - Massie

PHB1238 Redirection of forfeited drug assets to construction of Commonwealth Public Safety Memorial. Provides that between July 1, 2012, and July 1, 2014, local agencies may direct cash funds and proceeds from forfeited drug assets to the Virginia Public Safety Foundation to support the construction of the Commonwealth Public Safety Memorial. Funding decisions shall be made following an internal analysis that determines contributions will not negatively impact law-enforcement training or operations. This bill is identical to SB 558.

Patron - Farrell

PHB1271 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 Cor-

rections, 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 is identical to SB 314.

Patron - Jones

[P]HB1280 Psychiatric hospital admissions; local inmates. Amends the criteria for psychiatric inpatient admission for inmates at local correctional facilities to add mentally ill inmates for whom there exists a substantial likelihood that they will suffer serious harm due to their lack of capacity to protect themselves from harm. Under current law the standard is that the mentally ill inmate will cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm.

Patron - Stolle

[P]HB1298 Criminal procedure; GPS tracking device. Provides the authority and the protocol for a law-enforcement officer to apply for a search warrant to permit the use of a GPS tracking device. This bill contains an emergency clause and is identical to SB 685.

Patron - Albo

[P]SB116 Court costs, fines, etc. Extends from 15 to 30 the number of days a person has to pay fines, costs, etc., before collection activity can begin or a driver's license can be suspended.

Patron - McDougale

[P]SB158 Criminal procedure; admission to bail. Provides that a magistrate, clerk, or deputy clerk may not admit to bail a person who is charged with an offense giving rise to a rebuttable presumption against bail unless an attorney for the Commonwealth concurs or the bail previously was set by a judge. A judge may set or admit such person to bail after notice and an opportunity to be heard has been provided to the attorney for the Commonwealth.

Patron - Obenshain

[P]SB325 Asset forfeitures. Consolidates certain forfeiture provisions found in two chapters in Title 19.2 and found in Title 4.1 and eliminates redundancies. The bill also provides that, unless otherwise provided by law, forfeitures are to be governed by Chapter 22.1 (§ 19.2-386.1 et seq.) of Title 19.2. This bill is identical to HB 348.

Patron - Carrico

[P]SB362 Critical incident stress management teams; privileged information. Provides that information communicated to critical incident stress management team members by public safety personnel who are the subjects of peer support services shall not be disclosed. The bill allows the public safety personnel to waive the privilege. This bill is identical to HB 856.

Patron - Deeds

[P]SB558 Redirection of forfeited drug assets to construction of Commonwealth Public Safety Memorial. Provides that between July 1, 2012, and July 1, 2014, local agencies may direct cash funds and proceeds from forfeited drug assets to the Virginia Public Safety Foundation to support the construction of the Commonwealth Public Safety Memo-

rial. Funding decisions shall be made following an internal analysis that determines contributions will not negatively impact law-enforcement training or operations. This bill incorporates SB 574 and is identical to HB 1238.

Patron - Colgan

[P]SB685 Criminal procedure; GPS tracking device. Provides the authority and the protocol for a law-enforcement officer to apply for a search warrant to permit the use of a GPS tracking device. This bill contains an emergency clause and is identical to HB 1298.

Patron - Reeves

Failed

[F]HB51 Deferred disposition in a criminal case. Provides that except as otherwise provided in law, a trial court presiding in a criminal case shall, unless all parties agree to a waiver of the requirement, announce a judgment of, or enter an order of, conviction or acquittal within 72 hours of the conclusion of the guilt phase of the trial. The bill also provides that if circumstances requiring delay exist, the court may, upon notice to the parties, delay announcement of the verdict or entry of the order for 21 additional days. This bill was incorporated into HB 750.

Patron - Albo

[F]HB75 Time-served credit for pretrial home/electronic incarceration. Provides that a circuit or district court, when imposing a sentence of incarceration upon a person convicted of a criminal offense, may allow the person convicted credit for time served prior to trial under home/electronic incarceration authorized under § 19.2-123 and shall set forth in the sentencing order whether or not such credit is allowed.

Patron - Habeeb

[F]HB89 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 inquiries of everyone arrested, and requires that an arresting officer inquire of every arrestee whether he (i) was born in a country other than the United States and (ii) is a citizen of a country other than the United States. This bill was incorporated into HB 958.

Patron - Albo

[F]HB123 Specialty court dockets. Provides that any court may establish specialty criminal dockets to address the specialized needs of similarly situated defendants. Such dockets may be authorized by the chief judge of the respective court. The bill requires that the court may utilize only the resources already existing and available to the court in the community notwithstanding the source of funding and that additional funding for such court dockets or the creation of a formal specialized court shall require the approval of the General Assembly.

Patron - Morrissey

[F]HB132 Electronic filing of search warrant affidavits. Allows for the electronic filing of search warrant affidavits by use of portable document format (PDF) in addition to the currently authorized electronic facsimile submission.

Patron - Kilgore

[F]HB212 Asset forfeiture. Provides that forfeited drug assets are to be distributed in accordance with Article VIII, Section 8 of the Constitution of Virginia. The bill also provides

that the seizing agency may request that forfeited drug assets be destroyed and that the circuit court may so order. The bill also provides that gambling asset forfeitures are governed by Chapter 22.1 (§ 19.2-386.1 et seq.) of Title 19.2 of the Code of Virginia and removes section-specific procedures.

Patron - Miller

HB223 Writ of actual innocence for juveniles adjudicated delinquent. Provides that a juvenile adjudicated delinquent of an offense that would be a felony if committed by an adult may petition the Supreme Court to issue a writ of actual innocence on the basis of biological or non-biological evidence regardless of his plea or the classification of the felony for which he was adjudicated delinquent. Currently such petitions are limited to those convicted, (i) in the case of biological evidence, of a Class 1 or Class 2 felony or equivalent felony upon any plea or of any other felony upon a plea of not guilty, or (ii) in the case of nonbiological evidence, of any felony upon a plea of not guilty.

Patron - Habeeb

HB227 Expungement when a nolle prosequi is taken. Provides that when a nolle prosequi is taken, the court shall order the police records and the court records relating to the charge expunged without further action by the person charged, two years from the date the nolle prosequi was taken.

Patron - Habeeb

HB320 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 inquiries of everyone arrested, and requires that an arresting officer inquire of every arrestee whether he (i) was born in a country other than the United States and (ii) is a citizen of a country other than the United States. This bill was incorporated into HB 958.

Patron - Ingram

HB472 Immigration query at arrest or during detention. Provides that when a law-enforcement officer lawfully detains a person who cannot produce a driver's license or properly identify himself following a lawful traffic stop, the officer is authorized, during the detention, to make certain prescribed inquiries of the detainee and of U.S. Immigration and Customs Enforcement (ICE). If the officer forms a reasonable suspicion, on the basis of such inquiries, that the person is unlawfully present in the United States and determines that the person has also been previously deported, the officer may arrest the person or, if he has not been previously deported, detain the person for transfer of custody to the federal government.

Patron - Albo

HB485 Expungement of certain drug charges. Provides that any person who has been convicted of a charge of possession of marijuana or had a charge of possession of marijuana or other drug discharged and dismissed in accordance with the provisions of § 18.2-251 more than five years prior to his petition for expungement may file a petition setting forth the relevant facts and requesting expungement of the police records and the court records relating to the charge. The bill adds that the Department of Criminal Justice Services shall maintain a record of the expungement to be made available to any attorney for the Commonwealth upon request.

Patron - Ware, O.

HB673 Protective order; transfer of venue. Allows a general district court to transfer a case where a party is seeking a protective order to the appropriate juvenile and domestic

relations district court or circuit court if either of the parties is a party to a substantially related action already pending in either such court.

Patron - Surovell

HB748 Expungement ineligibility. Clarifies that a criminal case that is dismissed following the satisfaction of terms and conditions of a deferred judgment is not eligible for expungement. Currently, a case that is "otherwise dismissed" or wherein a nolle prosequi is taken or the defendant is acquitted is eligible for expungement.

Patron - Cline

HB750 Inherent authority to defer and dismiss a criminal case. Provides that no court shall have the authority, upon a plea of guilty or nolo contendere or after a plea of not guilty, when the facts found by the court would justify a finding of guilt, to defer proceedings or to defer entry of a final order of guilt or to dismiss the case upon completion of terms and conditions except as provided by statute unless all parties agree otherwise or deferred judgment is provided for by statute. This bill responds to the January 13, 2011, Supreme Court of Virginia decision in *Hernandez v. Commonwealth*, 281 Va. 222, 707 S.E.2d 273 (2011). This bill incorporates HB 51.

Patron - Cline

HB950 Costs for certain transcripts paid by the court. Provides that in all felony cases in which a transcript of any related prior proceedings, including but not limited to a mistrial or preliminary hearing, is provided to the defendant, a transcript shall also be made available contemporaneously to the Commonwealth. The cost of such transcript shall be included in any allowances made by the court out of the state treasury from the appropriation for criminal charges on the certificate of the court stating the nature of the service.

Patron - Bell, Robert B.

HB956 Immediate sanction probation. Continues immediate sanction probation programs adopted in 2010 and which were subject to sunset on July 1, 2012, and removes the two program limit (expands program to statewide application). The bill provides that as a condition of suspension of sentence pursuant to § 19.2-303, a defendant who was not convicted of a violent crime may be ordered to participate in an immediate sanction probation program. An offender arrested for a violation of the conditions of his probation would receive an expedited hearing before the court. An affidavit prepared by his probation and parole officer detailing the offense for which he was arrested may be received into evidence without the officer's testimony. The immediate sanction hearing is not authorized for new criminal offenses or absconding for more than seven days. Such an offender would serve no more than 30 days in jail for a probation offense.

Patron - Bell, Robert B.

HB958 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 inquiries of everyone arrested, and requires that an arresting officer inquire of every arrestee whether he (i) was born in a country other than the United States and (ii) is a citizen of a country other than the United States. This bill incorporates HB 89 and HB 320.

Patron - Bell, Robert B.

HB1011 Abatement of criminal conviction; effect of death of convicted person while case on appeal. Provides that a criminal conviction shall not abate if a convicted criminal defendant dies at any time following his conviction in cir-

cuit court, and if his death occurs during the pendency of an appeal by him, the appeal is rendered moot.

Patron - Ramadan

[F]HB1048 Miranda rights to be read in arrestee's native language. Provides that when a person accused of a criminal offense is placed under arrest and advised of his Miranda rights, the arresting officer or officers shall so advise the arrestee in his native language in a manner that ensures that the arrestee fully comprehends his rights including, if necessary, by providing the information in the arrestee's native language in verbal or written form.

Patron - Keam

[F]HB1086 Restitution; collection. Allows the victim to whom restitution is owed to authorize the attorney for the Commonwealth to collect the restitution using private attorneys, collection agencies, or other methods. The costs and fees associated with the collection shall be taken out of the amounts recovered. The amount of restitution collected plus the costs or fees associated with collection cannot exceed the total amount of restitution owed to the victim.

Patron - O'Bannon

[F]HB1101 Critical incident stress management teams; privileged information; penalty. Creates a Class 2 misdemeanor for a member of a critical incident stress management team to disclose any information communicated to him by certain public safety personnel who are the subjects of peer support services. The bill allows the public safety personnel to waive the privilege. This bill was incorporated into HB 856.

Patron - Miller

[F]HB1126 Sanctions with Unified Rapid Enforcement (SURE) probation program created. Creates a specialized probation program available to offenders who are on probation pursuant to a suspended sentence and have not been convicted of a violent felony. The program provides for immediate arrest of a probation violator whose violation is not another crime. He would then be subject to a minimum of five to 10 days in jail, with the terms of confinement escalating for each subsequent offense. Upon a fourth violation the defendant would become ineligible for the SURE program. The program is to be initially administered by the Virginia Criminal Sentencing Commission as a pilot program in select jurisdictions for a period of two years.

Patron - Bell, Robert B.

[F]HB1278 Petitions for writs of actual innocence. Provides that for petitions for writs of actual innocence in the case of both biological and nonbiological evidence, each may be brought for any felony and upon any plea. The bill also provides that, for both writs, the petitioner shall allege that the new evidence (had it been available at trial) would have created in a rational trier of fact reasonable doubt as to the guilt of the petitioner as opposed to the current required allegation that the evidence "will prove that no rational trier of fact could have found proof of guilt beyond a reasonable doubt." For the writ based on nonbiological evidence, the bill removes the limit that only one writ per conviction may be filed.

Patron - Morrissey

[F]HB1299 Immediate sanction program created. Creates a specialized probation program available to offenders who are on probation pursuant to a suspended sentence and have not been convicted of a violent felony. The program provides for immediate arrest of a probation violator whose violation is not another crime for which confinement can be imposed or absconding for more than seven days. He would

then be subject to a minimum of three to 10 days in jail, with the terms of confinement escalating for each subsequent offense. After serving his sentence for the fourth violation, the defendant would become ineligible for the immediate sanction program. The program is to be initially administered by the Virginia Criminal Sentencing Commission as a pilot program in no more than five pilot sites.

Patron - Bell, Robert B.

[F]SB111 Sanctions with Unified Rapid Enforcement (SURE) probation program created. Creates a specialized probation program available to offenders who are on probation pursuant to a suspended sentence and have not been convicted of a violent felony. The program provides for immediate arrest of a probation violator whose violation is not another crime. The offender would then be subject to a minimum of three to 10 days in jail, with the terms of confinement escalating for each subsequent offense. Upon a fourth violation the offender would become ineligible for the SURE program. The program is to be administered by the Virginia Criminal Sentencing Commission as a pilot program in no more than 10 jurisdictions.

Patron - Howell

[F]SB326 Asset forfeiture. Provides that forfeited drug assets are to be distributed in accordance with Article VIII, Section 8 of the Constitution of Virginia. The bill also provides that the seizing agency may request that forfeited drug assets be destroyed and that the circuit court may so order. The bill also provides that gambling asset forfeitures are governed by Chapter 22.1 (§ 19.2-386.1 et seq.) of Title 19.2 of the Code of Virginia and removes section-specific procedures.

Patron - Carrico

[F]SB460 Immigration query at arrest or during detention. Provides that when a law-enforcement officer lawfully detains a person following a lawful stop, detention, or arrest of such person for a suspected criminal offense or traffic infraction or upon reasonable suspicion of criminal activity and, during the detention, based upon certain prescribed inquiries of the detainee and ICE, the officer forms a reasonable suspicion that the person is unlawfully present in the United States, the officer shall make a reasonable effort during the detention, when practicable, to determine whether the person is lawfully present, unless the determination would hinder or obstruct an investigation. The bill also sets out procedures to be followed by a judicial officer who would make a bail determination for such an arrestee.

Patron - Black

[F]SB574 Redirection of forfeited drug assets to construction of Commonwealth Public Safety Memorial. Provides that between July 1, 2012, and July 1, 2014, state and local agencies may direct cash funds and proceeds from forfeited drug assets to the Virginia Public Safety Foundation to support the construction of the Commonwealth Public Safety Memorial. Funding decisions shall be made following an internal analysis that determines contributions will not negatively impact law-enforcement training or operations. This bill was incorporated into SB 558.

Patron - Obenshain

[F]SB585 Psychiatric hospital admissions; local inmates. Amends the criteria for psychiatric inpatient admission for inmates at local correctional facilities to add mentally ill inmates for whom there exists a substantial likelihood that they will suffer serious harm due to their lack of capacity to protect themselves from harm or to provide for their basic human needs. Under current law the standard is that the mentally ill inmate will cause serious physical harm to himself or

others as evidenced by recent behavior causing, attempting, or threatening harm. The bill is contingent upon an appropriation of General Funds effectuating the provisions of the bill.

Patron - Northam

Carried Over

[C]HB173 Interpreter appointed for non-English-speaking defendant. Provides that the cost for an interpreter for a non-English-speaking defendant shall be borne by the defendant if he is convicted of the criminal offense.

Patron - Loupassi

[C]SB184 Interpreter appointed for non-English-speaking defendant. Provides that the cost for an interpreter for a non-English-speaking defendant shall be borne by the defendant if he is convicted of the criminal offense.

Patron - Stuart

Domestic Relations

Passed

[P]HB84 Child custody; communication of decision. Provides that the judge's required communication of the basis for his decision regarding child custody or visitation, except in cases of a consent order for custody or visitation, shall set forth the judge's findings regarding the relevant statutory factors used to determine the best interests of the child.

Patron - Albo

[P]HB104 Divorce; service of process; failure to respond. Provides that if a defendant fails to file an answer in a divorce suit or otherwise appear after having been personally served with notice of the suit, no additional notice to take depositions is required to be served on the defendant and the court may enter any order or final decree without notice to the defendant. As introduced, this bill was a recommendation of the Boyd-Graves Conference. This bill is identical to SB 60.

Patron - Loupassi

[P]HB126 Use of affidavits in no-fault divorce cases. Allows parties to submit evidence supporting the grounds for a no-fault divorce by affidavit or deposition, without leave of court, in lieu of oral testimony where (i) the parties have resolved all issues by a written settlement agreement, (ii) there are no issues other than the grounds of the divorce itself to be adjudicated, or (iii) the adverse party has been properly served and has failed to file a responsive pleading or make an appearance as required by law. The bill sets out the required contents of both the affidavit of a party and the affidavit of a corroborating witness.

Patron - Kilgore

[P]HB282 Divorce; revocation of death benefits; notice. Requires that every decree of divorce or an nulment contain a notice alerting the parties that the final decree may not necessarily serve to revoke the designation of the other party as a beneficiary in a contract providing for a death benefit.

Patron - Iaquinto

[P]HB635 Equitable distribution; change of venue. Provides that, upon or after the entry of a final divorce decree, a court may, upon its own motion or the motion of any party,

transfer to the circuit court for the county or city where either party resides the authority to make additional orders to effectuate or enforce an equitable distribution award made in the decree or a stipulation, contract, or agreement that has been affirmed, ratified, and incorporated in the decree.

Patron - Iaquinto

[P]HB1095 Enforcement of support; qualified domestic relations order. Provides that a court may enforce a support order by entering a qualified domestic relations order or other order designed to attach or garnish pensions and other deferred compensation or retirement plans governed by federal law.

Patron - Herring

[P]SB60 Divorce; service of process; failure to respond. Provides that if a defendant fails to file an answer in a divorce suit or otherwise appear after having been personally served with notice of the suit, no additional notice to take depositions is required to be served on the defendant and the court may enter any order or final decree without notice to the defendant. As introduced, this bill was a recommendation of the Boyd-Graves Conference. This bill is identical to HB 104.

Patron - Obenshain

[P]SB249 Marriage ceremonies; performance by those commissioned to pastoral ministry. Allows a person commissioned to pastoral ministry to obtain an order granting him the authority to perform marriage ceremonies.

Patron - Obenshain

Failed

[F]HB283 Divorce; temporary orders; life insurance. Provides that a party in a suit for divorce, annulment, separate maintenance, or child custody or visitation may be ordered to maintain any existing life insurance policy on the life of either spouse or designate as beneficiary the child or children of the parties, or of the other party, and that the court may allocate the cost of the premiums of such insurance between the parties.

Patron - Iaquinto

[F]HB606 Shared child custody. Establishes a presumption in child custody cases that an award of joint legal custody, with physical custody, to the extent feasible, shared equally between the parties, is in the best interests of the child.

Patron - LeMunyon

[F]HB1115 Solemnization of marriage; eliminating government oversight of religious rites of marriage. Establishes a consistent procedure for the solemnization of marriages in the Commonwealth; protects against government intrusion in the religious rites of marriage and eliminates the need for judicial decisions about who is a "minister;" decriminalizes the unlicensed celebration of the religious rite or sacrament of marriage where no legal recognition is sought or implied.

Patron - Englin

Drainage, Soil Conservation, Sanitation and Public Facilities Districts

Passed

SB560 Sanitary districts; construction of dams; emergency. Authorizes the board of supervisors of a sanitary district to construct and maintain dams within the district. Current law does not address dams but permits such boards to construct and maintain water supply systems, drainage systems, lighting systems, and other facilities. The bill will become effective upon its passage.

Patron - Stuart

SB629 Sanitation districts; commission expenses. Provides that members of sanitation district commissions may be paid a reasonable per diem not to exceed \$1,500 annually.

Patron - Deeds

Education

Passed

HB76 Teachers without continuing contract status. Shifts the date of effective contract renewal for those teachers without continuing contract status from April 15 to June 15. This bill is identical to SB 278.

Patron - Habeeb

HB93 Pupil transportation; insurance requirements. Increases the minimum amount of vehicle liability insurance required to be carried by public schools in the instances of property damage, medical expense payment coverage, and accidents when all persons are injured. The bill also requires taxicabs providing transportation of students under contract with a school division to have certain minimum amounts of vehicle liability insurance.

Patron - Albo

HB96 Accreditation of schools; delayed implementation of certain statutes and regulations. Extends the delay of the implementation of statutes and regulations upon which the accreditation of schools in the Commonwealth is based that were not already in effect on June 30, 2008, with the exceptions of the graduation and completion rate index and the economics and financial literacy requirement, until July 1, 2013, unless such statutes or regulations are also specifically required by federal code, federal regulation, or court action.

Patron - Wilt

HB250 Expenditures and reports on instructional spending. Requires the Department of Education to include in the annual School Performance Report Card for school divisions the percentage of each division's annual operating budget allocated to instructional costs. The Department will establish a methodology for allocating each school division's expenditures to instructional and noninstructional costs in a manner that is consistent with the funding of the Standards of Quality

as approved by the General Assembly. This bill incorporates HB 78.

Patron - Cline

HB325 Students with autism spectrum disorders; training required of personnel. Requires each school board, by September 1, 2014, to ensure that aides assigned to work with a teacher who has primary oversight of students with autism spectrum disorder receive training in student behavioral management within 60 days of assignment to such responsibility. School boards may provide such training to other employees, including transportation employees. The Board of Education, in consultation with Virginia Commonwealth University, will develop online training that school divisions may use to fulfill these requirements. Such training shall be made available to local school divisions free of charge.

Patron - Massie

HB352 Emergency management plans; victims' rights. Requires the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund to be the lead coordinating agencies for individuals determined to be victims during critical events and emergencies under emergency management plans developed by school boards, institutions of higher education, the Board of Health, the State Emergency Medical Services Advisory Board, the Department of Emergency Management, and political subdivisions. This bill incorporates HB 380.

Patron - Cox, J.A.

HB367 Board of Education; publication of disciplinary offense and outcome data. Requires the Board of Education to annually publish disciplinary offense and outcome data by race, ethnicity, gender, and disability for each public school in the Commonwealth on its website.

Patron - McClellan

HB382 Transfer of assistive technology devices by a school division. Provides that a school division may transfer assistive technology devices purchased by the division for a child with a disability to (i) a different school division to which the child transfers; (ii) a state agency that provides services to a child with a disability upon the child's graduation or when a school division ceases to provide special education services for the student; or (iii) the parents of a child with a disability, or the child with a disability if the child is age 18 or older and has capacity to enter into a contract.

Patron - Pogge

HB577 Teachers of online courses and college partnership laboratory schools; background checks. Clarifies that teachers of online courses and in college partnership laboratory schools shall, as a condition of employment requiring direct contact with students, provide written consent and the necessary personal information to obtain a search of the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.

Patron - Bell, Richard P.

HB578 Online courses; teacher licensure. Requires the Board of Education to develop licensure criteria for teachers who teach only online courses. The bill also provides that teachers who hold a Board-issued five-year renewable license may teach online courses for which they are properly endorsed.

Patron - Bell, Richard P.

HB603 Open enrollment policies; local school divisions. Provides that local school divisions may have policies that provide for the open enrollment to any school of any student residing within the school division upon the request of a

parent or guardian. The bill describes optional criteria for local school boards to consider when developing any such plan.

Patron - LeMunyon

[P]HB640 Public school enrollment; military children. Clarifies language relating to enrollment of students pursuant to a special power of attorney to correspond to language in the Interstate Compact on Educational Opportunity for Military Children. This bill is identical to SB 190.

Patron - Stolle

[P]HB642 Board of Education; high school accreditation; industry certifications. Requires the Board of Education to adopt regulations adjusting the formula for calculating the final high school accreditation status to add points for each student obtaining a diploma and certain industry certifications, state licensure, or occupational credential. The additional points shall only improve the accreditation status of a school and cannot be used to obtain or deny accreditation. This bill is identical to SB 514.

Patron - Stolle

[P]HB756 Public schools; Innovation Technical Advisory Committee. Authorizes the Department of Education to establish an Innovation Technical Advisory Group, comprised of individuals with experience in the establishment and operation of charter schools, college partnership laboratory schools, and virtual school programs, or to retain the services of individuals with such experience to provide technical assistance and advice to the Board in carrying out its duties relating to charter schools, college partnership laboratory schools, and virtual school programs.

Patron - Dance

[P]HB886 Chronic school absenteeism and truancy. Requires the Board of Education to promulgate regulations by July 1, 2013, to address truancy. In promulgating these regulations, the Board shall address the following: (i) provisions for early intervention at the school level for repeated unexcused absences; (ii) identification of and a plan to address a student's academic, social, familial, and other barriers that impede attendance in school; and (iii) arrangement of conferences that may be necessary among school personnel, students, parents, and community services providers, as appropriate, to address plans and strategies to improve student attendance, including but not limited to referrals to family assessment and planning teams.

Patron - Alexander

[P]HB1061 Secondary school graduation requirements; diplomas. Directs the Board of Education to modify the credits necessary for a student to earn a standard or an advanced studies diploma. The advanced studies diploma shall be the recommended diploma for students pursuing baccalaureate study. The standard diploma shall include a concentration in career and technical education and a requirement to earn a career and technical education credential. Standard or advanced studies diploma will require the successful completion of one virtual course. The modified standard diploma is eliminated, but the Board shall make provisions in regulation for students with disabilities to earn a standard diploma. The Board shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment. This bill is identical to SB 489.

Patron - Byron

[P]HB1089 Public schools; immunization requirements. Allows a 180-day conditional enrollment period for students who need more than two doses of the required hepatitis B vaccine, to allow for proper spacing of the vaccine doses.

Current law allows a 90-day conditional enrollment period for the completion of any immunization schedule.

Patron - O'Bannon

[P]HB1092 Physical education; regulations. Requires the Board of Education to promulgate regulations governing physical education requirements in public schools. The Board shall promulgate the regulations to be effective beginning with the 2015 - 2016 school year.

Patron - O'Bannon

[P]HB1107 Public schools; possession and administration of epinephrine. Requires local school boards to adopt and implement policies for the possession and administration of epinephrine in every school. The school nurse or a school board employee may administer the epinephrine to any student believed to be having an anaphylactic reaction. The bill also requires the Department of Health, in conjunction with the Department of Education and the Department of Health Professions to develop and implement policies for the recognition and treatment of anaphylaxis in the school setting. This bill is identical to SB 656.

Patron - Greason

[P]HB1108 Career and technical education industry certifications. Delays for one year the effective date of legislation providing that, where there is a national industry certification for career and technical education instructional personnel or programs for automotive technology, the Board of Education must make such certification a mandatory part of the career and technical education program.

Patron - Greason

[P]HB1173 Public charter schools; funding and service contracts. Provides that following a local school board decision to deny a public charter school application or to revoke or fail to renew a charter agreement, the local school board shall submit documentation to the Board of Education as to the rationale for the local school board's denial or revocation of the charter school application. The Board of Education continues to have no authority to grant or deny a public charter school application or to revoke or fail to renew a charter agreement.

The bill also provides that (i) a local school board shall no longer have the discretion to revoke a charter if it finds the school is no longer in the public interest or for the welfare of the students; (ii) all purchases made by a public charter school shall be exempt from the Virginia Public Procurement Act, unless otherwise negotiated by contract; (iii) local school boards may elect whether charter school personnel are employees of the charter school or of the local school board granting the charter; (iv) the amount of funds provided to the charter school by the local school board shall be commensurate with the average school-based costs of educating the students in the division; and (v) the local school board may allow a public charter school to lease or purchase vacant or unused properties or real estate owned by the school board. This bill is identical to SB 440.

Patron - Lingamfelter

[P]HB1179 Public schools; character education. Provides that a school board, either within its existing programs or as a separate program, may provide its character education program during the summer in a youth development academy offered by the school division. The Department of Education shall develop curricular guidelines for school divisions to use in establishing a character education program through a summer youth development academy.

Patron - Yost

[P]HB1181 Public schools; reading intervention.

Requires local school divisions to provide reading intervention services to students in grade three who demonstrate deficiencies based on their individual performance on the Standards of Learning reading test or any reading diagnostic test that meets criteria established by the Department of Education. The local school division, at its discretion, shall provide such intervention before promotion to grade four.

Patron - Landes

[P]HB1184 Public schools; dual enrollment for high school students.

Requires local school boards and community colleges to develop agreements allowing high school students to complete an associate's degree or a one-year Uniform Certificate of General Studies from a community college concurrent with a high school diploma.

Patron - Rust

[P]HB1188 Human trafficking; information for public schools.

Requires the Board of Education, with assistance from the Department of Social Services, to provide awareness and training materials for local school division staff on human trafficking, including strategies for the prevention of trafficking of children. This bill is identical to SB 259.

Patron - Watts

[P]HB1189 Public schools; student data requests.

Allows local school boards to develop a single, standardized form to obtain parental consent for the release of student data. If developed by the local school board, such form shall be used by Community Policy and Management Teams and the Departments of Health, Social Services, Correctional Education, Juvenile Justice, and Behavioral Health and Developmental Services.

Patron - Carr

[P]HB1208 Home instruction of children; curriculum description.

Requires that the description of the curriculum, which a parent electing to provide home instruction to his child in lieu of school attendance must submit to the school division superintendent, shall be limited to a list of subjects to be studied during the coming year. This bill is identical to SB 564.

Patron - Pogge

[P]HB1215 Virtual schools; accreditation.

Requires the Board of Education to promulgate regulations establishing standards for accreditation of public virtual schools that enroll students full time.

Patron - Bell, Richard P.

[P]SB190 Public school enrollment; military children.

Clarifies language relating to enrollment of students pursuant to a special power of attorney to correspond to language in the Interstate Compact on Educational Opportunity for Military Children. This bill is identical to HB 640.

Patron - Miller, J.C.

[P]SB217 Public schools; residency of children in kinship care.

Allows a child receiving kinship care from a close relative to enroll in the school division where the kinship care provider resides. The bill also allows local school divisions to require one legal parent and the kinship care provider to sign affidavits detailing the kinship care arrangement as well as a power of attorney authorizing the close relative to make educational decisions regarding the child.

Patron - Barker

[P]SB259 Human trafficking; information for public schools.

Requires the Board of Education, with assistance from the Department of Social Services, to provide awareness

and training materials for local school division staff on human trafficking, including strategies for the prevention of trafficking of children. This bill is identical to HB 1188.

Patron - Ebbin

[P]SB278 Teachers without continuing contract status.

Shifts the date of effective contract renewal for those teachers without continuing contract status from April 15 to June 15. This bill is identical to HB 76.

Patron - Smith

[P]SB440 Public charter schools; funding, and service contracts.

Provides that following a local school board decision to deny a public charter school application or to revoke or fail to renew a charter agreement, the local school board shall submit documentation to the Board of Education as to the rationale for the local school board's denial or revocation of the charter school application. The Board of Education continues to have no authority to grant or deny a public charter school application or to revoke or fail to renew a charter agreement.

Patron - Obenshain

[P]SB489 Secondary school graduation requirements; diplomas.

Directs the Board of Education to modify the credits necessary for a student to earn a standard or an advanced studies diploma. The advanced studies diploma shall be the recommended diploma for students pursuing baccalaureate study. The standard diploma shall include a concentration in career and technical education and a requirement to earn a career and technical education credential. Standard or advanced studies diploma will require the successful completion of one virtual course. The modified standard diploma is eliminated, but the Board shall make provisions in regulation for students with disabilities to earn a standard diploma. The Board shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment. This bill is identical to HB 1061.

Patron - Ruff

[P]SB514 Board of Education; high school accreditation; industry certifications.

Requires the Board of Education to adopt regulations adjusting the formula for calculating the final high school accreditation status to add points for each student obtaining a diploma and certain industry certifications, state licensure, or occupational credential. The additional points shall only improve the accreditation status of a school and cannot be used to obtain or deny accreditation. This bill is identical to HB 642.

Patron - Wagner

[P]SB564 Home instruction of children; curriculum description.

Requires that the description of the curriculum, which a parent electing to provide home instruction to his child in lieu of school attendance must submit to the school division superintendent, shall be limited to a list of subjects to be studied during the coming year. This bill is identical to HB 1208.

Patron - Black

[P]SB656 Public schools; possession and administration of epinephrine.

Requires local school boards to adopt and implement policies for the possession and administration of epinephrine in every school. The school nurse or a school board employee may administer the epinephrine to any student believed to be having an anaphylactic reaction. The bill also requires the Department of Health, in conjunction with the Department of Education and the Department of Health Professions, to develop and implement policies for the recognition and treatment of anaphylaxis in the school setting. This bill is identical to HB 1107.

Patron - McEachin

Failed

HB15 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

Patron - Habeeb

HB43 Public schools; opening of the school year. Allows local school boards to set the school calendar so that the first day students are required to attend school shall be no earlier than two weeks prior to Labor Day and no later than the day after Labor Day.

Patron - Tata

HB78 Expenditures and reports on instructional spending. Requires each local school board to report annually to the Board of Education the percentage of its operating budget allocated to instructional spending. The Board must report annually to the House Committee on Appropriations and the Senate Committee on Finance the amount of spending allocated by the local school boards to instructional spending based on the school boards' annual reports to the Board of Education. This bill was incorporated into HB 250.

Patron - Habeeb

HB86 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

Patron - Greason

HB94 Local school boards; meeting procedures. Requires that local school boards hold meetings in accordance with the parliamentary procedures set out in Robert's Rules of Order.

Patron - Albo

HB110 Student driver education; instruction on organ donation. Requires that the existing organ and tissue donor awareness component included as part of the driver education curriculum be at least 30 minutes in duration and include a discussion of the options and benefits related to the decision to become an organ donor.

Patron - Bell, Richard P.

HB113 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

Patron - Morrissey

HB138 Public schools; impact of unlawful aliens; report. Requires public schools to determine whether each student enrolling in public school was born outside the jurisdiction of the United States or is the child of an alien not lawfully present in the United States and qualifies for assignment to an English as a Second Language class or other remedial program. The Board of Education must prepare a report on the impacts of such students in public schools and request reimbursement from the U.S. Department of Education for the fiscal costs to the state and political subdivisions thereof of providing educational instruction, computers, textbooks and other supplies, free or discounted school meals, and extracur-

ricular activities to students who are aliens not lawfully present in the United States.

Patron - Cole

HB143 Preschool programs; private funding. Allows a locality currently providing preschool programs to at least 60 percent of its at-risk four-year-olds to accept private funding, which may have restrictions or conditions attached, to meet its local share in order to apply for a state matching grant to serve additional eligible four-year-olds, as well as at-risk three-year-olds.

Patron - Englin

HB144 Virginia Preschool Initiative Local Grant Program. Creates a grant program to be administered by the Virginia Department of Education to improve training for pre-school educators; create, outfit, or expand preschool classrooms; implement the Virginia Quality Rating and Improvement System; ensure the availability of preschool education for the children of veterans; and create innovative early childhood programs for rural communities where access to services is difficult. The grant program shall be funded by the unused moneys allocated by the General Assembly towards the Virginia Preschool Initiative, which requires a local match in order for such funds to be utilized. Grants shall be awarded pursuant to a competitive request for proposals process designed to ensure that all service providers in the Commonwealth, regardless of size or geographic location, are afforded the opportunity to apply for funds.

Patron - Englin

HB224 Board of Education; administration. Requires the Board of Education to adopt regulations allowing all students to whom the Standards of Learning tests are administered to be permitted to retake the test if the student does not achieve a passing score. Additionally, such regulations shall provide that, at the discretion of his teacher, a student may take the Standards of Learning test at any time during the school year.

Patron - Habeeb

HB225 Public schools; alternative accreditation and student growth measures. Requires the Board of Education to adopt regulations establishing standards for accreditation based on student growth measures as an alternative to student outcome measures. The Board of Education is also required to review available student growth measures and identify and approve any such measures that supply data sufficiently to serve as a reliable and alternate path to school accreditation.

Patron - Habeeb

HB254 Public schools; opening of the school year. Allows local school boards, for years in which Labor Day falls on September 5 or later, to set the school calendar so that the first day students are required to attend school shall be no earlier than one week before Labor Day.

Patron - Stolle

HB400 Local school boards; policies permitting parents to observe children. Requires local school boards to adopt and implement policies that would ensure parents may observe in the child's classroom.

Patron - Hope

HB421 Standards of Quality; apportionment of state and local share. Directs the General Assembly, in apportioning the state and local share of the costs of meeting the Standards of Quality, beginning July 1, 2012, to implement a formula that determines each locality's ability to pay based on the ratios of (i) the reimbursement payment made to the local-

ity for providing tangible personal property tax relief to the reimbursement payments made statewide for providing tangible personal property tax relief; (ii) the total value of real estate in the locality, adjusted by the average of the cost of competing index if used for instructional personnel and for support positions, to the statewide value of real estate per person; (iii) local one percent sales tax revenue collected by the locality to the statewide total local sales tax revenue collected; (iv) the assessed value of the personal property taxed by the locality to the statewide assessed value of the local personal property tax; and (v) revenue collected from local lodging, local cigarette, and local meals taxes to the revenue collected statewide from such local lodging, cigarette, and meals taxes.

To determine each locality's composite index of ability to pay (a) the sum of the ratios calculated on the basis of average daily membership for each locality shall be divided by the sum of the average daily membership ratios for all localities; (b) the sum of the ratios calculated on a per capita basis for each locality shall be divided by the sum of the per capita ratios for all localities; and (c) the locality's ratio calculated on the basis of average daily membership shall be multiplied by 0.66 and the locality's ratio calculated on a per capita basis shall be multiplied by 0.33. The sum of the two adjusted ratios in clause (c) shall be the local composite index of ability to pay.

Patron - Watts

HB434 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

Patron - Tata

HB468 Public school funding; LCI calculation. Requires the Department of Education to adjust its calculation of the composite index of local ability to pay for public education by (i) reducing the maximum LCI of 0.80 by 0.02 each year for a period of 10 years and (ii) using the average of true value of real property, adjusted gross income, taxable retail sales, average daily membership, and total population over the preceding five-year period in calculating the LCI.

Patron - Albo

HB488 Board of Education; interscholastic activities. Requires the Board of Education to act as liaison between local school divisions and any nonprofit corporation founded in Virginia in 1913 that currently organizes and governs interscholastic activities among the public high schools, in order to help resolve any disputes that may arise between the parties.

Patron - Ware, O.

HB547 Local school divisions; unexpended state funds. Provides that local school divisions may elect to use any unexpended state funds to provide a one-time bonus to all teachers of up to three percent of the annual base salary.

Patron - Comstock

HB591 Opening of the school year in certain school divisions. Authorizes the school boards of the City of Martinsville, Henry County, and Pittsylvania County school divisions to set the opening of the school year so that the first day students are required to attend school is prior to Labor Day.

Patron - Merricks

HB602 Public schools; opening of the school year. Allows local school divisions to set the school calendar so that the first day students are required to attend must be no earlier than the fourth Monday in August. Current law requires the

first day to be after Labor Day unless a waiver is granted for good cause shown.

Patron - LeMunyon

HB653 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

Patron - Kory

HB656 Parental notification; student discipline. Requires parental notification whenever school administrators begin an investigation into a potential violation of any school board policy. Such notification may be made by phone or email, or any other reasonable method, as determined by the school board.

Patron - Kory

HB696 Virtual schools; funding. Provides that local school boards with full-time virtual programs shall receive the proportionate share of direct aid for public education for full-time students based on the jurisdiction of residence of each student.

Patron - Filler-Corn

HB873 Direct Aid to Public Education. Amends future Direct Aid to Public Education Distribution by lowering the maximum Composite Index.

Patron - Rust

HB905 Nonpublic school students; participation in interscholastic programs. Prohibits public schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student who (i) is receiving home instruction, (ii) has demonstrated evidence of progress for two years, (iii) is entitled to free tuition in a public school, (iv) has not reached the age of 19 by August 1 of the current school year, (v) is an amateur who receives no compensation, but participates solely for the educational, physical, mental, and social benefits of the activity, (vi) complies with all disciplinary rules applicable to all public high school athletes, and (vii) complies with all other rules governing awards, all-star games, parental consents, and physical examinations applicable to all high school athletes. The bill allows such students to be charged reasonable fees for participation.

Patron - Minchew

HB947 Nonpublic school students; participation in interscholastic programs. Prohibits public schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student who (i) is receiving home instruction, (ii) has demonstrated evidence of progress for two years, (iii) is entitled to free tuition in a public school, (iv) has not reached the age of 19 by August 1 of the current school year, (v) is an amateur who receives no compensation, but participates solely for the educational, physical, mental, and social benefits of the activity, (vi) complies with all disciplinary rules applicable to all public high school athletes, and (vii) complies with all other rules governing awards, all-star games, parental consents, and physical examinations applicable to all high school athletes. The bill allows such students to be charged reasonable fees for participation. The provisions of the bill will expire on June 30, 2017.

Patron - Bell, Robert B.

HB991 Charter schools; employees. Provides that public charter school personnel, at the discretion of the local school board, need not be employees of the local school board

or boards granting the charter. Charter school personnel remain subject to background check and fingerprinting requirements.

Patron - Loupassi

[F]HB1005 Nonpublic school students; participation in interscholastic programs. Prohibits public schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student who (i) is receiving home instruction, (ii) has demonstrated evidence of progress for two years, (iii) is entitled to free tuition in a public school, (iv) has not reached the age of 19 by August 1 of the current school year, (v) is an amateur who receives no compensation, but participates solely for the educational, physical, mental, and social benefits of the activity, (vi) complies with all disciplinary rules applicable to all public high school athletes, and (vii) complies with all other rules governing awards, all-star games, parental consents, and physical examinations applicable to all high school athletes. The bill allows such students to be charged reasonable fees for participation.

Patron - Ramadan

[F]HB1063 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

Patron - Tata

[F]HB1156 Public schools; administration of auto-injectable epinephrine. Provides that local school boards shall develop policies to maintain at least two auto-injectable epinephrine pens per school. The school nurse, or a trained and authorized school board employee if a nurse is unavailable, would be able to administer or provide auto-injectable epinephrine to a student with a prescription on file or a student believed to be having an anaphylactic reaction. Neither the school nurse nor the authorized and trained school board employee shall be liable for any civil damages for ordinary negligence when acting in good faith. The bill contains an emergency clause.

Patron - Farrell

[F]HB1272 Public schools; virtual education. Provides that any student who enrolls full time in a virtual school program served by a multidivision online provider outside his school division of residence shall have his state and local share of Standards of Quality per pupil funding transferred from the school division of residence to the enrolling school division. The total state and local share funds transferred from the resident division to the enrolling division shall not exceed \$6,500 per pupil. The enrolling school division shall invoice the resident school division monthly and the Department of Education semimonthly for a student participating in a virtual education program.

Patron - Bell, Richard P.

[F]SB119 Temporarily employed teachers. Prohibits a school board from hiring temporarily employed teachers (substitutes) in the core subjects of English, mathematics, science, and history and social studies at the middle and high school levels in a manner that results in the staffing of these core disciplines by a majority of substitutes or unlicensed teachers. The bill further provides that substitutes shall not be employed for consecutive or alternating teaching assignments that result in more than 90 teaching days in the same middle or secondary school class or public school in these core subjects during a school year.

Patron - Marsh

[F]SB167 Student discipline; parental notification.

Requires the school principal or his designee to attempt to notify the parents of any student who violates a school board policy when such violation will result in the student's suspension, expulsion, or the notification of law enforcement. This bill incorporates SB 391.

Patron - Petersen

[F]SB185 Third grade SOLs; math and English only.

Requires the Board of Education to require only math and English Standards of Learning assessments for third graders.

Patron - Miller, J.C.

[F]SB200 Public school textbooks; East Sea. Requires all textbooks approved by the Board of Education to note that the Sea of Japan is also referred to as the East Sea.

Patron - Marsden

[F]SB243 Charter schools; flexibility. Allows public charter schools to choose whether its employees will participate in the Virginia Retirement System. The bill also (i) requires only 75 percent of public charter elementary school teachers to be licensed and 50 percent of public charter middle and high school teachers to be licensed, (ii) specifies that all teachers otherwise be highly qualified, as defined by the federal No Child Left Behind Act, and (iii) exempts all purchases made by a public charter school from the Virginia Public Procurement Act.

Patron - Obenshain

[F]SB256 Public schools; physical activity requirement.

Requires at least 30 minutes of physical activity per day during the regular school year for students in grades K through 12. This requirement would become effective beginning with the 2014-2015 school year.

Patron - Miller, J.C.

[F]SB257 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. This bill was incorporated into SB 457.

Patron - Ebbin

[F]SB261 Virginia Preschool Initiative Local Grant Program. Creates a grant program to be administered by the Virginia Department of Education to improve training for preschool educators; create, outfit, or expand preschool classrooms; implement the Virginia Quality Rating and Improvement System; ensure the availability of preschool education for the children of veterans; and create innovative early childhood programs for rural communities where access to services is difficult. The grant program shall be funded by the unused moneys allocated by the General Assembly towards the Virginia Preschool Initiative, which requires a local match in order for such funds to be utilized. Grants shall be awarded pursuant to a competitive request for proposals process designed to ensure that all service providers in the Commonwealth, regardless of size or geographic location, are afforded the opportunity to apply for funds.

Patron - Ebbin

[F]SB329 Early education; parental obligation.

Requires that the parent of a child attending a grant funded preschool education program shall satisfactorily complete all parenting classes or courses offered by the preschool education program. Any child whose parent does not satisfactorily com-

plete such parenting classes or courses shall be removed from the program.

Patron - Carrico

[F]SB373 Higher education; violence prevention. Clarifies that the establishment of violence prevention committees and threat assessment teams by public colleges and universities, as required by current law, may occur as such resources and individuals may become available for those purposes.

Patron - Barker

[F]SB391 Parental notification; student discipline.

Requires parental notification whenever school administrators begin an investigation into a potential violation of any school board policy. Such notification may be made by phone or email, or any other reasonable method, as determined by the school board. This bill has been incorporated into SB 167.

Patron - Marsden

[F]SB438 Public schools; teacher contract and evaluation policies.

Makes several changes to the processes by which teachers and certain administrators are evaluated and retained, including the replacement of continuing contract status with annual contract status for teachers and principals; a mandatory, two-year probationary status for teachers and principals; allowing termination of annual contracts for just cause; requiring that annual evaluations of teachers, principals, and superintendents include student academic progress as a significant factor; and requiring that force-reduction measures consider performance rather than seniority. The bill also defines the standard 10-month contract as 200 days, of which a minimum must be 180 days of instructional time. The bill has a delayed effective date of July 1, 2013.

Patron - Obenshain

[F]SB456 School calendar; allows local school boards to set. Allows local school boards to determine the opening date of the school year. This bill has been incorporated into SB 457.

Patron - Vogel

[F]SB457 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. This bill incorporates SB 257 and SB 456.

Patron - Marsden

[F]SB513 Career and technical education; substitution for required credits. Requires the Board of Education to expand the subject matter areas for which successful completion of certain career and technical education competency assessments may be substituted. Currently, they may, under limited circumstances, be substituted for the student-selected verified credit and either a science or a history and social science credit. This bill would also allow the assessments to be substituted for a math or English credit.

Patron - Wagner

[F]SB580 Virtual programs; state funding. Clarifies that the proportionate share of direct aid for public education provided to local school divisions for students enrolled in full-time virtual programs shall be based on the student's jurisdiction of residence rather than the jurisdiction offering the virtual program. This bill has been incorporated into SB 598.

Patron - Barker

[F]SB598 Public schools; virtual education. Provides that any student who enrolls full time in a virtual school pro-

gram served by a multidivision online provider outside his school division of residence shall have his state share of Standards of Quality per pupil funding, as well as 76% of his local share, transferred from the school division of residence to the enrolling school division. The total state and local share funds transferred from the resident division to the enrolling division shall not exceed the actual cost of the virtual school program. This bill incorporates SB 580.

Patron - Newman

Carried Over

[C]HB218 Deaf and hard of hearing children; special education. Requires local school divisions to ensure that Individualized Education Program (IEP) teams consider the specific communication needs of deaf and hard of hearing children and address those needs as appropriate in the child's IEP.

Patron - Bell, Richard P.

[C]HB365 Compulsory public education; student suspension or expulsion from school. Requires the superintendent of each school division to ensure that any student who has been suspended or expelled from school continues to receive an education. The Constitution of Virginia requires a compulsory elementary and secondary education for every eligible child of appropriate age.

Patron - McClellan

[C]HB366 Student discipline; suspension and expulsion. Prohibits instances of only disorderly or disruptive behavior offenses or technology offenses as providing sufficient cause for a long-term suspension or expulsion. Currently, a student may be suspended or expelled for sufficient cause, although truancy may not be considered sufficient cause for suspension.

Patron - McClellan

[C]HB469 Algebra readiness assessment. Requires the Board of Education to develop or approve a model assessment of algebra readiness for students to take prior to enrolling in non-remedial algebra. Beginning with the 2014-2015 academic year, every student shall be required to take an algebra readiness test.

Patron - Albo

[C]HB544 Student discipline; suspension and expulsion. Prohibits instances of only disorderly or disruptive behavior offenses or technology offenses as providing sufficient cause for a long-term suspension or expulsion. Currently, a student may be suspended or expelled for sufficient cause, although truancy may not be considered sufficient cause for suspension.

Patron - Robinson

[C]HB576 Public schools; teacher contract and evaluation policies. Makes several changes to the processes by which teachers and certain administrators are evaluated and retained. Teachers, assistant principals, and principals who have not achieved continuing contract status prior to the 2013-2014 school year may be eligible for three-year term contracts. Five years of service is required to attain term contract status. Teachers, assistant principals, and principals with term contract status will be evaluated in the third year of their term contract and will be informally evaluated at least once during each of their first two years. Teachers, assistant principals, and principals who have achieved continuing contract status prior to the 2013-2014 school year will retain their continuing contract status. Teachers, assistant principals, and principals with continu-

ing contract status will be formally evaluated every three years, and evaluated informally at least once each year in which they are not formally evaluated. The bill also defines the standard 10-month contract as 200 days, of which a minimum must be 180 days of instructional time. The bill has a delayed effective date of July 1, 2013.

Patron - Bell, Richard P.

[C]HB727 Board of Education; statewide uniform grading policy. Requires the Board of Education to establish a statewide uniform grading policy.

Patron - Dudenhefer

[C]HB866 Fairfax County School Board; staggered elections. Allows for staggered terms for the Fairfax County school board beginning with the November 2015 general election upon a majority vote of its members.

Patron - Rust

[C]HB887 Compulsory public education; student suspension or expulsion from school. Requires the superintendent of each school division to ensure that any student who has been suspended or expelled from school continues to receive an education. The Constitution of Virginia requires a compulsory elementary and secondary education for every eligible child of appropriate age.

Patron - Alexander

[C]HB1080 Student discipline; parental notification. Requires the school principal to take certain procedures, including parental notification and the issuance of due process warnings, prior to questioning a student in the case of a serious violation. A serious violation is defined as a violation of a school board policy or the compulsory school attendance requirements when such violation could result in the student's suspension, the notification of law enforcement, or the filing of a court petition.

Patron - Hugo

[C]SB118 Virginia Public School Improvement Program. Creates the Virginia Public School Improvement Program to offer more educational options and flexibility for parents, teachers, and students. The bill authorizes local school boards to designate or approve any public school within its school division to participate in the Program, if (i) it has not applied for, converted to, or received permission from the local school board to operate as a public charter school, or (ii) a majority of parents and teachers of students at the school have petitioned the school board to participate in the Program, or (iii) the school board has determined that, notwithstanding having satisfied the requirements of the Standards of Learning and Standards of Accreditation, less than 81 percent of the students enrolled in a public school within the school division have failed to demonstrate proficiency in reading and less than 79 percent of the students enrolled have failed to demonstrate proficiency in mathematics for three consecutive school years. Local school boards would continue to receive state basic school aid funding for such schools; participating schools would be exempt from certain school division policies and state regulations, but would have to meet SOQ, SOL, SOA, and certain federal requirements; participation can be rescinded by petition of a majority of parents and teachers, violation of the contract with the local school board, or failure of students to achieve satisfactory academic progress each year for two consecutive school years. The Board of Education must establish guidelines to assist school boards in implementing the Program in the school division and provide technical assistance to school boards upon request.

Patron - Marsh

[C]SB168 Public schools; closed-circuit cameras. Prohibits the use of closed-circuit cameras for the purpose of monitoring student conduct within the school, unless necessary to protect the physical safety and security of the students.

Patron - Petersen

[C]SB269 Physical education; JROTC participation fulfills requirement. Requires local school boards to accept participation in the Junior Reserve Officers Training Corps as fulfillment of any high school physical education requirement.

Patron - Norment

[C]SB399 Deaf and hearing-impaired children; special education. Requires local school divisions to ensure that Individualized Education Program (IEP) teams consider the specific communication needs of hearing-impaired children and address those needs as appropriate in the child's IEP.

Patron - Hanger

[C]SB553 Local school divisions; unexpended state funds. Provides that local school divisions may elect to use any unexpended state funds to provide a one-time bonus to all teachers of up to three percent of the annual base salary.

Patron - Favola

[C]SB581 Fairfax County School Board; staggered elections. Allows for staggered terms for the Fairfax County school board beginning with the November 2015 general election upon a majority vote of its members.

Patron - Ebbin

[C]SB665 Standards of Learning; method of administration. Allows a local school division to administer any Standards of Learning assessment for elementary school students online or by paper.

Patron - Garrett

Educational Institutions

Passed

[P]HB180 Commonwealth Health Research Board; staffing. Provides that employees of the Commonwealth Health Research Board, which provides financial support for health research funded through assets distributed to the Commonwealth as a policyholder pursuant to the conversion of Blue Cross and Blue Shield of Virginia, shall be employees of the Department of Accounts, and shall be entitled to all benefits available to state employees. The bill directs the Board to enter into a memorandum of understanding with the Department of Accounts concerning staff support. The Board currently has one full-time employee.

Patron - O'Bannon

[P]HB195 Higher education; course credit for military experience. Requires the governing boards of each public institution of higher education, in accordance with guidelines developed by the State Council of Higher Education for Virginia, to implement policies that award academic credit to students for educational experience gained from military service.

Patron - Lewis

[P]HB305 Institutions of higher education; crisis and emergency management plans. Increases the Department of Emergency Management's oversight of institutional crisis and emergency management plans by requiring institutions to cer-

tify in writing to the Department that the required annual reviews and functional exercises have been conducted. This bill is identical to SB 346.

Patron - Crockett-Stark

[P]HB441 Uniform Certificate of General Studies.

Clarifies that credits earned in academic subject area coursework as part of the Uniform Certificate of General Studies shall be transferable to a four-year public institution of higher education.

Patron - Tata

[P]HB548 Higher education; active duty military.

Requires public institutions of higher education, in accordance with guidelines developed by the State Council of Higher Education for Virginia, to implement policies that recognize the scheduling difficulties and obligations of active duty military personnel.

Patron - Comstock

[P]HB629 University of Virginia; board of visitors.

Increases the size of the board of visitors from 16 to 17, of whom (i) at least 12 shall be appointed from the Commonwealth at large, (ii) at least 12 shall be alumni of the University of Virginia, and (iii) at least one shall be a physician with administrative and clinical experience in an academic medical center.

Patron - Massie

[P]HB639 Higher education; publication of graduate employment rates. Requires public and private nonprofit institutions of higher education to publish data on the proportion of graduates with employment at 18 months and five years after the date of graduation. The data shall include the major and degree program, percentage of employment in the Commonwealth, average salary, and average higher education-related debt of graduates. The provisions of this bill will expire on June 30, 2017.

Patron - Stolle

[P]HB703 Higher education; policies related to student nonpayment. Requires the board of visitors or other governing body of every public institution of higher education to refrain from referring a student account to collections until required to do so by § 2.2-4806. This bill shall not apply to public institutions of higher education that have entered into Management Agreements with the Commonwealth.

Patron - Filler-Corn

[P]HB765 College partnership laboratory schools.

Allows a private institution of higher education that operates a teacher education program approved by the Board of Education to operate a college partnership laboratory school. Currently, only a public institution of higher education that operates a Board-approved teacher education program may do so. Tuition may be charged for courses for which the student receives college credit or for enrichment courses that are not required to achieve a Board-approved high school diploma. This bill is identical to SB 475.

Patron - Peace

[P]HB852 Student records; mental health. Clarifies that an institution of higher education may require that any accepted student provide a complete student record, including any mental health record, from not only his high school but also any other institution of higher education he has attended. This bill is identical to SB 375.

Patron - Yost

[P]HB853 Policies addressing suicidal students.

Removes repetitive language permitting universities to establish policies regarding students who are a danger to themselves or others; this section and another on violence prevention already permit such policies. This bill is identical to SB 458.

Patron - Yost

[P]HB900 Higher education; mental health and parental notification policies. Provides that any person licensed to diagnose and treat mental, emotional, or behavioral disorders who is treating a student may determine to withhold parental notification of a dependent student's mental health treatment if such person determines that the notification may result in substantial harm. Currently, only a physician or clinical psychologist can make such a determination. This bill is identical to SB 374.

Patron - Brink

[P]HB965 Campus police; MAAs with local law-enforcement agencies. Requires campus police to enter into mutual aid agreements with an adjacent local law-enforcement agency or the State Police for cooperation in providing assistance with the investigation of deaths and alleged rapes occurring on college campuses. This bill is identical to SB 302.

Patron - Bell, Robert B.

[P]SB53 Commonwealth Health Research Board; staffing. Provides that employees of the Commonwealth Health Research Board, which provides financial support for health research funded through assets distributed to the Commonwealth as a policyholder pursuant to the conversion of Blue Cross and Blue Shield of Virginia, shall be employees of the Department of Accounts, and shall be entitled to all benefits available to state employees. The bill directs the Board to enter into a memorandum of understanding with the Department of Accounts concerning staff support. The Board currently has one full-time employee.

Patron - Watkins

[P]SB105 Roanoke Higher Education Authority.

Removes the president of the Jefferson College of Health Sciences from the Board of Trustees governing the Roanoke Higher Education Authority.

Patron - Edwards

[P]SB302 Campus police; MAAs with local law-enforcement agencies. Requires campus police to enter into mutual aid agreements with an adjacent local law-enforcement agency or the State Police for cooperation in providing assistance with the investigation of deaths and alleged rapes occurring on college campuses. This bill is identical to HB 965.

Patron - Howell

[P]SB346 Institutions of higher education; crisis and emergency management plans. Increases the Department of Emergency Management's oversight of institutional crisis and emergency management plans by requiring institutions to certify in writing to the Department that the required annual reviews and functional exercises have been conducted. This bill is identical to HB 305.

Patron - McDougle

[P]SB374 Higher education; mental health and parental notification policies. Provides that any person licensed to diagnose and treat mental, emotional, or behavioral disorders who is treating a student may determine to withhold parental notification of a dependent student's mental health treatment if such person determines that the notification may result in substantial harm. Currently, only a physician or clinical psychologist

gist can make such a determination. This bill is identical to HB 900.

Patron - Barker

[P]SB375 Student records; mental health. Clarifies that an institution of higher education may require that any accepted student provide a complete student record, including any mental health record, from not only his high school but also any other institution of higher education he has attended. This bill is identical to HB 852.

Patron - Barker

[P]SB458 Policies addressing suicidal students. Removes repetitive language permitting universities to establish policies regarding students who are a danger to themselves or others; this section and another on violence prevention already permit such policies. This bill is identical to HB 853.

Patron - Barker

[P]SB471 Physical education; regulations. Requires the Board of Education to promulgate regulations governing physical education programs in public schools. The Board shall promulgate the regulations to be effective beginning with the 2015 - 2016 school year.

Patron - Northam

[P]SB475 College partnership laboratory schools. Allows a private institution of higher education that operates a teacher education program approved by the Board of Education to operate a college partnership laboratory school. Currently, only a public institution of higher education that operates a Board-approved teacher education program may do so. Tuition may be charged for courses for which the student receives college credit or for enrichment courses that are not required to achieve a Board-approved high school diploma. This bill is identical to HB 765.

Patron - Locke

Failed

[F]HB116 Public institutions of higher education; violence prevention. Clarifies that policies and procedures for the prevention of violence on campus, including assessment and intervention with individuals whose behavior poses a threat to the safety of the campus community, shall be developed both by four-year and two-year public institutions of higher education.

Patron - Morrissey

[F]HB151 State Council of Higher Education; development of uniform lower division curriculum. Requires the State Council of Higher Education to develop a uniform lower division curriculum consisting of no more than 60 credit hours. The curriculum shall be uniform across all public institutions of higher education and shall specify the lower division courses, and the number thereof, satisfying the requirements, prerequisites, and electives for each program major, including those for general education. The completion of the uniform lower division curriculum at a community college shall be transferable to any public institution of higher education. The bill also requires the Council to set a uniform number of credit hours to be required for each bachelor's degree offered in a public institution of higher education.

Patron - Bell, Richard P.

[F]HB242 Virginia Cooperative Extension Service; local offices. Requires the Cooperative Extension Service

shall maintain a local office with at least one employee in each county in the Commonwealth.

Patron - Cline

[F]HB437 Two-Year College Transfer Grant Program; Expected Family Contribution. Broadens eligibility for the Two-Year College Transfer Grant Program by including students whose Expected Family Contribution, as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid (FAFSA) is no more than \$12,000. Currently the program is available only to students whose Expected Family Contribution is no more than \$8,000.

Patron - Tata

[F]HB474 Higher education; employee salaries. Provides that the governing bodies of the public institutions of higher education shall not pay an employee a salary from state funds that is greater than 125 percent of the salary of the Governor of the Commonwealth.

Patron - Albo

[F]HB478 Gunston Hall; administration. Clarifies that, consistent with existing law, any administrative head of Gunston Hall, the home of George Mason bequeathed to the Commonwealth by a former owner, is appointed by the Governor to serve at his pleasure. Additionally, the Board of Visitors of Gunston Hall shall appoint a Board of Advisors to assist in its fulfillment of reporting responsibilities set out in the deed of gift regarding the management of Gunston Hall.

Patron - Albo

[F]HB644 In-state tuition; members of the Virginia National Guard. Provides that any member of the Virginia National Guard residing in Virginia shall be eligible for in-state tuition at a public institution of higher education. This is broader than the current provision, which requires a guard member to be (i) activated or mobilized or on temporary active orders for six months or more, (ii) stationed or assigned by military service to a work location in Virginia, and (iii) residing in Virginia.

Patron - Stolle

[F]HB655 Public institutions of higher education; graduation rates. Requires each four-year public institution of higher education to report annually its four-year graduation rate to the State Council of Higher Education for Virginia (SCHEV) and requires SCHEV to publish this information on its website.

Patron - Kory

[F]HB662 State Board for Community Colleges; mental health services. Requires the State Board for Community Colleges to develop standards and policies directing community colleges to adopt, incrementally and as resources become available, a mental health services action plan.

Patron - Surovell

[F]HB701 Campus police; report of certain incidents to local law-enforcement agency. Requires the chief law-enforcement officer of a public or private institution of higher education to report the death or an alleged rape of any person on campus property to the law-enforcement agency of the locality in which the institution is located. The local law-enforcement agency would assume responsibility for leading the investigation with cooperation from the institution of higher education.

Patron - Filler-Corn

HB779 In-state tuition; undocumented persons. Establishes that an undocumented person who is unlawfully present in the United States shall not be eligible for in-state tuition unless he meets all of the following criteria: (i) he has resided with his parent, guardian, or other person standing in loco parentis while attending a public or private high school in this state; (ii) he has graduated from a public or private high school in Virginia or has received a General Education Development (GED) certificate in Virginia; (iii) he has resided in the Commonwealth for at least three years since the date he graduated from high school, or for one year if a veteran or an active duty member of the United States armed forces; (iv) he has registered as an entering student in an institution of higher education; (v) he has provided an affidavit to the institution stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he is eligible; and (vi) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

Patron - Lopez

HB851 Higher education; violence prevention. Clarifies that the establishment of violence prevention committees and threat assessment teams by public colleges and universities, as required by current law, may occur as such resources and individuals may become available for those purposes.

Patron - Yost

HB935 Medical College of Virginia; naming conventions. Requires Virginia Commonwealth University to include the name "Medical College of Virginia" or the acronym "MCV" in all references to The Medical College of Virginia, Health Sciences Division of Virginia Commonwealth University.

Patron - Lingamfelter

HB1004 Public institutions of higher education; undergraduate out-of-state tuition charges. Requires the boards of visitors of every public institution of higher education in the Commonwealth to set tuition and fee charges at levels they deem to be appropriate for all nonresident student groups at each such institution based on competitive market rates, provided that the tuition and fee rates for nonresident undergraduate students are at least 100 percent of the average cost of education at that institution.

Patron - Ramadan

HB1031 Advanced placement tests; course credit. Requires that all public institutions of higher education grant course credit to any student who earns a three or higher on an Advanced Placement examination or a comparable score for courses in the International Baccalaureate or Cambridge Advanced (A/AS) programs. An institution may require, however, that a score of four or higher is needed to apply such course credit toward curriculum degree requirements rather than elective courses.

Patron - Englin

HB1083 Admission of in-state students at public institutions of higher education. Provides that the board of visitors or other governing body of each public institution of higher education, except for Virginia Military Institute, Norfolk State University, and Virginia State University, must establish rules and regulations requiring that at least 75 percent of students admitted and enrolled at the institution be Virginia domiciles.

Patron - Hugo

HB1226 Regulating firearms by educational institution. Provides that the board of visitors or other governing body of an educational institution has the power to establish rules and regulations for the possession or transportation of firearms or ammunition on property owned or operated by the institution.

Patron - Torian

HB1247 Higher education; spending. Requires the governing body of every public institution of higher education to ensure that all funds received from in-state undergraduate tuition and all funds received from the Commonwealth are dedicated to the purpose of undergraduate education and that 65 percent of such funds are dedicated to instructional expenses.

Patron - Ramadan

HB1282 In-state tuition and educational benefits for unlawfully present aliens. Provides that an alien who is unlawfully present in the United States shall not be eligible on the basis of residency within Virginia for any postsecondary educational benefit including, but not limited to, in-state tuition and state financial aid.

Patron - Cline

SB85 Two-Year College Transfer Grant Program; Expected Family Contribution. Broadens eligibility for the Two-Year College Transfer Grant Program by including students whose Expected Family Contribution, as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid (FAFSA) is no more than \$12,000. Currently the program is available only to students whose Expected Family Contribution is no more than \$8,000. The provisions of this bill shall not become effective unless funded by the General Assembly during the 2012 Session. This bill incorporates SB 400.

Patron - Favola

SB100 Two-Year College Scholarship Match Program. Establishes the Two-Year College Scholarship Match Program to provide matching funds to two-year college foundations and the Virginia Foundation for Community College Education. Funds paid shall not exceed \$5 million, in aggregate, in any fiscal year. These funds shall be used to award scholarships to students who (i) are domiciled residents of Virginia and (ii) are enrolled in an associate degree program in a Virginia two-year college based on science, technology, engineering, math, education, or nursing. The bill is contingent upon an appropriation of General Funds effectuating the provisions of the bill.

Patron - Edwards

SB104 Higher education; partial tuition waiver for dependent children of faculty. Requires public institutions of higher education to grant a 50 percent tuition waiver to dependent students of current full-time faculty members who have been employed full time by any one or more public Virginia colleges or universities for an aggregate period of at least seven years if sufficient funds are available in the Dependent Children of University and College Faculty Reduced Tuition Fund. The waiver would be valid at any public institution of higher education. The bill is contingent upon an appropriation of General Funds effectuating the provisions of the bill.

Patron - Edwards

SB169 Private or out-of-state institutions of higher education; certification. Allows a private or out-of-state institution of higher education whose certification has been revoked by the State Council of Higher Education for Virginia to continue to enroll students for up to five years, provided that

it demonstrates to the Council that it has undergone a change in leadership and is actively pursuing recertification by the Council.

Patron - Petersen

[F]SB255 Thomas Nelson Community College; pilot program for high school seniors. Requires Thomas Nelson Community College to create a pilot program to allow certain high school seniors to enroll in Thomas Nelson Community College full-time. Tuition and fees would be paid as follows: one-third by the student, one-third by the local school division the student had attended immediately preceding the program, and one-third by the Commonwealth; however, tuition for any science, technology, engineering, and mathematics (STEM) course would be waived. In order to be eligible for this program, a student would need to have earned all credits required for a standard or advanced high school diploma by the end of the first semester of his senior year of high school. The provisions of this act will not become effective unless funded by the General Assembly during the 2012 Session.

Patron - Miller, J.C.

[F]SB400 Two-Year Transfer Grant Program; Expected Family Contribution. Increases eligibility for the Two-Year Transfer Grant to students with financial need, defined by an Expected Family Contribution of no more than \$12,000, rather than the current \$8,000, as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid. This bill was incorporated into SB 85.

Patron - Hanger

[F]SB508 In-state tuition; members of the Virginia National Guard. Provides that any member of the Virginia National Guard residing in Virginia who is not eligible for in-state tuition shall be eligible for a grant for an amount up to the difference between in-state and out-of-state tuition, to the extent funds are available for such purpose.

Patron - Wagner

[F]SB617 Southwest Virginia Higher Education Center; King College. Adds King College to the Southwest Virginia Higher Education Center Board of Trustees and allows graduate degree instructional programs in education to be provided with King College at the Center.

Patron - Puckett

[F]SB623 Higher education; mental health treatment coordination. Requires the governing board of each four-year public institution of higher education to establish a written memorandum of understanding with their local community services board or behavioral health authority, local hospitals, and other local mental health facilities in order to expand the scope of services available to students seeking treatment. Each four-year institution of higher education shall designate a contact person to be notified when a student is involuntarily committed, or when a student is discharged from a facility and he consents to such notification. Each memorandum shall include the institution of higher education in the post-discharge planning of a student who has been committed and intends to return to campus, to the extent allowable under state and federal privacy laws.

Patron - Petersen

Carried Over

[C]HB697 Higher education; mental health. Requires the governing boards of each public institution of higher edu-

cation to develop and implement a policy requesting each student to identify points of contact to be notified should the student experience a mental health crisis while attending the institution. The policy may require the student to waive any privacy or confidentiality privilege granted to him under law and related to mental health care if a crisis were to arise and the points of contact were to be notified.

Patron - Filler-Corn

[C]HB815 University-related foundation funds; University of Virginia; Virginia Freedom of Information Act. Provides that if the University of Virginia uses funds from one of its affiliated foundations to pay for costs incurred by the University in relation to the enforcement of the Virginia Freedom of Information Act, the foundation shall provide a list of its donors for the prior three years to the University. The University shall disclose this list to any party upon request and shall make no attempt to withhold it.

Patron - Marshall, R.G.

[C]HB816 University-related foundation funds; Virginia Freedom of Information Act. Provides that if a Virginia college or university uses funds from one of its affiliated foundations to pay for costs incurred by the college or university in relation to the enforcement of the Virginia Freedom of Information Act, the foundation shall provide a list of its donors for the prior three years to the college or university. The college or university shall disclose this list to any party upon request and shall make no attempt to withhold it.

Patron - Marshall, R.G.

[C]HB817 Use of general fund appropriations; Virginia Freedom of Information Act. Provides that a Virginia college or university may only use funds appropriated to it from general fund revenues, and not from any other source, to pay for any costs incurred by the college or university in relation to the enforcement of the Virginia Freedom of Information Act.

Patron - Marshall, R.G.

[C]HB818 Use of general fund appropriations; Virginia Freedom of Information Act. Provides that the University of Virginia may only use funds appropriated to it from general fund revenues, and not from any other source, to pay for any costs incurred by the University in relation to the enforcement of the Virginia Freedom of Information Act.

Patron - Marshall, R.G.

[C]HB1207 Right of students to assert conscientious objection to any requirement of an academic degree program in an institution of higher education; liability. Provides that no public or private institution of higher learning may penalize or deny academic credit to a student because he refuses to perform academic coursework because it would force him to violate a sincerely held religious belief. The bill also provides that the State Council of Higher Education for Virginia shall not recognize any accrediting agency that takes any adverse action against an institution of higher learning that exempts students from academic coursework for such reason. The Attorney General or any student, prospective student, or former student aggrieved under the bill may bring a civil action against the institution of higher learning, the State Council of Higher Education for Virginia, or the relevant accrediting agency for damages, injunctive and declaratory relief, and any other relief authorized by law and may be entitled to reasonable attorney fees.

Patron - Pogge

[C]SB137 Gunston Hall; administration. Clarifies that, consistent with existing law, any administrative head of Gun-

ston Hall, the home of George Mason bequeathed to the Commonwealth by a former owner, is appointed by the Governor to serve at his pleasure. Additionally, the Board of Visitors of Gunston Hall shall appoint a Board of Advisors to assist in its fulfillment of reporting responsibilities set out in the deed of gift regarding the management of Gunston Hall.

Patron - Puller

[C]SB372 State Board for Community Colleges; mental health services. Requires the State Board for Community Colleges to develop standards and policies directing community colleges to adopt, incrementally and as resources become available, a mental health services action plan.

Patron - Barker

[C]SB605 Eligibility for in-state tuition; military personnel. Provides that, for current and former military personnel and their dependents, the intent to attend a public institution of higher education in the Commonwealth is sufficient for the purpose of establishing domiciliary intent and determining eligibility for in-state tuition rates.

Patron - McWaters

[C]SB624 Institutions of higher education; suicidal students. Requires public institutions of higher education to notify parents any time the institution receives notification from any source that a student may be suicidal, to the extent permitted by the federal law.

Patron - Petersen

Elections

Passed

[P]HB9 Voter identification requirements; provisional ballots. Eliminates the provision that allows a voter to sign a sworn statement that he is the named registered voter he claims to be in lieu of showing identification. The bill allows the voter without identification to vote an official ballot if he is recognized and acknowledged by an officer of election. Otherwise a voter without identification will be offered a provisional ballot that will be reviewed by the electoral board at its meeting on the day following the election. The voter may submit a copy of one of the required forms of identification to the electoral board in person or by facsimile, electronic mail, or other means. The bill expands the list of acceptable forms of identification to include a valid student identification card issued by a Virginia four-year institution of higher education and certain other documents that show his name and address. Any voter whose name is marked on the pollbook as having already voted will be allowed to vote only by a provisional ballot. The bill is identical to SB 1.

Patron - Cole

[P]HB13 Elections; redistricting local districts; prison populations. Provides that the local governing body may exclude from its calculations in drawing local districts for decennial redistricting the population of certain adult correctional facilities. The bill includes federal and regional, as well as state, adult correctional facilities and allows the exclusion of the facility population if it exceeds 12 percent of the ideal population of an election district for the locality.

Patron - Ingram

[P]HB21 Elections; polling place requirements. Permits a polling place for a county precinct to be located in a city

wholly contained within the county on property owned by the county.

Patron - Landes

[P]HB37 Paid and volunteer officers of election. Provides that an officer of election may waive compensation and serve as an unpaid volunteer officer. Unpaid volunteer officers shall have the qualifications and fulfill the requirements applicable to paid officers.

Patron - Cole

[P]HB38 Absentee voting; duties of general registrar and electoral board. Broadens the type of certification of mailing permitted when sending absentee ballot materials to include certification of expedited mailing or delivery by commercial delivery providers as well as the United States Postal Service.

Patron - Cole

[P]HB56 Voter registration applications; protection of residence address information. Adds active and retired federal and Virginia justices and judges and attorneys employed by the United States Attorney General or Virginia Attorney General to the list of persons whose residence addresses may be replaced by a post office box address on publicly available registration and elections documents.

Patron - Cole

[P]HB57 State Board of Elections and general registrars; duties with respect to voter registration. Provides that the State Board shall distribute the alphabetical lists of registered voters in each precinct to each county, city, and town at least 16, rather than 10, days before an election to give more time for local review. The bill also provides that the general registrar shall process the State Board's most recent list of convicted felons within 21 to 14 days before an election, cancel the registration of any registered voter shown to be a felon, and notify the registered voter of the cancellation.

Patron - Cole

[P]HB60 Illegal voting and registrations; write-in absentee ballots. Clarifies that the prohibition against voting more than once in one election does not apply to military and overseas voters entitled to vote a federal write-in absentee ballot who may send in both the write-in ballot and a state absentee ballot. If both ballots are received prior to the close of the polls, the state ballot will be the one counted. This bill is identical to SB 283.

Patron - Cole

[P]HB63 Elections; provisional ballots; electoral board meetings. Provides that the meeting of the electoral board on the day or days following an election is open only to authorized party and candidate representatives, the persons who cast the provisional ballots with their representatives or legal counsel, and the staff and legal counsel for the electoral board. The bill also specifies that the party and candidate representatives attend as observers and not as participants.

Patron - Cole

[P]HB251 Congressional districts. Redraws the boundaries of the 11 congressional districts.

Patron - Bell, Robert B.

[P]HB319 Conduct of elections; observers. Requires observers to respect the area around voters and secrecy of the ballot. The bill is identical to SB 537.

Patron - Ingram

HB332 Campaign Finance Disclosure Act; general provisions applicable to penalties. Provides that the Act's requirements for filing timely and complete statements and reports remain in full force and effect notwithstanding any pending investigation into activities of any candidate campaign committee, political committee, or participant in the committee.

Patron - Villanueva

HB417 Elections; polling places; prohibited campaign area. Provides that the requirement to provide an area of 40 feet from the entrance to a polling place applies to the entrance to a polling place contained within a structure. Campaign activities may be allowed by the local electoral board within the structure so long as the prohibited campaign area is enforced within 40 feet of the entrance to the polling place.

Patron - Watts

HB623 Elections, administrative matters, and duties of the electoral board and general registrar. Provides for certain administrative efficiencies: permits general registrar to administer oath to voting equipment custodians; clarifies method to give notice of change in location of general registrar's office; modernizes procedures to give public notice of registration times and primaries; and permits absentee ballot envelopes to be opened before election day so long as the ballots are placed in a secure ballot container and no count is initiated. This bill is identical to SB 566.

Patron - Cole

HB736 Primary schedule in 2012. Moves the June 12, 2012, primary date to August 7, 2012, in response to the 2012 redistricting process and adjusts various deadlines for filings and election preparations to accommodate the new primary date. The bill also authorizes the State Board of Elections to adjust dates and deadlines (other than the primary and election dates) if necessary to complete the Voting Rights Act Section 5 preclearance process. The bill will not take effect if this year's congressional redistricting plan is cleared for implementation under the Voting Rights Act by April 3, 2012, and the usual June primary date will be in effect. The bill provides that timely filings of forms, petitions, and receipts for the June primary will be valid for the August 7 primary and includes protections for the current petition process. The bill contains an emergency clause. The act will expire January 1, 2013.

Patron - Jones

HB881 Political campaign advertisements; disclosure requirements. Requires print advertisements to contain sufficient space to display the required disclosure statement in a minimum font size of seven point and provides that an electronic advertisement without sufficient space may meet the disclosure requirement by a link that takes the viewer to a page showing the disclosure statement.

Patron - Sickles

HB946 Political action committees; campaign finance filings. Requires any political action committee that files its statement of organization on or after August 15 and before the November election day in any odd-numbered year to file a campaign finance report for the committee's activities during that year with its statement of organization and to file reports within 24 hours of receiving any contribution of \$500 or more during the period between October 1, or the date of filing its statement of organization if after October 1, and the election day. Currently, only political action committees that file a statement of organization on or after October 1 and before the November election day in any odd-numbered year are subject to this additional reporting requirement.

Patron - Bell, Robert B.

HB974 Campaign finance disclosure reports; custody and copying. Requires the State Board of Elections to replace in campaign finance disclosure reports the residence address of certain protected voters, such as law-enforcement officers, with the post office box address such protected voters may provide to be shown on public voter documents in lieu of their residence address, if requested to do so by any such protected voter.

Patron - Bell, Robert B.

HB1007 Voter registration; Department of Motor Vehicles. Provides for cooperation between the Department of Motor Vehicles and the State Board of Elections in the prompt transmittal of voter registration applications and change of address information from DMV offices to SBE and the general registrars.

Patron - Ramadan

HB1118 Elections; persons eligible to obtain lists of persons voting at primaries and elections. Allows access to the lists for all political purposes by members of the public and nonprofit organizations as well as by candidates, elected officials, and political party chairmen.

Patron - Ingram

HB1133 Candidate petitions in primaries and general elections. Provides that candidate petitions in primaries and general elections must be witnessed by a legal resident of the Commonwealth who attests that he is not a minor or a felon whose voting rights have not been restored. Current law requires that the petition witness must be eligible to vote for the office for which the petition is being circulated. The bill also provides that presidential candidates are eligible to witness their own petitions. The bill contains an emergency clause. The bill is identical to SB 613.

Patron - Cole

HB1151 Petition requirements for candidates for statewide offices. Provides that the petition requirement for statewide office candidates of 400 signatures from each congressional district may be met on the basis of the existing congressional districts if the new decennial congressional redistricting plan has not been enacted and approved for implementation under § 5 of the Voting Rights Act before January 1 of the election year. The bill further provides that references to the usual June primary date in a petition will not be cause to invalidate the petition if the primary date is altered by law. The bill contains an emergency clause.

Patron - Cole

SB1 Voter identification requirements; provisional ballots. Eliminates the provision that allows a voter to sign a sworn statement that he is the named registered voter he claims to be in lieu of showing identification. The bill allows the voter without identification to vote an official ballot if he is recognized and acknowledged by an officer of election. Otherwise a voter without identification will be offered a provisional ballot that will be reviewed by the electoral board at its meeting on the day following the election. The voter may submit a copy of one of the required forms of identification to the electoral board in person or by facsimile, electronic mail, or other means. The bill expands the list of acceptable forms of identification to include a valid student identification card issued by a Virginia four-year institution of higher education and certain other documents that show his name and address. Any voter whose name is marked on the pollbook as having already voted will be allowed to vote only by a provisional ballot. The bill incorporates SB 55. The bill is identical to HB 9.

Patron - Martin

[P]SB57 Absentee voting. Provides for an interval of at least five days after a person registers in person to vote before his absentee ballot application can be processed and includes an exception for military and overseas voters.
Patron - Obenshain

[P]SB283 Illegal voting and registrations; write-in absentee ballots. Clarifies that the prohibition against voting more than once in one election does not apply to military and overseas voters entitled to vote a federal write-in absentee ballot who may send in both the write-in ballot and a state absentee ballot. If both ballots are received prior to the close of the polls, the state ballot will be the one counted. This bill is identical to HB 60.
Patron - Smith

[P]SB385 Campaign finance; prohibited interest payments on certain loans to candidate campaign committees. Provides that a campaign committee shall not pay interest on any loan to the committee made by the candidate or by a member of his immediate family. The bill contains a civil penalty.
Patron - McEachin

[P]SB536 Absentee voting; unused, lost, and defaced ballots. Requires persons who appear at their polling place or the central absentee voter precinct on election day and who had returned an unused or spoiled absentee ballot prior to election day to cast a provisional ballot, rather than an official ballot, at the polling place or precinct. Such persons may vote an official ballot if they bring the unused or spoiled ballot with them on election day.
Patron - Martin

[P]SB537 Conduct of elections; observers. Requires observers to respect the area around voters and secrecy of the ballot. The bill is identical to HB 319.
Patron - Martin

[P]SB565 Elections; military and overseas voters. Adopts the Uniform Military and Overseas Voters Act, with modifications, to promote uniformity of treatment and improved administration of election laws for military and overseas voters.
Patron - Martin

[P]SB566 Elections, administrative matters, and duties of the electoral board and general registrar. Provides for certain administrative efficiencies: permits general registrar to administer oath to voting equipment custodians; clarifies method to give notice of change in location of general registrar's office; modernizes procedures to give public notice of registration times and primaries; and permits absentee ballot envelopes to be opened before election day so long as the ballots are placed in a secure ballot container and no count is initiated. This bill is identical to HB 623.
Patron - Martin

[P]SB613 Candidate petitions in primaries and general elections. Provides that candidate petitions in primaries and general elections must be witnessed by a legal resident of the Commonwealth who attests that he is not a minor or a felon whose voting rights have not been restored. Current law requires that the petition witness must be eligible to vote for the office for which the petition is being circulated. The bill also provides that presidential candidates are eligible to witness their own petitions. The bill contains an emergency clause. The bill is identical to HB 1133.
Patron - Edwards

[P]SB663 Elections; persons permitted to vote; identification requirements. Adds concealed handgun permits to the list of acceptable forms of identification to vote or when challenged.
Patron - Smith

Failed

[F]HB36 Primary elections; costs. Provides that the political party shall pay the costs of the primary. The bill provides that the party must post bond in advance of the primary to cover those costs. Currently the costs of the primary are paid by the localities. The bill will take effect January 1, 2013.
Patron - Cole

[F]HB61 Elections; solicitation of absentee ballot applications or ballots. Makes it unlawful for anyone to solicit, in person, absentee ballot applications or ballots from individuals in any hospital, nursing home, or assisted living facility. The prohibition does not apply to family members or to general or assistant registrars, electoral board members, or their staffs. A violation of the section is a Class 1 misdemeanor under § 24.2-1017. This bill is identical to SB 63.
Patron - Cole

[F]HB64 Elections; assistance to voters. Makes it unlawful for anyone to assist more than two persons in the casting of in-person or absentee ballots in one election. This prohibition does not apply to general or assistant registrars, electoral board members, their staffs, or officers of election. A violation of the section is a Class 1 misdemeanor under § 24.2-1017.
Patron - Cole

[F]HB157 Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections. The bill is identical to HB 374, HB 769, and HB 931 and SB 56, SB 252, and SB 275.
Patron - Greason

[F]HB198 Voter registration at offices of the Department of Motor Vehicles. Requires that a receipt be given to the person completing a voter registration form at a DMV office.
Patron - Lewis

[F]HB295 House of Delegates districts; technical adjustment. Changes district assignment of certain census blocks in Culpeper County from District 18 to District 30 in order to include all of the new East Fairfax Precinct in District 30. Both districts remain within one percent deviation from the ideal district population. The bill was incorporated into HB 259.
Patron - Scott, E.T.

[F]HB309 Elections; absentee voting. Provides that persons age 65 and older on the day of an election for which an absentee ballot is requested are entitled to vote absentee. The bill is identical to HB 669 and SB 187.
Patron - Crockett-Stark

[F]HB351 Elections; party identification on ballots; local elections. Gives candidates in local elections the option to be identified by party on the ballot. Currently, only federal, statewide, and General Assembly candidates who are nomi-

nated by a political party or in a primary are required to be identified by party on the ballot.

Patron - Cox, J.A.

[F]HB374 Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections. The bill is identical to HB 157, HB 769, and HB 931 and SB 56, SB252, and SB 275.

Patron - Pogge

[F]HB515 Campaign finance; candidate campaign committees; investments. Authorizes the investment of campaign committee funds subject to the prudent investment standards applicable to Virginia Retirement System investments.

Patron - Purkey

[F]HB569 Elections; identification to register to vote and to vote. Requires the following: (i) posting notice of legally required voting qualifications and penalties for violations in at least two languages at all polling places; (ii) proof of citizenship with registration applications; and (iii) proof of identification to vote at the polls. Persons failing to provide proof of identification will be allowed to vote a provisional ballot. The bill provides that any person who is registered in Virginia as of January 1, 2013, is deemed to have provided satisfactory proof of citizenship and is not required to submit proof of citizenship; however, that privilege shall not be construed to affirm or deny whether such person is lawfully registered to vote in the Commonwealth. The act will take effect January 1, 2013.

Patron - Marshall, D.W.

[F]HB574 House of Delegates districts; technical adjustment. Changes district assignments of certain census blocks between Districts 14 and 16 in Pittsylvania County in order to place all of the new Keeling and Mt. Hermon Precincts in District 14 and all of the new East Blairs Precinct in District 16. Both districts remain within one percent deviation from the ideal district population. The bill was incorporated into HB 259.

Patron - Marshall, D.W.

[F]HB619 Convention to amend the United States Constitution; selection and participation of Virginia delegates. Provides for the selection by the General Assembly of delegates and alternates to attend the convention, for instructions to the delegates and alternates, for their oath to adhere to the instructions, for the appointment of observers, and for the power to recall delegates, alternates, and observers.

Patron - LeMunyon

[F]HB622 Elections; form of ballots; local elections. Authorizes any locality to provide for party identification of candidates for local offices who are nominated by a political party or in a primary. Currently, party identification on the ballot applies only to ballots for federal, statewide, and General Assembly elections.

Patron - LeMunyon

[F]HB628 Elections; voter registration; political party affiliation. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may choose to be listed as independent or undesignated. Voters registered prior to January 1, 2013, will be listed as undesignated unless they provide a political party affiliation or independent status in writing to the general registrar. Voters may change their party affiliation or status by written notice at

any time except during the period before an election when the registration records are closed. The bill does not change Virginia's present primary laws, and all registered voters remain eligible to participate in the primaries of any political party.

Patron - LeMunyon

[F]HB633 Senate and House of Delegates districts; technical adjustments. Changes district assignments of certain Isle of Wight County census blocks between Senate Districts 3, 14, and 18 and House of Delegates Districts 64 and 75 in order to follow current precinct boundaries. All Senate districts remain within two percent deviation and both House of Delegates districts remain within one percent deviation from the respective ideal district populations.

Patron - Morris

[F]HB665 Lobbying and finance disclosure; disclosure of gifts and contributions. Provides that lobbyists' annual disclosure forms will be filed by November 1 complete through August 31, rather than July 1 complete through April 30, and requires General Assembly campaign committees to file special and immediate reports of campaign contributions of \$500 or more received between January 1 and the commencement of a regular session of the General Assembly.

Patron - Surovell

[F]HB669 Elections; absentee voting. Provides that persons age 65 and older on the day of an election for which an absentee ballot is requested are entitled to vote absentee. The bill is identical to HB 309 and SB 187.

Patron - Surovell

[F]HB670 Voter registration; Department of Motor Vehicles; changes of address. Provides that a copy of the change of address form used to change the address on a driver's license or special identification card made at a DMV office or by electronic or other means shall be forwarded promptly by the Department of Motor Vehicles to the State Board of Elections. The State Board will forward the change form to the appropriate general registrar for verification in accordance with State Board instructions.

Patron - Surovell

[F]HB769 Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections. The bill is identical to HB 157, HB 374, and HB 931 and SB 56, SB 252, and SB 275.

Patron - Landes

[F]HB786 Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day. The bill retains the present statutory list of specific reasons entitling a voter to cast an absentee ballot for those persons who vote absentee by mail. The bill is identical to SB 12.

Patron - Lopez

[F]HB808 Senate and House of Delegates districts; technical adjustments. Changes district assignments of certain Loudoun County census blocks between Senate Districts 13 and 33 and House of Delegates Districts 10, 32, 33, 67, and 87 in order to follow new precinct boundaries. Both Senate districts remain within two percent deviation and all House of Delegates districts remain within one percent deviation from

the respective ideal district populations. The bill was incorporated into HB 259.

Patron - May

[F]HB828 Elections; voter integrity and identification provisions. Requires the following steps to emphasize integrity in the voting process: (i) posting notice of legally required voting qualifications and penalties for violations in at least two languages at all polling places; (ii) requiring proof of citizenship with registration applications; and (iii) requiring a copy of proof of identification be submitted for in-person and absentee voting. The bill provides that any person who is registered in Virginia as of January 1, 2013, is deemed to have provided satisfactory proof of citizenship and is not required to submit proof of citizenship; however, that privilege shall not be construed to affirm or deny whether such person is lawfully registered to vote in the Commonwealth. The act will take effect January 1, 2013.

Patron - Marshall, R.G.

[F]HB831 Nonpartisan Redistricting Commission created. Establishes a seven-member temporary commission to prepare redistricting plans in 2021 and each 10th year thereafter for the House of Delegates, state Senate, and congressional districts. Appointments to the Commission shall be made by majority vote of the Supreme Court of Virginia from a list of retired judges who have indicated their willingness to serve on the Commission. The Commission will prepare plans and submit them as bills to the General Assembly. The General Assembly shall then proceed to act on the bills in the usual manner. The bill provides for Commission comments on plans as they change in the legislative process. The bill also spells out the standards and process to be followed by the Commission in preparing plans, including limitations on the use of political data and opportunities for public comment on the plans.

Patron - Carr

[F]HB838 House of Delegates districts; technical adjustment. Changes district assignments of certain census blocks between Districts 47 and 49 in Arlington County in order to coordinate polling places with precincts. Both districts remain within one percent deviation from the ideal district population. The bill was incorporated into HB 259.

Patron - Hope

[F]HB895 Voter registration; accompanying documentation. Requires proof of U.S. citizenship and residence and photo ID to register to vote in person, by mail, and through DMV and assistance agencies.

Patron - Albo

[F]HB907 House of Delegates districts; technical adjustment. Changes district assignments of certain census blocks between Districts 10 and 33 in Clarke County in order to eliminate a split of a new precinct. District 10 will have a deviation of 1.1 percent from the ideal district population.

Patron - Minchew

[F]HB931 Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections. The bill is identical to HB 157, HB 374, and HB 769 and SB 56, SB 252, and SB 275.

Patron - Lingamfelter

[F]HB1047 Elections; hours polls are open. Authorizes any county or city by ordinance to extend the hours polls

are open for voting by one hour from 6:00 a.m. to 8:00 p.m. rather than to 7:00 p.m.

Patron - Keam

[F]HB1051 Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2013, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party primary. The bill is identical to SB 62.

Patron - Anderson

[F]HB1066 Absentee voting; double voting. Makes it unlawful to notify a voter that his absentee ballot has been rejected until the polls have closed on the election day and prohibits the counting of any provisional ballot cast by a voter at a precinct if an absentee ballot cast by him in the same election has been rejected at the central absentee voter precinct.

Patron - Hugo

[F]HB1069 Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2013, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party primary.

Patron - Hugo

[F]HB1084 Voter identification requirements; photo ID; provisional ballots. Requires photo ID at the polls. The bill eliminates the provision that allows a voter to sign a sworn statement that he is the named registered voter he claims to be in lieu of showing identification and provides instead for the voter to cast a provisional ballot if he cannot show identification.

Patron - Hugo

[F]HB1085 Persons entitled to register and vote. Provides that any person who registers to vote in the Commonwealth shall be deemed to be a resident of the Commonwealth for the purpose of being licensed to operate a motor vehicle in the Commonwealth. The bill also requires that any person registering to vote disclose on his application whether he is licensed to operate a motor vehicle in another state or country, and the general registrar shall send a list of all applicants so licensed to the Department of Motor Vehicles.

Patron - Hugo

[F]HB1131 Costs of elections. Requires cities and towns to pay the costs incurred by the State Board of Elections in administering local May elections.

Patron - Cole

[F]HB1171 Electoral college. Provides that the Commonwealth's votes in the electoral college shall be allocated by the popular vote statewide and in each congressional district. The candidates for President and Vice President who win the

popular statewide vote will receive the votes of the two statewide electors, and the candidates who win the popular vote in each congressional district will receive the vote of that district's elector. Maine and Nebraska allocate electoral college votes in this manner.

Patron - Watts

[F]HB1227 Presidential primaries. Prohibits a political party from requiring a loyalty oath or pledge to support the party's candidate as a condition to participate in the party's presidential primary.

Patron - Marshall, R.G.

[F]SB12 Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day. The bill retains the present statutory list of specific reasons entitling a voter to cast an absentee ballot for those persons who vote absentee by mail. The bill is identical to HB 786.

Patron - Howell

[F]SB55 Elections; voter identification requirements; absentee voting eligibility and procedures. Revises the list of items that a voter may show to prove identification at the polls. The bill adds to the list several items now allowed to prove the identity of first-time voters for federal elections who registered by mail: a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter. The bill deletes the provision that allows a voter to sign a sworn statement that he is the named registered voter he claims to be in lieu of showing identification and provides instead for the voter to cast a provisional ballot if he cannot provide a required form of identification. The bill was incorporated into SB 1.

Patron - Obenshain

[F]SB56 Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections. The bill is identical to HB 157, HB 374, HB 769, and HB 931 and SB 252 and SB 275.

Patron - Obenshain

[F]SB62 Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2013, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party primary. The bill incorporates SB 244. The bill is identical to HB 1051.

Patron - Stanley

[F]SB63 Elections; solicitation of absentee ballot applications or ballots. Makes it unlawful for anyone to solicit, in person, absentee ballot applications or ballots from individuals in any hospital, nursing home, or assisted living facility. The prohibition does not apply to family members or to general or assistant registrars, electoral board members, or their staffs. A violation of the section is a Class 1 misdemeanor under § 24.2-1017. This bill is identical to HB 61.

Patron - Stanley

[F]SB134 County precincts; separate precinct for certain towns. Requires a county to establish a separate county precinct for any town entirely surrounded by a combination of a United States armed forces base and water.

Patron - Puller

[F]SB187 Elections; absentee voting. Provides that persons age 65 and older on the day of an election for which an absentee ballot is requested are entitled to vote absentee. The bill is identical to HBs 309 and 669.

Patron - Miller, J.C.

[F]SB188 Absentee voting; application by electronic mail or other electronic means. Provides that the State Board of Elections shall implement a system to accept absentee ballot applications electronically. Currently, an applicant may request and receive, but not submit, an absentee ballot application electronically. The bill further provides that any applicant for an absentee ballot may request that the ballot materials be sent to him by electronic transmission. The option for such electronic transmission is currently available only to military and overseas voters.

Patron - Miller, J.C.

[F]SB189 Virginia Redistricting Commission created. Establishes a five-member commission to prepare redistricting plans for the House of Delegates, state Senate, and congressional districts. Appointments to the Commission shall be made one each by the four majority and minority party leaders of the House and Senate. Those four appointees shall appoint the fifth member and chair of the Commission. If they cannot agree by a majority of at least three members, they shall submit the names of the two persons receiving the most votes to the Supreme Court of Virginia for the Court to select the chairman. The Commission will prepare plans and submit them as bills to the General Assembly. The General Assembly shall then proceed to act on the bills in the usual manner. The bill provides for Commission comments on plans as they change in the legislative process. The bill also spells out the standards and process to be followed by the Commission in preparing plans, including limitations on the use of political data and opportunities for public comment on the plans. The bill was incorporated into SB 446.

Patron - Miller, J.C.

[F]SB244 Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. The bill requires the State Board of Elections, in September 2012, to notify all registered voters of the new party registration law and send them a return card to indicate their party affiliation or independent status. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed in advance of an election. The state party chairman must notify the State Board by January 31 of each year whether the party will close or open its primaries. Further, the bill (i) adds a requirement that primary candidate petitions must be signed by voters registered as members of the party conducting the primary, (ii) sets the required number of petition signatures at one percent of the number of voters registered as members of the party in the election district where the primary is being held, and (iii) allows an official political party to retain that status so long as at least 15 percent of the Commonwealth's registered voters are registered as members of that party. The bill was incorporated into SB 62.

Patron - Obenshain

[F]SB252 Elections; party identification on ballots; local elections. Extends to local elections the requirement that

ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections. The bill is identical to HB 157, HB 374, HB 769, and HB 931 and SB 56 and SB 275.

Patron - Martin

[F]SB275 Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections. The bill is identical to HB 157, HB 374, HB 769, and HB 931 and SB 56 and SB 252.

Patron - Smith

[F]SB276 Elections; method of nominating party candidates. Provides that the duly constituted authorities of the political party shall determine the method of nominating party candidates and deletes provisions giving incumbent officeholders the power in some cases to insist on a primary and, in the case of the General Assembly incumbents, the power to determine the method of nomination.

Patron - Smith

[F]SB282 Voter registration; cancellations. Requires the general registrar to confirm to the State Board of Elections the cancellation of registrations of persons reported to him to be deceased, to be disqualified for a felony conviction or adjudication of incompetency, to be a noncitizen, or to have moved from the jurisdiction or registered elsewhere.

Patron - Smith

[F]SB446 Bipartisan Redistricting Commission created. Establishes a seven-member temporary commission to prepare redistricting plans in each year ending in one for the House of Delegates, state Senate, and congressional districts. Appointments to the Commission shall be made one each by the four majority and minority party leaders of the House and Senate and by the state chairmen of the two major political parties. Those six appointees shall appoint the seventh member and chairman for the Commission. If they cannot agree, they shall submit the names of the two persons receiving the most votes to the Supreme Court of Virginia for the Court to select the chairman. The Commission will prepare plans and submit them as bills to the General Assembly. The General Assembly shall then proceed to act on the bills in the usual manner. The bill provides for Commission comments on plans as they change in the legislative process. It also spells out the standards and process to be followed by the Commission in preparing plans, including limitations on the use of political data and opportunities for public comment on the plans. The bill incorporates SB 189.

Patron - Vogel

[F]SB455 Congressional districts. Redraws the boundaries of the 11 congressional districts.

Patron - Vogel

[F]SB480 Senate districts; technical adjustments. Changes district assignments of certain Isle of Wight County census blocks between Senate Districts 3, 14, and 18 in order to follow current precinct boundaries. All Senate districts remain within two percent deviation from the ideal district population.

Patron - Lucas

[F]SB490 Senate districts; technical adjustment. Changes district assignments of certain census blocks between Senate Districts 15, 16, 18, and 20 in order to reduce split cur-

rent precincts and facilitate local administration of legislative elections. The bill was incorporated into SB 635.

Patron - Ruff

[F]SB491 Senate districts; technical adjustment.

Changes district assignments of certain census blocks between Districts 9, 10, and 16 in the City of Richmond in order to reunite three split precincts. All districts remain within two percent deviation from the ideal district population. The bill was incorporated into SB 635.

Patron - Watkins

[F]SB510 Elections and ballots. Allows write-in votes in primary elections. The bill contains an emergency clause.

Patron - Wagner

[F]SB538 Presidential primary; uncommitted option.

Allows a voter in a presidential primary to vote "uncommitted" where such vote indicates that the voter has no preference among the candidates on the ballot and does not want to commit delegates to vote for any particular candidate at the party's national convention.

Patron - Martin

[F]SB600 Senate districts; technical adjustment.

Changes district assignments of certain census blocks between Districts 17 and 24 in Culpeper County in order to reunite four current precincts that were split by the Senate plan. District 17 has a 2.1 percent deviation from the ideal district population.

Patron - Hanger

[F]SB636 Senate districts; technical adjustments.

Makes technical changes in Senate Districts 1, 2, 3, 4, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 25, 28, 29, 30, 33, 36, 37, and 39 in order to eliminate split voting precincts and otherwise facilitate administration of legislative elections by local officials. All districts remain within two percent deviation of the ideal population.

Patron - Obenshain

[F]SB669 Voter registration records. Requires general registrar to compare list of registered voters for his locality to the State Board of Elections comprehensive list of convicted felons, to cancel the registration of any registered voter shown to be a felon, and to notify the registered voter of the cancellation.

Patron - Garrett

Carried Over

[C]HB55 Primary dates; presidential primary. Provides that all primaries for offices to be filled at the November election in presidential election years shall be held on the date of the presidential primary. With respect to candidates for election in November of a presidential election year, the bill also lifts the requirement that petition signatures must be collected after January 1 of the presidential election year.

Patron - Cole

[C]HB59 Elections; persons entitled to place on ballot; compliance with campaign finance disclosure provisions. Provides that a candidate will not be entitled to have his name printed on the ballot unless he has filed all required campaign finance reports and satisfied all civil and criminal penalties imposed under the Campaign Finance Disclosure Act. The bill also creates a rebuttable presumption that candidates and committees have received the notices of campaign finance viola-

tions that were sent by certified mail, return receipt requested, by the State Board of Elections or local electoral boards.

Patron - Cole

[C]HB168 Campaign finance; final disposition of surplus funds by General Assembly members. Requires any member of the General Assembly who leaves office for any reason to file his final campaign finance report and disburse all surplus funds within six months of leaving office. A member with campaign debts at the time of leaving office is required to file the final report within six months of leaving office or within two months of repaying the debts, whichever time is later.

Patron - Cosgrove

[C]HB259 House of Delegates districts; technical adjustments. Makes technical changes in House of Delegates Districts 2, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 25, 26, 29, 30, 31, 32, 33, 42, 43, 44, 45, 47, 49, 50, 51, 52, 55, 59, 60, 64, 67, 75, 87, and 99 in order to eliminate split voting precincts and otherwise facilitate administration of legislative elections by local officials. All districts remain within one percent deviation of the ideal population. The bill incorporates HB 295, HB 574, HB 808, and HB 838.

Patron - Cole

[C]HB850 Appointment, compensation, and offices of general registrars. Provides that all general registrars shall serve on a full-time basis. The bill takes effect on enactment of an appropriation to effectuate its purposes. The bill is identical to SB 465.

Patron - O'Quinn

[C]HB930 Uniform Military and Overseas Voters Act. Adopts the Uniform Military and Overseas Voters Act to promote uniformity of treatment and improved administration of election laws for military and overseas voters.

Patron - Lingamfelter

[C]HB1036 Primary elections expenses. Gives local electoral boards authorization to establish procedures for political party committee elections on the primary date and at other times.

Patron - Helsel

[C]HB1055 Voter registration; return of voter registration applications. Allows military and overseas voters to return a completed mail voter registration application by fax in accordance with instructions of the State Board of Elections.

Patron - Anderson

[C]HB1057 Elections; military and overseas voters. Improves registration and absentee voting procedures for military and overseas voters; includes authorization for pilot programs for secure electronic ballot delivery and other reforms.

Patron - Anderson

[C]HB1132 Elections and ballots. Allows write-in votes in primary elections when the duly constituted political party authorities have authorized write-in votes.

Patron - Cole

[C]SB82 Absentee voting; military and overseas voters. Directs the State Board of Elections to provide instructions and procedures for the submission of ballots from military and overseas voters by fax or other electronic means.

Patron - McWaters

[C]SB139 County precincts; separate precinct for certain towns. Requires a county to establish a separate county

precinct for any town entirely surrounded by a combination of a United States armed forces base and water.

Patron - Puller

[C]SB207 Elections; emergencies; extension of polling hours. Provides for a court-ordered extension of polling hours in emergency situations and situations that interfere with the ability of voters to travel to the polls. The bill provides that no extension shall exceed three hours, provides for notice by any petitioner for an extension to the other potential petitioners, and includes other restrictions on the court's discretion and the premature release of election results. The potential petitioners are the Secretary of the State Board of Elections and the state chairs of the political parties. The court will be a three-judge panel of the Virginia Supreme Court appointed by the Chief Justice.

Patron - Barker

[C]SB281 Elections; persons entitled to place on ballot; compliance with campaign finance disclosure provisions. Provides that a candidate will not be entitled to have his name printed on the ballot unless he has filed all required campaign finance reports and satisfied all civil and criminal penalties imposed under the Campaign Finance Disclosure Act.

Patron - Smith

[C]SB465 Appointment, compensation, and offices of general registrars. Provides that all general registrars shall serve on a full-time basis. The bill takes effect on enactment of an appropriation to effectuate its purposes. The bill is identical to HB 850.

Patron - Northam

[C]SB635 Senate districts; technical adjustments. Makes technical changes in Senate Districts 1, 2, 3, 4, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 25, 28, 29, 30, 33, 36, 37, and 39 in order to eliminate split voting precincts and otherwise facilitate administration of legislative elections by local officials. All districts remain within two percent deviation of the ideal population. The bill incorporates SB 490 and SB 491.

Patron - Vogel

Eminent Domain

Passed

[P]HB1035 Eminent domain; lost profits and access. Provides definitions for the terms "lost profits" and "lost access" and how to determine the amount of just compensation, which includes lost profits and lost access resulting from the taking, that must be paid for property taken by eminent domain. The bill has a contingent effective date of January 1, 2013, provided that the voters approve an amendment to Section 11 of Article I of the Constitution of Virginia at the 2012 November election. This bill incorporates HB 597 and is identical to SB 437.

Patron - Joannou

[P]SB437 Eminent domain; lost profits and access. Provides definitions for the terms "lost profits" and "lost access" and how to determine the amount of just compensation, which includes lost profits and lost access resulting from the taking, that must be paid for property taken by eminent domain. The bill has a contingent effective date of January 1, 2013, provided that the voters approve an amendment to Sec-

tion 11 of Article I of the Constitution of Virginia at the November 2012 election. This bill is identical to HB 1035.

Patron - Obenshain

Failed

[F]HB597 Eminent domain; lost profits and access. Provides definitions for the terms "lost profits" and "lost access" and how to determine the amount of just compensation, which includes lost profits and lost access resulting from the taking, that must be paid for property taken by eminent domain. The bill has a contingent effective date of January 1, 2013, provided that the voters approve an amendment to Section 11 of Article I of the Constitution of Virginia at the 2012 November election. This bill was incorporated into HB 1035.

Patron - Crockett-Stark

Fiduciaries Generally

Passed

[P]HB677 Power of attorney; termination. Provides that an agent's authority under a power of attorney terminates by operation of law if either the agent or principal file an action for separate maintenance from the other or for custody or visitation of a child in common with the other.

Patron - Surovell

Failed

[F]HB125 Uniform Power of Attorney Act; violation; penalty. Provides that an agent under a power of attorney who violates the Uniform Power of Attorney Act with intent to defraud the principal and converts his principal's property is guilty of embezzlement.

Patron - Kilgore

[F]HB713 Power of attorney; embezzlement by agent; penalty. Emphasizes that an agent who violates the Uniform Power of Attorney Act with the intent to defraud the principal and who thereby converts funds or other property is guilty of embezzlement.

Patron - Kilgore

[F]SB422 Commissioners of accounts; certified public accountants. Provides that a certified public accountant may serve as a commissioner of accounts or as an assistant or deputy commissioner of accounts. Currently, only lawyers may serve in such positions.

Patron - Ruff

Carried Over

[C]SB108 Power of attorney; embezzlement by agent; penalty. Emphasizes that an agent who violates the Uniform Power of Attorney Act with the intent to defraud the principal and who thereby converts funds or other property is guilty of embezzlement.

Patron - Edwards

Financial Institutions and Services

Passed

[P]HB214 Credit unions; amendments to organizational documents. Clarifies the procedure for review by the Commissioner of Financial Institutions of proposed amendments to the articles of incorporation and bylaws of a credit union when the amendments would expand the credit union's field of membership. This bill is identical to SB 132.

Patron - Miller

[P]HB570 Mortgage loan originators; bona fide nonprofit organizations. Exempts employees of bona fide nonprofit organizations from licensing and registration requirements applicable to mortgage loan originators. The State Corporation Commission is directed to prescribe, by regulation, procedures and criteria to be used to determine whether an organization is a bona fide nonprofit organization. In doing so, the Commission shall consider criteria adopted by the Consumer Financial Protection Bureau or other federal agency with rulemaking authority under the Secure and Fair Enforcement for Mortgage Licensing Act. The measure includes technical changes. This measure is a recommendation of the Virginia Housing Commission. This bill is identical to SB 75.

Patron - Marshall, D.W.

[P]HB572 Owner financing for real property; licensing. Exempts persons who make loans or extend credit for any part of the purchase price of real property that the person owns from licensure requirements under the Nationwide Mortgage Licensing System and Registry. This bill is a recommendation of the Virginia Housing Commission. This bill is identical to SB 76.

Patron - Marshall, D.W.

[P]HB708 Bank-owned real estate. Repeals a provision that limits to 10 years the period that banks may hold real estate acquired in satisfaction of a debt previously contracted. The measure allows state banks to hold such property indefinitely without writing down the asset's value. This bill is identical to SB 121.

Patron - Kilgore

[P]HB1168 Trust institutions. Provides that a federal savings bank, with or without an office or a branch in Virginia, may engage in a trust business in the Commonwealth if it is supervised and regulated by the federal Comptroller of the Currency and is authorized to serve in a fiduciary capacity pursuant to federal law. The measure also clarifies similar existing provisions regarding the authority of national banks to engage in a trust business.

Patron - Merricks

[P]SB75 Mortgage loan originators; bona fide nonprofit organizations. Exempts employees of bona fide nonprofit organizations from licensing and registration requirements applicable to mortgage loan originators. The State Corporation Commission is directed to prescribe, by regulation, procedures and criteria to be used to determine whether an organization is a bona fide nonprofit organization. In doing so, the Commission shall consider criteria adopted by the Consumer Financial Protection Bureau or other federal agency with rulemaking authority under the Secure and Fair Enforcement for Mortgage

Licensing Act. The measure includes technical changes. This measure is a recommendation of the Virginia Housing Commission. This bill is identical to HB 570.

Patron - Watkins

[P]SB76 Owner financing for real property; licensing. Exempts persons who make loans or extend credit for any part of the purchase price of real property that the person owns from licensure requirements under the Nationwide Mortgage Licensing System and Registry. This bill is a recommendation of the Virginia Housing Commission. This bill is identical to HB 572.

Patron - Watkins

[P]SB121 Bank-owned real estate. Repeals a provision that limits to 10 years the period that banks may hold real estate acquired in satisfaction of a debt previously contracted. The measure allows state banks to hold such property indefinitely without writing down the asset's value. This bill is identical to HB 708.

Patron - Watkins

[P]SB124 Mortgage Lender and Mortgage Broker Act; criminal background checks. Conforms provisions of Virginia's laws regarding licensure of mortgage lenders and mortgage brokers to the practice of conducting criminal background checks through the Nationwide Mortgage Licensing System and Registry. The measure eliminates an existing provision that allows a mortgage lender's or mortgage broker's members, senior officers, directors, and principals to avoid a criminal background check during the licensing phase by acquiring a licensee after the license has been issued, and permits the Central Criminal Records Exchange to disclose criminal background information to the State Corporation Commission.

Patron - Watkins

[P]SB132 Credit unions; amendments to organizational documents. Clarifies the procedure for review by the Commissioner of Financial Institutions of proposed amendments to the articles of incorporation and bylaws of a credit union when the amendments would expand the credit union's field of membership. This bill is identical to HB 214.

Patron - Stanley

Failed

[F]HB315 Check cashers; customer identification; civil penalty. Requires a person conducting business as a check casher to make a copy of each item cashed and either the customer's valid identification document or thumbprint. Records for each transaction are required to be retained for a period of one year and to be made available to law-enforcement officials. A violation of these requirements is punishable by a civil penalty not to exceed \$200.

Patron - Ingram

[F]HB356 Check cashing fee information. Directs the State Corporation Commission's Bureau of Financial Information to conduct periodic surveys of banks, savings institutions, credit unions, and persons required to be registered as check cashers. The surveys are to collect information regarding the practices and fees of these institutions relating to their cashing of checks, drafts, and money orders. The Bureau is required to compile the check cashing fee information in a chart, table, or similar format. The Bureau is further directed to post the information on the Bureau's website and to make printed copies of the information available to persons requesting it.

Patron - McClellan

[F]HB414 Safe deposit boxes. Requires the bank or other entity renting a safe deposit box to permit limited access to the box by the spouse or next of kin of the deceased lessee of the box, a court clerk, or other interested person, to look for a will or other testamentary instrument. Currently, the lessor of the safe deposit box has the option of allowing entry for such purpose.

Patron - Watts

[F]HB725 Motor vehicle title loans, payday loans, and open-end credit plans; interest rate. Caps the rate of interest that may be charged on motor vehicle title loans, payday loans, and open-end credit plans at 36 percent per year.

Patron - Yancey

[F]SB28 Payday loans; permitted interest. Removes provisions of the Payday Loan Act that authorize lenders to charge a loan fee or verification fee, thereby limiting permissible charges on payday loans to simple interest at a maximum annual rate of 36 percent.

Patron - Locke

[F]SB98 Open-end loan plans; finance charges. Caps the finance charges and other charges and fees that may be imposed on extension of credit under certain open-end credit plans at an annual rate of 36 percent if the maximum amount that may be advanced under the plan does not exceed \$2,500. If the maximum amount that may be advanced exceeds \$2,500, the lender may impose finance charges and other charges and fees at such rates and in such amounts as the parties may agree.

Patron - Edwards

[F]SB186 Payday loans; permitted interest. Repeals provisions of the Payday Loan Act that authorize lenders to charge a loan fee or verification fee, thereby limiting permissible charges on payday loans to simple interest at a maximum annual rate of 36 percent.

Patron - Miller, J.C.

Fire Protection

Passed

[P]HB941 Issuance of fire investigation warrant; State Police arson investigators. Authorizes State Police arson investigators to obtain administrative warrants to investigate fires. Current law only authorizes fire marshals to obtain such warrants. This bill is identical to SB 133.

Patron - Lingamfelter

[P]HB1111 Fees for enforcement and appeals under Statewide Fire Prevention Code and Uniform Statewide Building Code. Defines the term "defray the cost" for purposes of fees authorized to be collected by a locality for costs for enforcement and appeals of the application of the Statewide Fire Prevention Code and the Uniform Statewide Building Code. Under the bill, the cost may include the fair and reasonable costs incurred for such enforcement during normal business hours, but shall not include overtime costs, unless conducted outside of the normal working hours established by the locality. The bill provides that it does not prohibit a private entity from conducting the inspections provided the private entity has been approved in accordance with the written policy of the fire official for the locality.

Patron - Greason

[P]HB1293 Statewide Fire Prevention Code; local inspection fee. Provides that no fee charged for the inspection of any place of religious worship designated as Assembly Group A-3 under the Fire Prevention code shall exceed \$50.
Patron - Spruill

[P]SB133 Issuance of fire investigation warrant; State Police arson investigators. Authorizes State Police arson investigators to obtain administrative warrants to investigate fires. Current law only authorizes fire marshals to obtain such warrants. This bill is identical to HB 941.
Patron - Stanley

Failed

[F]HB152 Statewide Fire Prevention Code insurance requirements for certain fireworks shows. Requires the Board of Housing and Community Development to amend the Statewide Fire Prevention Code so that insurance coverage for permit holders for consumer fireworks shows is capped at \$500,000.
Patron - Bell, Richard P.

Fisheries and Habitat of the Tidal Waters

Passed

[P]HB196 Haul seine nets. Requires a haul seine net that is longer than 1,000 yards and is anchored at one end to the shore and the other end mechanically drawn, without the aid of a boat or vessel, to have up to 400 feet of two-and one-half inch mesh.
Patron - Lewis

[P]HB238 Management of blue crabs. Limits the Marine Resources Commission's fisheries management authority in the Albemarle and Currituck watersheds to the recreational and commercial harvest of blue crab.
Patron - Knight

[P]HJ96 Atlantic States Marine Fisheries Commission; summer flounder harvest. Requests the Atlantic States Marine Fisheries Commission to allow Virginia's recreational fishermen to harvest summer flounder that are smaller than the current 17.5-inch minimum size limit.
Patron - Watson

[P]SB470 Combined fishing license. Removes references to specific dollar amounts currently charged for the freshwater and saltwater components of a combined sportfishing license and recognizes that the Department of Game and Inland Fisheries and the Marine Resources Commission currently have the authority to independently establish the price of each agency's component of the combined license.
Patron - Northam

Failed

[F]HB88 Menhaden harvest cap. Removes the provision that allows an adjustment for underages or overages in the annual harvest cap to be carried over to the next year's cap

limit. Currently, if a person harvests less than the 109,020 metric ton limit on taking menhaden, he can add the difference to his cap for next year's harvest. Conversely, if he exceeds the cap in any one year, he must reduce his harvest in the succeeding year by the amount of the overage of the preceding year.
Patron - Knight

[F]HB258 Commercial fishing piers; regulation of net fishing in the vicinity. Authorizes the Marine Resources Commission to raise the minimum distance permitted for net fishing in the vicinity of a commercial fishing pier from 300 yards to as much as 1,000 yards and to promulgate other regulations.
Patron - Stolle

[F]HB934 Bottomlands conveyed by special grant; trespass; proof. Establishes a presumption in a private civil action for trespass upon bottomlands alleged to have been conveyed by a special grant or compact that such bottomlands are owned by the Commonwealth. This presumption only applies in such an action and does not otherwise affect any person's property rights. The plaintiff may rebut this presumption by establishing his ownership by a preponderance of the evidence.
Patron - Lingamfelter

[F]HB1159 Possession of shark fins; penalty. Bans the possession, sale, offering for sale, trading, or distribution of shark fins, with certain exceptions for licensees and restaurants.
Patron - Sickles

Carried Over

[C]HB40 Standards for use of coastal primary sand dunes; exemption. Authorizes the Virginia Beach Wetlands Board to determine which structures or properties are in imminent danger from erosion or storm damage. If such structures or properties are found to be in imminent danger, the property owners will be able to erect or maintain protective bulkheads of a type, size and configuration approved by the Board. This is the same exemption from the Coastal Primary Sand Dunes and Beaches Act that applies to homes located in the Sandbridge Beach Subdivision.
Patron - Tata

[C]SB18 Fishery compact. Removes authorization for Virginia's membership in the Atlantic States Marine Fisheries Compact. The purpose of the Compact is to promote better utilization of the marine, shell, and anadromous fisheries of the Atlantic seaboard through the development of a joint program for the promotion and protection of such fisheries and by the prevention of the physical waste of the fisheries from any cause. If any state desires to remove itself from the Compact, it must send a six months' notice in writing to the member states of its intention to withdraw from the Compact.
Patron - Stuart

[C]SB466 Menhaden management. Authorizes the Marine Resources Commission to adopt regulations necessary to comply with Amendment 2 to the Atlantic States Marine Fisheries Commission Fishery Management Plan for Atlantic Menhaden.
Patron - Northam

[C]SB550 Public oyster beds on the seaside of the Eastern Shore; adjustment of boundaries. Instructs the Virginia Marine Resources Commission to adjust the boundaries of the public oyster beds on the seaside of the Eastern Shore using the

Baylor survey as a basis. The bill requires the Commission to make its procedures public and sets out the criteria that the Commission must address as it considers any adjustment to the boundaries of the public shellfish beds encompassed within the bill. The bill also instructs the Commission to include or exclude certain bottomlands from the adjusted boundaries and provides considerations for leasing of state-owned bottomlands.

Patron - Northam

Game, Inland Fisheries and Boating

Passed

[P]HB95 Bear hound training. Allows the training of dogs to hunt bears to occur from 4 a.m. until 10 p.m. Currently, the training of dogs to hunt bears is limited to one-half hour before sunrise until four and one-half hours after sunset. This bill is identical to SB 147.

Patron - Wilt

[P]HB175 Riparian blinds in Back Bay. Limits the placement of duck blinds by riparian landowners in Back Bay to the riparian owner's shoreline at the mean low water mark but allows blinds erected and licensed by riparian owners in 2011 to remain at their current locations.

Patron - Knight

[P]HB307 Fee for use of Department of Game and Inland Fisheries property. Waives a facility use permit fee that will be imposed by the Department of Game and Inland Fisheries on visitors to Rural Retreat Lake Park who are engaged in land-based recreational activity. The Department is planning to charge a fee, beginning January 1, 2012, for persons 17 years of age and older who do not have a valid Virginia fishing, hunting, or trapping license or a boat registered with the Department. The bill contains an emergency clause.

Patron - Crockett-Stark

[P]HB381 Motorboat registration. Changes the expiration date for motorboat registration from three years from the first day of the month in which it was issued to three years from the last day of the month in which it was issued.

Patron - Pogge

[P]HB538 Hunter education program. Requires the Board of Game and Inland Fisheries to establish at least one full-time hunter education coordinator position in each of the Department of Game and Inland Fisheries' administrative regions.

Patron - Orrock

[P]HB719 Special hunting and fishing license for disabled veterans. Allows a veteran who is permanently disabled due to a service-connected disability to obtain at no cost a combined hunting and freshwater fishing lifetime license, or a separate hunting or freshwater fishing lifetime license. This bill is identical to SB 528.

Patron - Yancey

[P]HB855 Nuisance species; coyotes and feral swine. Adds coyotes and feral swine to the definition of "nuisance species."

Patron - Yost

[P]HB880 Fishing licenses for partially disabled veterans. Establishes a special fishing license for resident and non-resident veterans who have a service-connected disability of at least 70 percent as rated by the U.S. Department of Veterans Affairs. The resident veterans will pay one-half the cost of the annual state resident basic fishing license and the nonresident veterans will pay one-half the cost of the state nonresident basic fishing license. Last year, a similar law was enacted that allowed partially disabled resident and nonresident veterans to obtain the basic hunting license at one-half the cost.

Patron - Sickles

[P]HB990 Authorization of nonlethal control measures against elk. Grants the Director of the Department of Game and Inland Fisheries the option to authorize nonlethal control measures against elk found to be responsible for damage. The current statute grants such an option with respect to bear only.

Patron - Morefield

[P]HB1119 Wake surfing. Allows persons to engage in the recreational activity of wake surfing.

Patron - Wright

[P]SB147 Bear hound training. Allows the training of dogs to hunt bears to occur from 4 a.m. until 10 p.m. Currently, the training of dogs to hunt bears is limited to one-half hour before sunrise until four and one-half hours after sunset. This bill is identical to HB 95.

Patron - Puckett

[P]SB528 Special hunting and fishing license for disabled veterans. Allows a veteran who is permanently disabled due to a service-connected disability to obtain at no cost a combined hunting and freshwater fishing lifetime license or a separate hunting or freshwater fishing lifetime license. This bill is identical to HB 719.

Patron - Garrett

Failed

[F]HB12 Reporting boating accident. Requires the operator of a vessel, if he is involved in an accident, to immediately report the accident to law enforcement and to notify the Department of Game and Inland Fisheries. An operator who fails to provide the appropriate notice and report of the accident is subject to a Class 3 misdemeanor. The law-enforcement officer who receives the notice from the vessel's operator is required to immediately report the collision, accident, or other casualty to the Department of Game and Inland Fisheries.

Patron - Edmunds

[F]HB118 Property damage due to boat accident; penalty. Punishes as a Class 6 felony any operator of a vessel who damages only property in a collision, accident or other casualty and who fails to (i) give his name, address and identification of the vessel in writing to the owner of the property that has been damaged; (ii) notify law enforcement; and (iii) file a report with the Department of Game and Inland Fisheries if the property damage is \$2,000 or more. Currently, the penalty for not complying with these requirements in the instance of an accident resulting in property damage is a Class 1 misdemeanor. The bill would continue to impose a Class 1 misdemeanor in circumstances where property damage is less than \$2,000.

Patron - Edmunds

[F]HB150 Conservation police officers. Requires the Board to adopt regulations that prohibit a conservation police

officer from hunting or fishing in those areas he is assigned to patrol.

Patron - Ransone

[F]HB172 Hunting; knowingly trespassing while carrying a firearm; penalty. Prohibits hunting without permission or authority, while carrying a firearm, on land where the hunter knows a No Trespassing sign is posted or where the hunter should know entry is prohibited. In addition to being punishable by a fine of \$500 to \$1,000, a conviction for a violation allows the court trying the case to revoke the hunter's license for one year and to order the forfeiture of any weapon used in the violation.

Patron - Loupassi

[F]HB311 Open season for hunting bear. Provides that when the Board of Game and Inland Fisheries establishes an open season for the hunting of bear any legal hunting method, including the use of dogs, may be used for the entire season.

Patron - Crockett-Stark

[F]HB338 Authority to create separate special hunting licenses. Authorizes the Board of Game and Inland Fisheries to create separate special licenses for the hunting of bear, deer, and turkey.

Patron - Wilt

[F]HB369 Hunting on Sundays. Allows any person to hunt on private lands on Sunday, with the permission of the owner of the land.

Patron - Webert

[F]HB695 Penning of fox and coyote; penalty. Makes it a Class 1 misdemeanor for any person to erect or maintain an enclosure for the purpose of pursuing, hunting, or killing or attempting to pursue, hunt, or kill a fox or coyote with dogs. The bill also makes it a Class 1 misdemeanor to pursue, hunt, or kill or attempt to pursue, hunt, or kill a fox or coyote within such an enclosure with dogs.

Patron - Plum

[F]HB921 Hunting on Sundays. Allows any person who has obtained a hunting license to hunt any wild bird or wild animal on Sundays.

Patron - Lingamfelter

[F]HB989 Hunting on Sunday. Removes the prohibition against hunting on Sunday between the hours of 2:00 p.m. and sunset.

Patron - Morefield

[F]HB1002 Hunting on Sunday. Allows any person to hunt or kill any wild bird or wild animal on Sunday, on private lands, in the Counties of Fairfax, Fauquier, Loudoun, and Prince William.

Patron - Ramadan

[F]SB17 Conservation police officers. Changes the name of law-enforcement officers employed by the Department of Game and Inland Fisheries from conservation police officers to game wardens.

Patron - Stuart

[F]SB26 Authority of conservation police officers. Clarifies that conservation police officers may not stop a person for the purpose of determining compliance with the laws, rules, and regulations of the Commonwealth or its localities without reasonable suspicion of criminal activity. The bill also repeals a section of the Code allowing conservation police officers to

inspect game and fish for the purposes of enforcing bag and creel limits without first making an arrest.

Patron - Stuart

[F]SB151 Hunting on Sundays. Allows the hunting of wild birds or wild animals including nuisance species on Sundays (i) by a landowner or the landowner's immediate family on his property or by any person on private property with the written permission of the landowner and (ii) on the waters of the Commonwealth as authorized by the Board of Game and Inland Fisheries. However, a person is prohibited from hunting on Sunday within 250 yards of a place of worship or with the assistance of dogs. This bill was incorporated into SB 464.

Patron - Puckett

[F]SB173 Hunting on Sundays. Allows the hunting of wild birds or wild animals including nuisance species on Sundays (i) by a landowner or the landowner's immediate family on his property or by any person on private property with the written permission of the landowner and (ii) on the waters of the Commonwealth as authorized by the Board of Game and Inland Fisheries. However, a person is prohibited from hunting on Sunday within 250 yards of a place of worship or with the assistance of dogs. This bill was incorporated into SB 464.

Patron - Petersen

[F]SB464 Hunting on Sundays. Allows the hunting of wild birds or wild animals including nuisance species on Sundays (i) by a landowner or the landowner's immediate family on his property or by any person on private property with the written permission of the landowner and (ii) on the waters of the Commonwealth as authorized by the Board of Game and Inland Fisheries. However, a person is prohibited from hunting on Sunday within 250 yards of a place of worship or with the assistance of dogs. This bill incorporates SB 151, SB 173, and SB 512.

Patron - Northam

[F]SB512 Hunting on Sundays. Allows the hunting of wild birds or wild animals including nuisance species on Sundays (i) by a landowner or the landowner's immediate family on his property or by any person on private property with the written permission of the landowner and (ii) on the waters of the Commonwealth as authorized by the Board of Game and Inland Fisheries. However, a person is prohibited from hunting on Sunday within 250 yards of a place of worship or with the assistance of dogs. This bill was incorporated into SB 464.

Patron - Wagner

Carried Over

[C]HB8 Reporting of vessel accident; penalty. Requires any passenger 18 years of age or older who is a passenger in a vessel that is involved in an accident resulting in serious bodily injury or death and in which the operator has (i) failed to stop and render assistance, and (ii) failed to report the accident in accordance with procedures established by the Board of Game and Inland Fisheries to notify, within a reasonable time, a law-enforcement officer, conservation police officer, or an officer of the Virginia Marine Police. If such a report is not filed, the passenger is subject to a Class 3 misdemeanor. The bill contains technical amendments.

Patron - Edmunds

[C]HB342 Designation of a person authorized to kill deer or bear damaging property. Permits a landowner or lessee whose property may be damaged by deer or bear to request that another person or persons be designated to kill such ani-

mals upon any written authorization to kill deer or bear that may be granted. The legislation instructs the Director of the Department of Game and Inland Fisheries to establish a website where a landowner may register property and establish hunting conditions and where a person may apply on a first-come, first-served basis to be designated on a written authorization to kill deer or bear damaging the property. The Director is required to pay the landowner at least half of the fee charged to the designated person.

Patron - Wilt

[C]HB1242 Dangerous wild animals. Makes it a Class 1 misdemeanor to privately possess, sell, transfer, or breed dangerous wild animals, which are identified by taxonomic classification. The bill would grandfather in the ownership of any existing lawful dangerous wild animals; however, the owner of such animals is required to meet certain conditions in order to maintain possession of the animals. The bill limits the possession of dangerous wild animals to certain types of entities and facilities. The legislation sets out the procedures to be followed in the impoundment and forfeiture of dangerous wild animals.

Patron - Peace

[C]HB1249 Duck blinds. Changes the dates for renewing a person's riparian duck blind license. For persons holding riparian duck blind license the time for obtaining a license is changed from the current period May 1 through June 15 to the period February 1 to August 15. The time for obtaining a non-riparian duck blind license is changed from the current July 1 through August 15 time frame to July 1 through September 15. The bill also requires the Department of Game and Inland Fisheries to notify persons holding a riparian or nonriparian duck blind license that their license will expire unless renewed by a certain date.

Patron - Lingamfelter

[C]SB25 Appointment of Director of Department of Game and Inland Fisheries. Removes the authority of the Board of Game and Inland Fisheries to appoint the Director of the Department, resulting in the Governor making the appointment.

Patron - Stuart

[C]SB176 Jurisdiction of the Department of Game and Inland Fisheries. Removes the jurisdiction to enforce fishing and boating laws in the waters of Back Bay and the inlets and navigable waters in the Tidewater counties and cities from the Department of Game and Inland Fisheries.

Patron - Stuart

[C]SB202 Penning of fox and coyote; penalty. Makes it a Class 1 misdemeanor for any person to erect or maintain an enclosure for the purpose of pursuing, hunting, or killing or attempting to pursue, hunt, or kill a fox or coyote with dogs. The bill also makes it a Class 1 misdemeanor to pursue, hunt, or kill or attempt to pursue, hunt, or kill a fox or coyote within such an enclosure with dogs.

Patron - Marsden

[C]SB477 Dangerous wild animals. Makes it a Class 1 misdemeanor to privately possess, sell, transfer, or breed dangerous wild animals. The bill would grandfather in the ownership of any existing lawful exotic animals; however, the owner of such animals is required to meet certain conditions in order to maintain possession of the exotic animals. The bill limits the possession of dangerous wild animals to facilities accredited by the Association of Zoos and Aquariums and bona fide sanc-

tuaries. The legislation describes the procedures to be followed in the seizure and care of dangerous wild animals.

Patron - Lucas

[C]SB683 Tick control; Sunday hunting of deer and permits for application of acaricides. Authorizes Sunday hunting of deer within the boundaries of any locality upon a finding by the governing body of that locality that tick-borne Lyme disease constitutes a serious threat to public health within the locality and that reduction in the number of deer in the locality is necessary to control the spread of Lyme disease, certification by the Department of Game and Inland Fisheries that there is an overabundance of deer in the locality, and enactment of an ordinance authorizing hunting of deer on Sundays by the governing body of such locality. This bill also directs the Department of Game and Inland Fisheries to develop a pilot program for the issuance of permits for the application of host-specific acaricides to deer via four-poster devices for the purpose of controlling the tick population and reducing the spread of tick-borne Lyme disease in Loudoun County.

Patron - Black

General Assembly

Passed

[P]HB45 General Assembly; continuance of case. Provides that the continuance as a matter of right that a party to a proceeding in any court or other tribunal may obtain if he, prior to or during the session of the General Assembly, has retained an attorney to represent him in such proceeding who is an officer, employee, or member of the General Assembly or an employee of the Division of Legislative Services also applies to an attorney who becomes an officer, employee, or member of the General Assembly or an employee of the Division of Legislative Services after such attorney is retained. The bill also provides that such a continuance may be obtained if the attorney retained is or becomes a member-elect of the General Assembly.

Patron - Habeeb

[P]HB79 Virginia Disability Commission; powers and duties; work groups; sunset. Provides that the Virginia Disability Commission shall establish work groups to assist the Commission in carrying out its powers and duties. Such work groups shall include work groups that focus on issues related to (i) housing and transportation, (ii) education and employment, (iii) publicly funded services, and (iv) such other issues as the Commission may deem necessary. The bill also repeals the sunset provision for the Commission, which is set to expire July 1, 2012. This bill incorporates HB 1229.

Patron - Orrock

[P]HB246 Sunset provisions on state tax credits. Prohibits any committee of the General Assembly from reporting a new state tax credit or renewing an existing state tax credit unless such bill contains an expiration date of not longer than five years from the effective date of the new or renewed state tax credit.

Patron - Cline

[P]HB349 Virginia War of 1812 Bicentennial Commission. Extends the time that the Commission may be funded upon the approval of the Joint Rules Committee, and provides that if the Commission is not funded by a separate appropria-

tion in the appropriation act for the 2014-2016 biennium, the Commission will sunset on July 1 of the fiscal year that it does not receive funding. This bill is a recommendation of the Virginia War of 1812 Bicentennial Commission.

Patron - Cox, M.K.

[P]HB739 Virginia College Savings Plan Oversight Act. Directs the Joint Legislative Audit and Review Commission (JLARC) to oversee and evaluate the Virginia College Savings Plan on a continuing basis. The bill requires JLARC and the Virginia College Savings Plan to make certain reports to the General Assembly. This bill is identical to SB 599.

Patron - Jones

[P]HB777 Joint Subcommittee to Evaluate Tax Preferences. Establishes the Joint Subcommittee to Evaluate Tax Preferences. The joint subcommittee is charged with overseeing the evaluation of Virginia's tax preferences. The joint subcommittee would consist of 14 legislative members: two members of the House Committee on Appropriations; six members of the House Committee on Finance; and six members of the Senate Committee on Finance. Members of the joint subcommittee will be appointed by the Speaker of the House of Delegates and the Senate Committee on Rules, respectively, upon the recommendation of the House and Senate Committee chairmen. The joint subcommittee must submit an annual executive summary of its work to the General Assembly and the Governor by the first day of each regular session of the General Assembly.

Patron - Landes

[P]HB810 Joint Commission on Transportation Accountability. Provides for staffing of the Commission by the Clerk's Office of the house of the General Assembly of which the Chairman is a member and the Division of Legislative Services, with technical support from the Joint Legislative Audit and Review Commission.

Patron - May

[P]SB395 Virginia Commission on the Centennial of Woodrow Wilson's Presidency. Amends the third enactment of Chapter 667 of the Acts of Assembly of 2010 to extend the Commission contingent upon the receipt of private funding by July 1, 2013. In the event the Commission is not funded by private funds, it will expire on July 1, 2013. This bill is a recommendation of the Virginia Commission on the Centennial of Woodrow Wilson's Presidency.

Patron - Hanger

[P]SB573 Disposal of unclaimed firearms; Capitol Police. Provides that the Division of Capitol Police may destroy unclaimed firearms or other weapons after the items have been in the possession of the Division for 60 days.

Patron - Carrico

[P]SB599 Virginia College Savings Plan Oversight Act. Directs the Joint Legislative Audit and Review Commission (JLARC) to oversee and evaluate the Virginia College Savings Plan on a continuing basis. The bill requires JLARC and the Virginia College Savings Plan to make certain reports to the General Assembly. This bill is identical to HB 739.

Patron - Hanger

[P]SB611 Signature for prefiled legislation. Allows for an electronic signature to be substituted for a handwritten signature on prefiled legislation as may be approved by each house in accordance with its rules and procedures. The legislation is set to sunset on July 1, 2014.

Patron - McDougle

Failed

[F]HB68 Bills referring to taxes. Prohibits the introduction of any bill that refers to a tax by any word other than "tax."

Patron - Marshall, R.G.

[F]HB146 Commission to Review the Effectiveness of Virginia's Tax Preferences; report. Establishes the Commission to oversee the evaluation of Virginia's tax preferences.

Patron - Toscano

[F]HB341 Auditor of Public Accounts; procurement of private accountants and auditing firms. Requires the Auditor of Public Accounts to procure the professional services of CPAs and auditing firms to carry out his duty to audit all the accounts of every state department, officer, board, commission, institution, or other agency handling any state funds, subject to the provision that the cost thereof shall not exceed such sums as may be available out of the appropriation provided by law for the conduct of his office.

Patron - Wilt

[F]HB390 General Assembly; creation of new regulatory program; study by the Board for Professional and Occupational Regulation. Provides that no bill that would result in the creation of a new regulatory program or a change in the level of regulation of a profession or occupation shall be considered in any session of the General Assembly unless the bill contains subsequent enactment clauses that (i) require the Board for Professional and Occupational Regulation to determine the need for the new regulatory program or change in the level of regulation and (ii) provide that the bill shall not become effective unless reenacted by the next legislative session immediately following the legislative session in which the bill was first enacted. The bill requires the Board for Professional and Occupational Regulation to submit a report of its findings to the chairmen of the standing committees having subject matter jurisdiction on or before December 1 of the year in which the bill was first enacted. The bill further provides that it only applies to a new regulatory program or a change in the level of regulation of a profession or occupation for which the Department of Professional and Occupational Regulation or a regulatory board within the Department is or would be responsible.

Patron - Gilbert

[F]HB447 General Assembly; general appropriation bills. Requires the Chairman of the House Appropriations Committee and the Chairman of the Senate Finance Committee to issue reports concurrently with the budget conference report that specifically identify (i) any nonstate appropriation, (ii) any item in the conference report that was not included in a general appropriation bill as passed by either the House or the Senate, and (iii) any item that represents legislation that failed in either house during the regular or a special session.

Patron - Toscano

[F]HB527 Virginia Slave Commission. Establishes the Virginia Slave Commission in the legislative branch of state government for the purpose of addressing contemporary political, economic, educational, and societal issues and public policies whose roots lie in the transatlantic slave trade. The Commission, among other things, must (i) identify the vestiges and assess the effects of the transatlantic slave trade on African Americans, the Commonwealth, and modern societal problems and public policies, (ii) explore and showcase the contributions of African Americans in building Virginia and the nation, (iii) determine the educational and economic value to the Common-

wealth of preserving sites and facilities of historic and archaeological significance to African American culture and contributions, and (iv) recommend feasible and appropriate options to resolve lingering societal problems whose roots lie in slavery.

Patron - McQuinn

HB612 Virginia Code Commission; public comment on revision, repeal, and recodification of Code sections. Requires the Virginia Code Commission to solicit public comment annually concerning titles and sections of the Code of Virginia that should be reviewed for revision, amendment, rearrangement, repeal, and recodification.

Patron - LeMunyon

HB666 General Assembly Conflicts of Interests Act; disclosure requirements. Requires the disclosure of any state tax credit on income taxes received by a member, a member of his immediate family, or a person with whom the member had a close financial association during the past 12 months.

Patron - Surovell

HB691 General Assembly Conflicts of Interests Act; disclosure requirements. Requires a member to file an addendum to his statement of economic interests within 30 days of receiving a gift with a value of \$1,000 or more. The requirement does not apply to gifts from relatives.

Patron - Plum

HB698 General Assembly; conference report on the budget; posting on the Internet. Provides that at least 48 hours prior to the vote of each house of the General Assembly, the Chairman of the House Committee on Appropriations and the Chairman of the Senate Committee on Finance shall cause to be posted on the General Assembly's website a copy of the report of the joint committee of conference on a general appropriation bill when the conference committee's work is completed.

Patron - Filler-Corn

HB776 Federal Oversight Commission. Creates the Federal Oversight Commission, consisting of seven legislative members representing the House of Delegates and the Senate, to meet twice a year with the United States Senate members of the Virginia Congressional Delegation, and to communicate with Virginia's members of the United States House of Representatives, to address public policy issues for which both federal and state policy makers have responsibility. The Commission will be funded the first year from the operating budgets of the House and Senate Clerks' offices, upon approval by the Joint Rules Committee, if the Commission fails to receive a separate appropriation. If the Commission fails to receive a separate appropriation in the subsequent years, it will sunset on July 1 of the year it fails to receive such funding. The Division of Legislative Services will provide staff support and other state agencies will provide technical assistance upon request.

Patron - Landes

HB936 Senate and House Committees on Standards of Conduct. Requires each house to establish a Committee on Standards of Conduct and expands the Committee from three to five members to include a retired justice or judge and an attorney experienced in ethics issues. The Committee is authorized to issue advisory opinions, which, like the opinions of the Attorney General, may be relied upon as a defense against charges of violations of the General Assembly Conflicts of Interests Act (§ 30-100 et seq. of the Code of Virginia).

Patron - Lingamfelter

HB1032 Sunset provisions on certain tax bills. Prohibits any committee of the General Assembly from reporting any bill that establishes, increases, or expands a state or local tax exemption, credit, deduction, or any other reduction in tax liability, unless the bill contains a sunset date not to exceed five years.

Patron - Englin

HB1229 Secretary of Health and Human Resources to convene a work group to develop a plan to address needs of Virginians with disabilities. Directs the Secretary of Health and Human Resources to convene a work group composed of various stakeholders to develop a plan for addressing housing and transportation needs of Virginians with disabilities. This bill was incorporated into HB 79.

Patron - Orrock

HB1260 General Assembly Conflicts of Interests Act; disclosure requirements. Requires prompt disclosure of gifts of travel with a value greater than \$500.

Patron - Englin

SB267 General Assembly; general appropriation bills. Requires the Chairman of the House Appropriations Committee and the Chairman of the Senate Finance Committee to issue reports concurrently with the budget conference report that specifically identify (i) any nonstate agency appropriation, (ii) any item in the conference report that was not included in a general appropriation bill as passed by either the House or the Senate, and (iii) any item that represents legislation that failed in either house during the regular or a special session.

Patron - Norment

SB348 Agency Effectiveness Review Commission. Establishes the Agency Effectiveness Review Commission to review state agencies on a five-year cycle and advise the General Assembly on the efficiency and effectiveness of such agencies.

Patron - McWaters

Carried Over

HB741 Public-Private Partnership Advisory Commission; powers. Authorizes the Public-Private Partnership Advisory Commission to review the detailed proposal for certain qualifying transportation facilities under the Public-Private Transportation Act of 1995 prior to the execution of an interim or comprehensive agreement by the responsible public entity. The bill sets out the time frames for review by the Commission. The bill also requires a public hearing on proposals during the proposal review period.

Patron - Jones

SB272 General Assembly; consideration of certain documents related to the budget bill or general appropriation act. Provides that no legislative action may be taken on (i) any committee amendment to the budget bill or general appropriation act, (ii) any conference committee report on the budget bill or general appropriation act, or (iii) any Governor's recommendation on the budget bill or general appropriation act until each such amendment, report, recommendation, or budget bill has been posted on the General Assembly's website for at least 72 hours. The bill provides that each house may vote by two-thirds majority to override the posting requirement.

Patron - Smith

General Provisions

Passed

HB975 Public service corporations and companies; governmental utility corporation. Clarifies that (i) property may be taken by eminent domain by a public corporation for sanitary sewer, water and stormwater facilities, or transportation facilities and (ii) a government utility corporation (a county or municipality, or entity or agency thereof, that provides or operates specified authorized utility services) shall be considered to be acting as a public service corporation or public service company with regard to the provision of such authorized utility services for the purposes of any taking of private property by eminent domain in accordance with the Constitution of Virginia.

Patron - Bell, Robert B.

Failed

HB833 State song. Designates "At Home in Virginia" by Evi Burgin as the state song of Virginia.

Patron - Carr

Carried Over

SB661 State song. Designates "Shenandoah" as the official state song. The bill also contains a technical amendment.

Patron - Colgan

Health

Passed

HB83 Mammograms; information on breast density. Requires the Board of Health to establish guidelines requiring licensed facilities or physicians' offices where mammography services are provided to (i) include information on breast density in mammogram letters sent to patients and (ii) in mammogram letters sent to patients who have dense breast tissue, include a notice containing information about the potential effects of dense breast tissue on mammograms and explaining that patients may wish to contact their physicians for additional information. This bill is identical to SB 544.

Patron - Orrock

HB177 Health records privacy; disclosure to emergency medical services councils. Provides that health care providers shall disclose health information to a regional emergency medical services council when the health information and data will be used for purposes limited to monitoring and improving the quality of emergency medical services.

Patron - O'Bannon

HB183 Medical assistance; coverage for certain children and pregnant women. Provides that the Board of Medical Assistance Services shall include a provision in the state plan for medical assistance services for medical assistance for otherwise eligible pregnant women during the first

five years of lawful residence in the United States. The bill also requires the Department of Medical Assistance Services to provide coverage under the Family Access to Medical Insurance Security (FAMIS) Plan for otherwise eligible children and pregnant women during the first five years of lawful residence in the United States. This bill is identical to SB 568.

Patron - O'Bannon

HB184 Board of Medical Assistance Services; fraud investigators. Requires that at least two members of the Board of Medical Assistance Services be individuals with significant professional experience in the detection, investigation, or prosecution of health care fraud.

Patron - O'Bannon

HB220 Home care organizations; licensure. Provides that no license to establish or operate a home care organization shall be issued to or renewed for any person who has been sanctioned pursuant to 42 U.S.C. § 1320a-7b, which relates to criminal penalties for certain acts involving federal health care programs.

Patron - Head

HB269 Certificate of public need; process for review and approval of psychiatric and substance abuse services. Eliminates the requirement that a Request for Applications be issued before the Commissioner of Health may accept and consider applications for a certificate of public need for establishment of psychiatric or substance abuse treatment beds or services. The bill contains technical amendments.

Patron - Peace

HB272 Death, marriage, or divorce records; when public. Reduces the time period after which death, marriage, divorce, or annulment records become public from 50 years to 25 years.

Patron - Peace

HB330 Virginia Transplant Council. Authorizes the Virginia Transplant Council to hire its own employees and pay them with moneys from the Virginia Donor Registry and Public Awareness Fund. The bill eliminates language designating the Board of Health as the budgetary administrator for the operation and administration of the Council and provides that the Council, rather than the Board of Health on its behalf as in current law, will administer the Fund and may apply for, accept, and expend gifts, grants, and donations on its own behalf. The Board of Health will continue to have authority to apply for, accept, and expend gifts, grants, and donations on behalf of the Council.

Patron - Villanueva

HB343 Virginia All-Payer Claims Database; creation. Establishes the Virginia All-Payer Claims Database system, in order to facilitate data-driven, evidence-based improvements in access, quality, and cost of health care and to improve the public health through understanding of health care expenditure patterns and operation and performance of the health care system. Entities that choose to submit claims data to the database shall do so pursuant to data use and submission agreements executed with the nonprofit organization that contracts with the Commissioner of Health for public health data needs. The bill also directs the Commissioner to develop a work group to study continuing health information needs in the Commonwealth. This bill is identical to SB 135.

Patron - O'Bannon

HB399 Critical Congenital Cyanotic Heart Disease Screening Program. Directs the Department of Health to convene a work group to develop a plan for implementing a pro-

gram for screening infants born in the Commonwealth for critical congenital cyanotic heart disease.

Patron - Hope

[P]HB535 Certificate of public need; nursing home beds. Repeals requirements relating to relocation of certain nursing home beds and certificates of public need for certain nursing home beds. The bill requires the Department of Health, in consultation with stakeholders, to review existing statutory language and develop recommendations related to (i) acceptance of applications for relocation of nursing home beds without prior issuance of a Request for Applications and (ii) criteria and procedures for extensions of open admissions periods for continuing care retirement communities.

Patron - Orrock

[P]HB796 State Board of Health; guidelines for cleanup of residential property used as clandestine drug lab. Provides for the State Board of Health to establish guidelines for the cleanup of residential property formerly used as a clandestine methamphetamine laboratory.

Patron - Rush

[P]HB829 Virginia Immunization Information System; linkages to other VDH databases. Allows the Commissioner of Health to allow health care providers authorized to access the Virginia Immunization Information System to also access other information maintained by the Department of Health, including newborn screening records, newborn hearing screening records, and blood-lead level records.

Patron - Farrell

[P]HB1075 Hospital discharge; follow-up care. Requires hospitals to educate patients, and in certain circumstances their families, about follow-up care, treatment, and services upon discharge. The bill also requires community services boards to provide information to hospitals about alcohol and substance abuse services available to minors.

Patron - Hugo

[P]HB1231 Onsite sewage systems; inspections. Clarifies that if a licensed professional engineer or onsite soil evaluator does not inspect an onsite sewage system, the evaluation and design of which he certified, at the time of installation in a timely manner, or declines to certify that the installation was completed substantially in accordance with the evaluation and design, the owner may petition the Department of Health to inspect the installation and render a final case decision approving or disapproving the installation.

Patron - Orrock

[P]HB1274 Requirements for transferring a nursing home resident; workgroup. Creates a workgroup for the purposes of clarifying requirements and developing guidelines applicable to nursing homes when transferring or discharging a resident.

Patron - Hope

[P]SB135 Virginia All-Payer Claims Database; creation. Establishes the Virginia All-Payer Claims Database system, in order to facilitate data-driven, evidence-based improvements in access, quality, and cost of health care and to improve the public health through understanding of health care expenditure patterns and operation and performance of the health care system. Entities that choose to submit claims data to the database shall do so pursuant to data use and submission agreements executed with the nonprofit organization that contracts with the Commissioner of Health for public health data needs. The bill also directs the Commissioner to develop a

work group to study continuing health information needs in the Commonwealth. This bill is identical to HB 343.

Patron - Puller

[P]SB201 Hospital discharge; follow-up care. Requires hospitals to educate patients, and in certain circumstances their families, about follow-up care, treatment, and services upon discharge. The bill also requires community services boards to provide information to hospitals about alcohol and substance abuse services available to minors.

Patron - Marsden

[P]SB487 Certificate of public need program; annual report. Eliminates the requirement that the Commissioner of Health report annually to the Governor and the General Assembly on the status of Virginia's certificate of public need program.

Patron - Newman

[P]SB544 Mammograms; information on breast density. Requires the Board of Health to establish guidelines requiring licensed facilities or physicians' offices where mammography services are provided to (i) include information on breast density in mammogram letters sent to patients and (ii) in mammogram letters sent to patients who have dense breast tissue, include a notice containing information about the potential effects of dense breast tissue on mammograms and explaining that patients may wish to contact their physicians for additional information. This bill is identical to HB 83.

Patron - Edwards

[P]SB568 Medical assistance; coverage for certain children and pregnant women. Provides that the Board of Medical Assistance Services shall include a provision in the state plan for medical assistance services for medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States. The bill also requires the Department of Medical Assistance Services to provide coverage under the Family Access to Medical Insurance Security (FAMIS) Plan for otherwise eligible children and pregnant women during the first five years of lawful residence in the United States. This bill is identical to HB 183.

Patron - Ebbin

[P]SB660 Vital records; records becoming public. Provides that when 100 years have elapsed from the date of birth or 25 years from the date of death, marriage, divorce, or annulment, the records of such events shall, unless precluded from release by statute or court order, or at law-enforcement's request, become public information and be made available to the public. The bill also requires the State Registrar to make original records that become public information available to the Library of Virginia for safekeeping and for public access consistent with other state archival records, directs the State Registrar and the Library of Virginia to enter into a memorandum of understanding to arrange for continued prompt access to such records by the State Registrar for amendments or other working purposes, and directs the State Registrar to enter into a long-term contract with a private company experienced in maintaining genealogical research databases to create, maintain, and update online indexes of records made available to the public.

Patron - Blevins

Failed

[F]HB62 Funding for certain abortions. Repeals the section authorizing the Board of Health to fund abortions for

women who meet the financial eligibility criteria of the State Plan for Medical Assistance in cases in which a physician certifies that he believes that the fetus would be born with a gross and totally incapacitating physical deformity or mental deficiency.

Patron - Cole

[F]HB65 Human papillomavirus vaccine; eliminates requirement. Eliminates the requirement that children receive the human papillomavirus vaccine for school attendance.

Patron - Marshall, R.G.

[F]HB380 Regional emergency services councils; plan requirements related to crime victims. Removes language requiring regional emergency services councils to include a provision requiring that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund be contacted immediately to deploy assistance in the event of an emergency when there are victims as defined in the Crime Victim and Witness Rights Act (§ 19.2-11.01 et seq.). This bill was incorporated into HB 352.

Patron - Pogge

[F]HB782 Medical assistance; coverage for certain children and pregnant women. Provides that the Board of Medical Assistance Services shall include a provision in the state plan for medical assistance services for medical assistance for otherwise eligible pregnant women during the first five years of lawful residence in the United States. The bill also requires the Department of Medical Assistance Services to provide coverage under the Family Access to Medical Insurance Security (FAMIS) Plan for otherwise eligible children and pregnant women during the first five years of lawful residence in the United States.

Patron - Lopez

[F]HB824 Human papillomavirus vaccine; Commonwealth liable. Provides that the Commonwealth shall assume liability for any injury resulting from administration of the human papillomavirus vaccine.

Patron - Marshall, R.G.

[F]HB920 Medicaid Managed Care Ombudsman. Establishes the Office of the Medicaid Managed Care Ombudsman within the Department of Medical Assistance Services to promote and protect the interests of covered persons under managed care programs of the Department. Duties of the Medicaid Managed Care Ombudsman include assisting persons receiving medical assistance under the state plan for medical assistance services furnished by managed care programs in understanding their rights and the processes available to them under their managed care plan, developing information on the types of managed care programs available in Virginia, and monitoring and providing information to the General Assembly on managed care issues.

Patron - Brink

[F]HB988 Medical Fraud Control Unit; appointment of investigators. Authorizes the Attorney General to appoint unit investigators to investigate fraud, abuse, or neglect in the provision of care under the plan for medical assistance. Such investigators would be considered law-enforcement officers and would be sworn to enforce the laws of the Commonwealth through the investigation of medical fraud and abuse. Such investigators would also be authorized to carry a concealed handgun while in the discharge of their official duties.

Patron - Loupassi

[F]HB1090 Medicaid eligibility; determination of assets. Provides that for the purpose of determining eligibility

for medical assistance, the sale or transfer of real property at a price that is less than the assessed value of the property shall be considered an uncompensated transfer of assets equal to the amount of the difference between the assessed value of the property and the amount received from the sale or transfer, except that any sale or transfer of real property at a price that is less than the assessed value of the property shall not be considered an uncompensated transfer of assets if the price at which the property is sold or transferred is equal to or greater than the value of the property as determined by a good-faith appraisal or is a fair market price for the property in an arm's length transaction.

Patron - O'Bannon

[F]HB1162 Research using human embryos prohibited; penalty. Prohibits nontherapeutic research that destroys a human embryo or subjects such embryo to substantial risk of injury or death; the bill also prohibits the use of any cells or tissues taken by destroying or harming a human embryo. This prohibition does not apply to in vitro fertilization or any diagnostic test which may assist in the future care of a child subjected to such tests as an embryo. A violation of the provisions of the bill is a Class 1 misdemeanor.

Patron - Cline

[F]HB1240 COPN; establishing a psychiatric service and adding psychiatric inpatient beds in Planning District 20. Directs the Commissioner of Health to accept applications and review such applications in any certificate of public need Batch Group C review cycle, and authorizes the Commissioner to issue a certificate of public need for the establishment of a psychiatric service and the addition of up to 30 psychiatric inpatient beds in Planning District 20.

Patron - Purkey

[F]SB13 Disease prevention and control; Lyme disease. Adds both confirmed and suspected cases of Lyme disease to the list of diseases required to be reported to the Department of Health.

Patron - Black

[F]SB65 Nursing homes; notice of liability insurance coverage. Requires nursing homes, certified nursing facilities, and assisted living facilities to inform patients and residents about liability insurance available to pay claims of the patient or resident.

Patron - Stanley

[F]SB309 Disclosure of records related to marriages, divorces, and annulments. Reduces the period of time that must pass before records related to marriages and divorces may become public information from 50 years to 25 years and provides that annulments may become public information after 25 years.

Patron - Blevins

[F]SB310 Death records. Reduces the amount of time that must pass before death records may become public information from 50 years to 25 years.

Patron - Blevins

[F]SB442 Design and inspection of onsite sewage systems. Establishes minimum required inspection frequencies for alternative onsite systems.

Patron - Obenshain

[F]SB524 Certificate of public need. Requires the Commissioner of Health to accept applications for and authorizes the Commissioner to issue certificates of public need to estab-

lish a psychiatric service and for the addition of psychiatric inpatient beds.

Patron - Northam

[F]SB643 Health information needs; Department of Health work group. Requires the Department of Health to establish a work group to examine the health information needs related to health care reform and to ensure that any new data collection is integrated with existing practices in an efficient manner. This bill was incorporated into SB 135.

Patron - Saslaw

Carried Over

[C]HB159 Discharge or transfer of nursing home patients; notice to the State Long-Term Care Ombudsman. Provides that in cases in which a nursing home patient is involuntarily transferred or discharged from a nursing home, a copy of the written notice of such transfer or discharge shall be sent to the State Long-Term Care Ombudsman at the same time such notice is sent to the patient.

Patron - Hope

[C]HB264 Interstate Health Care Compact established. Creates the Interstate Health Care Compact to (i) secure the right of the member states to regulate health care in their respective states pursuant to the compact and to suspend the operation of any conflicting federal laws, rules, regulations, and orders within their states and (ii) secure federal funding for member states that choose to invoke their authority under the compact. The bill also creates the Interstate Advisory Health Care Commission to study issues related to the regulation of health care that are of particular concern to the member states and make nonbinding recommendations related to the regulation of health care to the member states for consideration by the legislatures of the member states. The bill provides that the compact becomes effective within a member state upon adoption of the compact by at least two member states and consent of the United States Congress.

Patron - Peace

[C]HB534 COPN; exemption from RFA process. Allows the Commissioner of Health, in his discretion, to accept and approve applications for a certificate of public need that have been submitted without the Commissioner having issued a Request for Applications.

Patron - Orrock

[C]HB918 Medicaid; appeals of agency determinations. Provides that all recommended or final case decisions in administrative hearings regarding Medicaid overpayments shall be made in accordance with the Administrative Process Act, shall be based on the whole evidentiary record, and shall be limited to a determination of whether the Director's initial decision was within the scope of his statutory or legal authority. The bill also provides that no recommended or final case decision shall be based on principles of contract law or equity.

Patron - Minchew

[C]HB1087 Discharge or transfer of nursing home patients; notice to the State Long-Term Care Ombudsman. Provides that in cases in which a nursing home patient is involuntarily transferred or discharged from a nursing home, a copy of the written notice of such transfer or discharge shall be sent to the State Long-Term Care Ombudsman at the same time such notice is sent to the patient.

Patron - O'Bannon

[C]HB1112 Human papillomavirus vaccination; eliminates requirement. Eliminates the requirement for vaccination against human papillomavirus for female children.

Patron - Byron

[C]HB1125 Disposition of dead bodies; how expenses paid. Requires court authorization for a county or city to pay reasonable expenses for the disposition of a dead body in all cases in which a dead body is unclaimed or is claimed by a claimant who is unable to pay such expenses. The bill also provides that in such cases, if the decedent has an estate out of which all or part of disposition expenses can be paid, the county or city may take the estate for that purpose. Currently, court authorization for payment is required, and the taking of the estate is allowed, when in cases in which the body of decedent is in the custody of the sheriff of the county or city where the death occurred.

Patron - Alexander

[C]SB92 Nursing homes; involuntary discharge notification. Requires that a copy of the written notice of intent to involuntarily discharge a patient from a nursing home also be sent to the State Long-Term Care Ombudsman. Also contains a technical correction.

Patron - Howell

[C]SB214 Notification of breach of medical information. Extends the requirement to notify individuals of a breach of their medical information to all individuals and public and private entities, rather than just governmental agencies. The bill also allows the Attorney General to impose a civil penalty not to exceed \$150,000 per breach of the security system.

Patron - Barker

[C]SB426 Medicaid; appeals of agency determinations. Provides that all recommended or final case decisions in administrative hearings regarding Medicaid overpayments shall be made in accordance with the Administrative Process Act, shall be based on the whole evidentiary record, and shall be limited to a determination of whether the Director's initial decision was within the scope of his statutory or legal authority. The bill also provides that no recommended or final case decision shall be based on principles of contract law or equity.

Patron - Ruff

[C]SB439 Medical Fraud Control Unit; appointment of investigators. Authorizes the Attorney General to appoint unit investigators to investigate fraud, abuse, or neglect in the provision of care under the plan for medical assistance. Such investigators would be considered law-enforcement officers and would be sworn to enforce the laws of the Commonwealth through the investigation of medical fraud and abuse. Such investigators would also be authorized to carry a concealed handgun while in the discharge of their official duties.

Patron - Obenshain

[C]SB650 Hospitals and physicians; processing health insurance claims. Requires any hospital or licensed physician who treats a patient who presents proof of health insurance providing coverage within the applicable provider network to process such patient's claims and provides that a patient is not liable for any amount in excess of what would be owed if the claim was properly filed in such instances.

Patron - McEachin

[C]SB659 Medicaid; coordinated long-term care. Directs the Director of the Department of Medical Assistance Services to develop and implement a statewide, fully integrated risk-based long-term care system that integrates Medicaid-reimbursed primary, acute, and long-term care services. The

long-term care system shall expand access to and utilization of cost-effective home and community-based alternatives to institutional care for Medicaid-eligible individuals. The system shall include a nursing facility transition initiative, along with an expansion of community-based services, and an acuity-based methodology for reimbursement of nursing facility services.

Patron - Martin

Highways, Bridges and Ferries

Passed

[P]HB34 Advertising within highway limits. Allows the Commissioner of Highways to enter into agreements with any local governing body authorizing local law-enforcement agencies or other local governmental entities to act as agents of the Commissioner regarding unlawful advertising on highways and collection of penalties and costs. The bill also amends the law regarding such agreements with Fairfax County to provide that signs providing directions to "special events" posted on weekends shall not be subject to such agreements.

Patron - Albo

[P]HB85 HOV lanes; use by vehicle with clean special fuel license plates. Requires the Commissioner of Highways to report annually to the Chairmen of the House and Senate Transportation Committees on those HOV facilities whose high traffic volume has resulted in a degraded condition as identified by federal law. This report is to be used by the Chairmen as the basis for recommendations for further restrictions on the use of HOV facilities by clean special fuel vehicles.

Patron - Greason

[P]HB333 Access roads to economic development sites. Clarifies the Code to account for a fund name change from 2006.

Patron - Villanueva

[P]HB599 Northern Virginia Transportation District; long-range planning. Establishes responsibilities for various entities for long-range transportation planning for the Northern Virginia Transportation District. This bill is identical to SB 531.

Patron - LeMunyon

[P]HB626 Highway noise; certain reports by VDOT required. Allows the local governing body of any county, city, or town, at its own expense, to evaluate noise from highways it may designate for analysis.

Patron - LeMunyon

[P]HB646 Permit applications for outdoor advertising. Defines "billboard sign" and does away with the Certification Acceptance Program, which allowed an entity with five or more signs to self-inspect and certify its compliance with the regulations in lieu of paying a permit fee. The bill also raises application fees for permits for advertising.

Patron - Habeeb

[P]HB914 "Children at play" signs. Allows counties and towns, pursuant to an agreement with the Commissioner of Highways, to install "Children at play" signs on highways within their boundaries. The cost of the signs and installation will be borne by the county or town.

Patron - Minchew

[P]HB1164 Improvements to secondary and urban system highways. Requires the Secretary of Transportation, at least once every four years, to examine the process by which secondary and urban highway system maintenance and improvement projects are approved.

Patron - Bulova

[P]HB1185 The Road to Revolution. Expands the potential for sites on The Road to Revolution state heritage trail from those celebrating Patrick Henry and his role in liberating Virginia from Colonial rule to all those significant to men and women who played a role in liberating Virginia and establishing the United States of America.

Patron - Peace

[P]HB1217 Sergeant David Lambert Highway; Sergeant Brandon Asbury Highway. Designates a portion of Virginia Route 19 the "Sergeant Brandon Asbury Highway" and all of Virginia Route 609 in Tazewell County the "Sergeant David Lambert Highway."

Patron - Morefield

[P]HB1263 VDOT Integrated Directional Sign ("Logo Sign") Program. Provides for a broad-based evaluation of the "Logo Sign" Program by the Highway Commissioner.

Patron - Marshall, D.W.

[P]SB209 HOV lanes; use by vehicle with clean special fuel license plates. Requires the Commissioner of Highways to report annually to the Chairmen of the House and Senate Transportation Committees on those HOV facilities whose high traffic volume has resulted in a degraded condition as identified by federal law. This report is to be used by the Chairmen as the basis for recommendations for further restrictions on the use of HOV facilities by clean special fuel vehicles.

Patron - Barker

[P]SB230 Administration of local highway projects. Requires VDOT to provide for training and certification of local governments to enable them to administer locally performed highway maintenance and construction projects with minimal VDOT supervision.

Patron - Herring

[P]SB530 Public hearings prior to certain VDOT projects. Requires the institution of higher education to hold at least one public hearing before VDOT undertakes any safety-related or congestion management-related highway project requested by any college, university, or institution of higher education in the Commonwealth.

Patron - Marsden

[P]SB531 Northern Virginia Transportation District; long-range planning. Establishes responsibilities for various entities for long-range transportation planning for the Northern Virginia Transportation District. This bill is identical to HB 599.

Patron - Marsden

[P]SB593 Virginia Route 16; Back of the Dragon. Designates Virginia Route 16 between Frog Level in Tazewell County and the Town of Marion in Smyth County the "Back of the Dragon."

Patron - Puckett

Failed

[F]HB71 Integrated Directional Sign Program. Adds the term "retail" to the Integrated Directional Sign Program, commonly referred to as the "logo sign" program.

Patron - Bell, Richard P.

[F]HB114 Littering; cigarettes, civil penalty. Includes cigarettes specifically in the category of things deemed litter for purposes of criminal punishment for improper disposal of trash. The bill also provides that in lieu of the imposition of the Class 1 misdemeanor criminal penalty, the court may order the defendant to perform community service in litter abatement activities. If the offense involves a cigarette or cigarettes, the court shall order the payment of a \$100 civil penalty payable to the Litter Control and Recycling Fund established in § 10.1-1422.01 in addition to the imposition of such community service.

Patron - Morrissey

[F]HB155 Revenue sharing funds for highways in certain localities. Provides that funds provided to localities are a grant and that the Department of Transportation shall not have administrative oversight on local projects. Requires localities to certify in writing to the Department that the funds were used as intended.

Patron - Ware, R.L.

[F]HB188 State secondary highway system. Makes the road and bridge providing access from Virginia Route 865 to the Black Bear Crossing Community in Maurertown, Shenandoah County, part of the state secondary highway system.

Patron - Gilbert

[F]HB256 HOV lanes; sunset clause. Extends the sunset clause on HOV lanes in Northern Virginia to 2013 and in Hampton Roads to 2017.

Patron - Stolle

[F]HB262 Commonwealth Transportation Board; membership. Changes the reference to "standard metropolitan statistical areas" to "metropolitan planning areas with populations greater than 200,000."

Patron - Peace

[F]HB370 Highway median maintenance agreements. Allows VDOT to enter into agreements with local governments whereby the local governments assume responsibility for maintenance of highway medians within their boundaries.

Patron - Pogge

[F]HB427 Highway maintenance funds. Provides that when allocating funds for the interstate system of highways, the primary system of state highways, and the secondary system of state highways maintained by the Commonwealth, the Commonwealth Transportation Board shall consider achieving a minimal level of disparity among highway construction districts in meeting asset management standards. Prior to such allocation, the Board shall release for public review a comparison of the proposed allocation of funds by highway construction district with an allocation of funds based entirely on specific asset management standards by highway construction district.

Patron - Bulova

[F]HB440 Vessels making fast to or lying alongside certain bridges. Prohibits promulgation of VDOT regulations that forbid the master or owner of a vessel no more than 25 feet

long from making the vessel fast to or lying alongside any bridge in the system of state highways.

Patron - Tata

[F]HB477 Highway maintenance funds. Provides that when allocating funds for the interstate system of highways, the primary system of state highways, and the secondary system of state highways that the Commonwealth Transportation Board shall consider achieving a minimal level of disparity among highway construction districts. The bill also provides that the Board shall release for public review a comparison of the proposed allocation of funds by highway construction district.

Patron - Albo

[F]HB542 Highway maintenance projects. Allows counties, cities, and towns to use "revenue-sharing funds" for highway maintenance projects.

Patron - Poindexter

[F]HB575 Transportation funding; Salem Highway Construction District. Provides for transportation funding in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or facilitated by the Inland Port in Montgomery County.

Patron - Marshall, D.W.

[F]HB584 Highway median maintenance agreements. Allows VDOT to enter into agreements with local governments whereby the local governments assume responsibility for maintenance of highway medians within their boundaries.

Patron - Watson

[F]HB600 Commonwealth Transportation Board (CTB); composition. Changes the composition of the CTB. One member will be appointed from each of Virginia's congressional districts (as they exist on July 1, 2012) and three more will be at-large. The three ex officio members remain unchanged.

Patron - LeMunyon

[F]HB616 Advertising within the limits of the highway; penalties. Increases the civil penalty for advertising within the limits of the highways to \$250. The bill also allows localities to remove advertisements and to then share the penalty equally with the Fund.

Patron - LeMunyon

[F]HB627 Dulles Metrorail Project. Makes use of state funds for Phase II of the Dulles Metrorail Project subject to certain conditions.

Patron - LeMunyon

[F]HB659 Commonwealth Transportation Board; composition. Increases the number of members of the Commonwealth Transportation Board to 18 and changes the areas of representation to the congressional districts. The bill also assigns the at-large members to specific transportation areas.

Patron - Surovell

[F]HB693 HOV lanes; use by vehicle with clean special fuel license plates. Extends until July 1, 2013, the sunset on use of high-occupancy vehicle (HOV) lanes by vehicles bearing clean special fuel license plates, regardless of the number of occupants.

Patron - Plum

[F]HB699 Highway maintenance funds. Provides that when allocating funds for the interstate system of highways, the primary system of state highways, and the secondary sys-

tem of state highways maintained by the Commonwealth, the Commonwealth Transportation Board shall consider achieving a minimal level of disparity among highway construction districts in meeting asset performance standards. Prior to such allocation, the Board shall release for public review a comparison of the proposed allocation of funds by highway construction district with an allocation of funds based entirely on specific asset performance standards by highway construction district.

Patron - Filler-Corn

[F]HB758 Littering; penalties. Defines littering and provides for penalties for littering, based on the gravity of the offense, and subsequent littering offenses. The bill allows counties, cities, and towns to adopt litter control ordinances pursuant to, and to enforce, its provisions.

Patron - Hodges

[F]HB778 Tolls; Interstate Highway System. Prohibits tolling on Interstate 95 without the approval of the General Assembly.

Patron - Tyler

[F]HB827 Transportation districts. Repeals the allocation of funds to transportation districts.

Patron - Marshall, R.G.

[F]HB844 Edgar Mullins Bridge. Names the bridge on Virginia Route 666 and on South Mountain Road in Pound in Wise County the "Edgar Mullins Bridge."

Patron - Johnson

[F]HB889 Tolls on Midtown or Downtown Tunnels. Requires that, if tolls are collected for use of the Midtown or Downtown Tunnels between Norfolk and Portsmouth, users will be able to pay tolls without use of automated or electronic devices.

Patron - Alexander

[F]HB909 Highway maintenance and construction. Prohibits allocation by the Commonwealth Transportation Board (CTB) of any funds in the Transportation Trust Fund for highway maintenance purposes.

Patron - Minchew

[F]HB1039 Street maintenance payments. Provides for increased highway maintenance payments by the Commissioner of Highways to municipalities where traffic volumes exceed the statewide average by more than 20 percent.

Patron - Keam

[F]HB1058 Advertising within the limits of a highway. Increases the civil penalty for advertising within the limits of a highway from \$100 to \$250.

Patron - Anderson

[F]HB1297 Tolls; use to fund other facility. Prohibits tolls imposed for use of one transportation facility to be used in connection with another facility.

Patron - Alexander

[F]SB212 HOT lane construction contracts. Requires that High Occupancy Toll lane construction contracts contain requirements for minimum average speed for vehicles using the facility.

Patron - Barker

[F]SB619 Commonwealth Tolling Assistance Program. Establishes a program that would allow certain low-income students to receive an electronic tolling transponder

without paying a deposit. To be eligible, the student must attend a public institution of higher education in Virginia located within a planning district that is traversed by the Elizabeth River or the James River and that is adjacent to the Chesapeake Bay. Eligible students who receive the electronic tolling transponder may also submit toll receipts, on a quarterly basis, and receive reimbursement in their E-ZPass accounts. The bill is contingent upon an appropriation of General Funds effectuating the provisions of the bill.

Patron - Lucas

Carried Over

[C]HB407 Prince William County Metrorail Improvement District. Creates the Prince William County Metrorail Improvement District to provide a means of financing an extension of commuter rail service from Fairfax County into Prince William County.

Patron - Torian

[C]HB660 Lease of highway space for solar electric production. Provides for VDOT analysis of desirability of leasing space within highway rights-of-way for solar photovoltaic power production projects.

Patron - Surovell

[C]HB864 Commonwealth Transportation Board (CTB); composition. Changes the composition of the CTB so that one member will be appointed from each of Virginia's congressional districts and three more will be at-large appointees. The three ex officio members remain unchanged. The bill also replaces the term metropolitan statistical areas with metropolitan planning areas with populations greater than 200,000.

Patron - Rust

[C]SB161 Commonwealth Transportation Board; composition. Increases the number of members of the Commonwealth Transportation Board to 18 and changes the areas of representation to the congressional districts. The bill also assigns the at-large members to specific transportation areas.

Patron - Petersen

[C]SB196 Fairfax County Parkway. Requires the Commonwealth Transportation Board to transfer the Fairfax County Parkway to the state primary highway system.

Patron - Marsden

[C]SB213 Highway maintenance allocations. Provides that allocation of funds by the Commonwealth Transportation Board for maintenance of assets within the Interstate System of Highways and the primary and secondary systems of state highways shall be based on achieving a minimal level of disparity among highway construction districts in meeting asset management standards.

Patron - Barker

[C]SB339 Advertisements and advertising structures. Allows running animation on advertisements and advertising structures. The bill also allows scrolling animation on on-premises advertisements and advertising structures.

Patron - Newman

[C]SB392 Commonwealth Transportation Board; composition. Increases the number of members of the Commonwealth Transportation Board to 18 and changes the areas of representation to the congressional districts. The bill also assigns the at-large members to specific transportation areas.

Patron - Marsden

Homestead and Other Exemptions

Failed

[F]HB993 Homestead exemption. Raises the homestead exemption from \$5,000 to (i) \$25,000, (ii) 20 percent of the property's tax-assessed value, or (iii) 40 percent of the property's tax-assessed value if the householder is 65 years of age or older. The bill requires that the real or personal property subject to the exemption be claimed as the householder's homestead.

Patron - Robinson

[F]SB166 Homestead exemption; exemptions in bankruptcy petition; poor debtor's exemption; bankruptcy exemptions. Makes various changes to homestead exemptions, including providing that the official schedule of property claimed exempt filed with the United States Bankruptcy Court in a bankruptcy proceeding constitutes a sufficient writing to exempt such real and personal property from creditor process. Currently, the person claiming such an exemption must record a writing in the manner deeds are recorded where the person resides for personal property or where the real property is located. The bill provides that a claim of exemption shall only be effective for seven years from the date the exemption is first claimed. The bill also provides that a householder may hold exempt from creditor process real or personal property that the householder or his dependent claims as a primary residence not exceeding \$25,000 in value. This exemption is in addition to the current \$5,000 (\$10,000 if the householder is 65 years of age or older) exemption allowed by law. The bill adds certain specific items of personal property to the list of what a debtor may hold exempt from creditor process.

The bill also repeals the provision that establishes that only the exemptions allowable under Virginia law, and not the exemptions specified in subsection (d) of § 522 of the Bankruptcy Reform Act, may be claimed in any bankruptcy proceeding. Currently, Virginia, as permitted by federal law, has opted out of the federal exemptions in favor of its own exemptions.

Patron - Petersen

Housing

Passed

[P]HB156 Board of Housing and Community Development; terms of certain members. Allows the Director of Regulatory Compliance of the Virginia Building Officials Association to serve for more than one four-year term.

Patron - Greason

[P]HB327 Historic structures; demolition. Provides that a locality may require by ordinance that certain structures within a historic district not be demolished until approved by the review board or, on appeal, the governing body after consultation with the review board. The bill provides, however, that if the local maintenance code official, in accordance with the Uniform Statewide Building Code, Part III Maintenance, determines that the structure constitutes a hazard, the historic

structure shall be razed and removed. The bill defines contributing landmark, building, or structure.

Patron - Peace

[P]HB557 Virginia Housing Development Authority; powers. Authorizes the Virginia Housing Development Authority (VHDA) to provide the requisite indemnifications for the Federal National Mortgage Association (Fannie Mae) as well as for any other transactions requiring indemnification. The bill provides that indemnification (i) shall be provided solely from funds of VHDA and (ii) shall not be a debt or obligation of the Commonwealth and the Commonwealth shall not be liable for the indemnification.

Patron - Marshall, D.W.

[P]HB621 Obsolete housing laws; repeal. Repeals two chapters of Title 36 that deal with World War II era defense housing projects and housing projects for veterans. The bill is a recommendation of the Virginia Code Commission.

Patron - LeMunyon

[P]HB839 Defective drywall; definition. Redefines the term "defective drywall" to mean drywall or similar building material composed of dried gypsum-based plaster that (i) contains elemental sulfur exceeding 10 parts per million as has been found in some drywall manufactured in the People's Republic of China and imported into the United States between 2004 and 2007 and, when exposed to heat, humidity, or both, releases elevated levels of hydrogen sulfide gas into the air or (ii) has been designated by the U.S. Consumer Product Safety Commission as a product with a defect that constitutes a substantial product hazard within the meaning of § 15(a)(2) of the Consumer Product Safety Act (15 U.S.C. § 2064(a)(2)).

Patron - James

Failed

[F]HB121 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 - Morrissey

[F]HB328 Uniform Statewide Building Code; online submission of building permit applications. Requires local building departments to establish a system to allow any person applying for a building permit to (i) submit his permit application by electronic means and to affix thereto his electronic signature, (ii) check on the status of his application online and to receive information from the building department electronically, and (iii) submit electronic payment for his permit application.

Patron - Villanueva

[F]HB566 Rental inspections under the Uniform Statewide Building Code; City of Fairfax ordinance. Requires the City of Fairfax to conduct a study to identify which residential rental dwelling units within the City meet the requirements for rental inspection districts for the purpose of establishing proper rental inspection districts within the City. The bill requires the City of Fairfax to complete this study and present the findings to the Fairfax City Council. The bill fur-

ther provides that upon receipt and consideration of the study, the Fairfax City Council shall repeal its existing rental inspection ordinance and adopt a new rental inspection ordinance that complies with law on or before October 31, 2012. On or before November 1, 2012, the City of Fairfax shall submit its new rental inspection ordinance to the Virginia Housing Commission

Patron - Marshall, D.W.

[F]HB790 Virginia Housing Partnership Revolving Fund. Renames the Virginia Housing Partnership Revolving Fund to the Virginia Housing Trust Fund. The bill provides that 20 percent of the moneys deposited in the Fund in any fiscal year shall be used by the Department for grants for the construction of new or rehabilitation of existing housing units, rental assistance to individuals and families experiencing homelessness, and other appropriate assistance to facilitate the achievement of housing stability. Under the bill, moneys in the Fund are derived from 10 percent of the annual general fund revenue collections that are in excess of the official estimates in the general appropriation act and 10 percent of any unreserved general fund balance at the close of each fiscal year whose reappropriation is not required in the general appropriation act. The Fund also consists of such other sums as may be made available to it from any other source, public or private, and shall include federal grants solicited and received for the specific purposes of the Fund. The bill contains technical amendments.

Patron - Lopez

[F]SB130 Building Revitalization Grant Fund. Establishes the Building Revitalization Grant Fund administered by the Department of Housing and Community Development to award grants of up to \$100,000 to businesses that make a capital investment of \$1 million in revitalizing or retrofitting buildings to serve as a new place of business.

Patron - Stanley

[F]SB644 Foreclosure counseling pilot program. Directs the Director of the Department of Housing and Community Development to establish a pilot program for Prince William County and the Cities of Manassas and Manassas Park under which qualified employees of the Department will provide foreclosure counseling to homeowners at no charge. Counseling will include facilitated negotiations between homeowners and mortgagees for the purpose of reaching an agreement for mortgage loan modification or other agreement in an attempt to avoid foreclosure or to mitigate damages if foreclosure is unavoidable. Participation in the program is optional. The Director is required to report on the effectiveness of the program. The measure expires July 1, 2017. The bill is contingent upon an appropriation of General Funds effectuating the provisions of the bill.

Patron - Colgan

Insurance

Passed

[P]HB127 Property and casualty insurance policies; forms and endorsements. Requires property and casualty insurance policies to contain a list of all policy forms and endorsements applicable to that policy, which shall display the respective form numbers and, if those form numbers are not

unique identifiers of such forms, the applicable edition dates. The measure will become effective on October 1, 2012.

Patron - Kilgore

[P]HB133 Insurance information; posting on insurer's website. Authorizes any property and casualty insurer to post property and casualty insurance forms and endorsements on the insurer's publicly available website in lieu of any other method of delivery upon complying with conditions, including a requirement that the insurer gives written notice, at time of the issuance of the initial policy and any renewal, of a method by which policyholders may obtain a paper or electronic copy of their policy or contract. This provision does not apply to forms and endorsements that contain personally identifiable information. An insurer that posts such information on its website is required to furnish to any insured who requests it a paper or electronic copy of the insured's policy or contract, without charge.

Patron - Kilgore

[P]HB209 Insurance agents; continuing education. Streamlines the continuing education process for insurance agents. The measure provides a producer a period of time during which he has the opportunity to correct errors and effect compliance with continuing education requirements. Provisions that conditioned an insurance agent's ability to submit late proof of compliance or reinstate a license upon payment of monetary penalties are eliminated. The measure also amends the requirement that two continuing education credit hours be in insurance law and regulations to require that three credit hours be in insurance ethics, which may include insurance law and regulations. The deadline for completing continuing education course, exemption, or waiver requirements is changed from December 31 to November 30, and any agent who fails to meet this deadline is given a final opportunity to complete the requirements if proof of completion is submitted by December 31. The measure eliminates (i) requirements that a status report be provided prior to the end of each biennium to each agent who has not satisfied continuing education requirements and (ii) the provision prohibiting agents whose license has been terminated for failing to comply with the continuing education requirements from applying for a new license prior to the expiration of a period of 90 calendar days from the date of license termination. The measure also shortens the time for the Insurance Continuing Education Board to grant or reject a grievance from 30 to 15 days. The measure will become effective January 1, 2013.

Patron - Miller

[P]HB313 Life insurance and annuities agents; licensing examination. Requires the State Corporation Commission annually to review whether the pass rate for the licensing examination for life insurance and annuities agents is consistent with the 2011 National Association of Insurance Commissioners State Licensing Handbook, or any successor publication adopted by the NAIC. The bill also directs the Commission to report to the General Assembly by the second quarter of the following year on its findings and any related changes it has implemented.

Patron - Ware, R.L.

[P]HB523 Fire insurance; earthquake coverage notice. Requires fire insurance policies or contracts that exclude coverage for earthquake damage to provide a written notice that (i) conspicuously states that earthquake coverage is excluded unless purchased by endorsement and (ii) if such coverage is otherwise available from the insurer, states that information regarding earthquake insurance is available from the insurer or the insurance agent. The measure applies to policies issued or

renewed on or after January 1, 2013. This bill is identical to SB 369.

Patron - Farrell

HB735 Community-based continuing care providers. Requires providers of community-based continuing care (CBCC) to be registered with the State Corporation Commission as a continuing care provider and file a statement regarding the provider's CBCC program. Community-based continuing care is a program providing or committing to provide a range of services to an individual, other than an individual related by blood or marriage, pursuant to an agreement that is effective for the life of the individual or for a period in excess of one year, and in consideration of the payment of an entrance fee. A CBCC program includes the provision of the services in the individual's private residence as long as medically feasible and facility-based long-term care services when required. CBCC providers are required to deliver a copy of a disclosure statement regarding the CBCC program. Provisions regarding the escrowing of entrance fees and terms of contracts are analogous to existing requirements for continuing care providers. This bill is identical to SB 266.

Patron - Jones

HB867 Certificates of insurance; property and casualty insurance. Prohibits any person from (i) issuing or delivering a certificate of insurance that attempts to confer any rights upon a third party beyond what the referenced policy of insurance expressly provides; (ii) knowingly demanding or requiring the issuance of a certificate of insurance from an insurer, insurance producer, or policyholder that contains any false or misleading information concerning the policy; (iii) knowingly preparing or issuing a certificate of insurance that contains any false or misleading information or that purports to affirmatively or negatively alter, amend, or extend the coverage provided by the policy; and (iv) issuing or delivering a certificate of insurance that does not contain a statement regarding such matters. However, such a statement is not required if a certificate of insurance is required by a state or federal agency and accurately reflects the coverage provided by the underlying policies. A certificate of insurance may not represent an insurer's obligation to give notice of cancellation or nonrenewal to a third party unless the giving of the notice is required by the policy. The State Corporation Commission is authorized to determine if a person is engaged in such practice prohibited as an unfair trade practice. This bill is identical to SB 47.

Patron - Rust

HB871 Insurance agents; limited burial insurance authority. Eliminates the provision in the definition of a limited burial insurance authority that imposes a \$10,000 limit on burial insurance society memberships.

Patron - Rust

HB872 Property and casualty insurance; public adjusters. Provides for State Corporation Commission licensing and regulation of public adjusters. Public adjusting means investigating, negotiating, adjusting, or providing advice to an insured in relation to first-party claims arising under insurance contracts that insure the real or personal property of an insured, for the purpose of effecting the settlement of a claim on behalf of the insured. A licensed insurance agent who only provides advice to an insured in relation to first party claims arising under insurance contracts the agent sold, solicited, or negotiated that insure property of an insured is not engaged in public adjusting. A person is prohibited from acting as a public adjuster without first obtaining a license from the Commission. Public adjusters are required to comply with standards of conduct and continuing education requirements. Fees charged by a public adjuster are required to be fair and reasonable in relation

to the work performed. The Commission may suspend or revoke licenses under certain conditions. The measure will become effective January 1, 2013. This bill is identical to SB 520.

Patron - Rust

HB1139 Reinsurance credits. Conforms Virginia's law regarding credits to insurers for reinsurance ceded to approved assuming insurers to the provisions of the Credit for Reinsurance Model Law of the National Association of Insurance Commissioners (NAIC). Conformity to the Model complies with provisions of the federal Nonadmitted and Reinsurance Reform Act (NRRA), which permits states to proceed with reinsurance collateral reforms on an individual basis if they are accredited under the NAIC's Financial Regulation Standards and Accreditation Program. Provisions establish (i) how an accredited reinsurer may demonstrate to the State Corporation Commission that it has adequate financial capacity to meet its reinsurance obligations, (ii) the requirements for a reduction in the required trustee surplus, (iii) the requirements for credit for reinsurance to be allowed when the reinsurance is ceded to a certified reinsurer, (iv) eligibility requirements for becoming a certified reinsurer, (v) the Commission's authority to suspend or revoke a reinsurer's accreditation or certification, (vi) requirements for ceding insurers to manage their concentration risk and to diversify their reinsurance program, (vii) criteria for securities that an assuming insurer may hold in trust as security for the payment of the ceding insurer's obligations, and (viii) trustee surplus requirements for multiple beneficiary trust accounts. Existing provisions regarding credits for cessions under reinsurance agreements are repealed.

Patron - Ware, R.L.

HB1202 Fire insurance; coverage for costs of services by volunteer fire departments. Requires fire insurance policies to provide coverage, with limits not less than \$250, for the cost charged by a volunteer fire department that is not fully funded by property taxes in certain instances when the fire department is called in to save or protect property insured under the policy. Higher coverage limits may be offered for an additional premium. The amount billed shall not exceed the limit of coverage. This bill is identical to SB 140.

Patron - Johnson

HB1273 Health insurance; parity of coverage for oral chemotherapy medications. Provides that each health insurer, health care subscription plan, and health maintenance organization whose policies, contracts, or plans include coverage for intravenously administered, injected, and orally administered anticancer drugs shall provide that the criteria for establishing cost sharing applicable to orally administered cancer chemotherapy drugs and cancer chemotherapy drugs that are administered intravenously or by injection shall be consistently applied within the same plan. This requirement will apply to the state employees' health insurance plan and to the local choice health program. This bill is identical to SB 450.

Patron - Peace

SB47 Certificates of insurance; property and casualty insurance. Prohibits any person from (i) issuing or delivering a certificate of insurance that attempts to confer any rights upon a third party beyond what the referenced policy of insurance expressly provides; (ii) knowingly demanding or requiring the issuance of a certificate of insurance from an insurer, insurance producer, or policyholder that contains any false or misleading information concerning the policy; (iii) knowingly preparing or issuing a certificate of insurance that contains any false or misleading information or that purports to affirmatively or negatively alter, amend, or extend the coverage provided by the policy; and (iv) issuing or delivering a cer-

tificate of insurance that does not contain a statement regarding such matters. However, such a statement is not required if a certificate of insurance is required by a state or federal agency and accurately reflects the coverage provided by the underlying policies. A certificate of insurance may not represent an insurer's obligation to give notice of cancellation or nonrenewal to a third party unless the giving of the notice is required by the policy. The State Corporation Commission is authorized to determine if a person is engaged in such practice prohibited as an unfair trade practice. This bill is identical to HB 867.

Patron - Watkins

SB120 Risk-Based Capital Act. Applies the Risk-Based Capital Act, which provides a way of measuring the minimum amount of capital appropriate for an insurer based on its size and risk profile, to fraternal benefit societies. Other provisions make trend test requirements consistent among life and health, property and casualty, and health organizations. The life and health insurers' trend test is increased from 2.5 to 3.0 to be consistent with the trend tests for property and casualty and health insurers. A trend test is added for health organizations.

Patron - Miller, Y.B.

SB140 Fire insurance; coverage for costs of services by volunteer fire departments. Requires fire insurance policies to provide coverage, with limits not less than \$250, for the cost charged by a volunteer fire department that is not fully funded by property taxes in certain instances when the fire department is called in to save or protect property insured under the policy. Higher coverage limits may be offered for an additional premium. The amount billed shall not exceed the limit of coverage. This bill is identical to HB 1202.

Patron - Puckett

SB266 Community-based continuing care providers. Requires providers of community-based continuing care (CBCC) to be registered with the State Corporation Commission as a continuing care provider and file a statement regarding the provider's CBCC program. Community-based continuing care is a program providing or committing to provide a range of services to an individual, other than an individual related by blood or marriage, pursuant to an agreement that is effective for the life of the individual or for a period in excess of one year, and in consideration of the payment of an entrance fee. A CBCC program includes the provision of the services in the individual's private residence as long as medically feasible and facility-based long-term care services when required. CBCC providers are required to deliver a copy of a disclosure statement regarding the CBCC program. Provisions regarding the escrowing of entrance fees and terms of contracts are analogous to existing requirements for continuing care providers. This bill is identical to HB 735.

Patron - Norment

SB369 Fire insurance; earthquake coverage notice. Requires fire insurance policies or contracts that exclude coverage for earthquake damage to provide a written notice that (i) conspicuously states that earthquake coverage may be excluded and (ii) if such coverage is available, states that information regarding earthquake insurance is available from the insurer or the insurance agent. The measure applies to policies issued or renewed on or after January 1, 2013. This bill is identical to HB 523.

Patron - Reeves

SB450 Health insurance; parity of coverage for oral chemotherapy medications. Provides that each health insurer, health care subscription plan, and health maintenance organization whose policies, contracts, or plans include coverage for intravenously administered, injected, and orally admin-

istered anticancer drugs shall provide that the criteria for establishing cost sharing applicable to orally administered cancer chemotherapy drugs and cancer chemotherapy drugs that are administered intravenously or by injection shall be consistently applied within the same plan. This requirement will apply to the state employees' health insurance plan and to the local choice health program. This bill is identical to HB 1273.

Patron - Vogel

SB520 Property and casualty insurance; public adjusters. Provides for State Corporation Commission licensing and regulation of public adjusters. Public adjusting means investigating, negotiating, adjusting, or providing advice to an insured in relation to first-party claims arising under insurance contracts that insure the real or personal property of an insured, for the purpose of effecting the settlement of a claim on behalf of the insured. A licensed insurance agent who only provides advice to an insured in relation to first party claims arising under insurance contracts the agent sold, solicited, or negotiated that insure property of an insured is not engaged in public adjusting. A person is prohibited from acting as a public adjuster without first obtaining a license from the Commission. Public adjusters are required to comply with standards of conduct and continuing education requirements. Fees charged by a public adjuster are required to be fair and reasonable in relation to the work performed. The Commission may suspend or revoke licenses under certain conditions. The measure will become effective January 1, 2013. This bill is identical to HB 872.

Patron - Wagner

SB532 Bureau of Insurance; maintenance assessment. Revises the procedure for collecting the assessment on insurers for the expenses of maintaining the Bureau of Insurance. Provisions for the collection of estimated assessments on a quarterly basis are repealed. The maintenance assessment will be collected on an annual basis, and late payments will incur a penalty of \$50 per day.

Patron - Colgan

SB591 Health insurance; multiple employer welfare arrangements. Increases, from 50 to 500, the maximum number of Virginia residents employed at a bank that is a member of a multiple employer welfare arrangement (MEWA) who may receive accident and sickness benefits under the MEWA without disqualifying the MEWA from its exemption from provisions of the Commonwealth's insurance laws. The exemption applies if the MEWA is subject to solvency examination authority and reserve adequacy requirements determined by sound actuarial principles by such domiciliary contiguous state.

Patron - Puckett

SB646 Life and accident and sickness insurance benefits. Provides that the benefits provided under a policy of life insurance or accident and sickness insurance may include additional benefits incidental to a loss in the event of death, dismemberment, or loss by accident or accidental means.

Patron - McEachin

Failed

HB178 Continuing care facilities; residents meetings. Requires that the issues discussed at meetings between the governing body of a continuing care facility and the residents of the facility or their representatives include income, expenditures, and financial matters as they apply to the facility and proposed changes in policies, programs, facilities, and ser-

vices. Currently, these issues may be, but are not required to be, discussed at such meetings.

Patron - O'Bannon

[F]HB213 Mandated health insurance benefits; essential benefits package. Provides that health insurance plans will not be required, effective January 1, 2014, to provide coverage for state-mandated health benefits to the extent that the benefit is not an essential benefit that is required to be covered under a qualified health plan offered within a health benefit exchange established pursuant to the federal health reform law. The measure also provides that the entity operating a health benefit exchange for Virginia shall not condition its approval to the offering of a health plan within the health benefit exchange upon the plan's providing coverage for a state-mandated health benefit, to the extent that the state-mandated health benefit is not an essential benefit, that is required to be covered under a qualified health plan offered within the health benefit exchange.

Patron - Miller

[F]HB355 Automobile insurance policies; use of credit and driving record information. Prohibits insurers from nonrenewing, cancelling, increasing any charge, or taking other adverse action regarding motor vehicle insurance on the basis of a person's credit history or credit score if the person has a perfect driving record, which is defined as not having a motor vehicle operator's license suspended or revoked, not being convicted of a moving traffic violation, not having a motor vehicle accident or filing a claim in which the person was at fault, within the preceding three years. The measure also authorizes an insured to have their insurer reevaluate the insured based on corrected driving record information. Finally, the measure directs the Bureau of Insurance of the State Corporation Commission to compile and review all reputable studies that address the extent to which (i) automobile insurance credit scoring models based on credit information, credit scores, or similar financial information are effective predictors of risk and (ii) any such additional risk is appropriately reflected in rates for such insurance and to recommend changes to ensure that the use of automobile insurance credit scoring models does not result in rates that are higher than is required to account for additional risk.

Patron - McClellan

[F]HB357 Virginia Health Benefits Exchange. Creates the Virginia Health Benefits Exchange Authority as a political subdivision of the Commonwealth. The Authority is charged with establishing and operating health benefit exchanges for qualified individuals and small businesses, collectively referred to as the Exchange. The measure also provides for the Authority to perform, or provide for the performance by other state agencies of, duties associated with the operation of the Exchange as required by the federal Patient Protection and Affordable Care Act, and implements the intent set forth in Chapter 823 of the 2011 Acts of Assembly that Virginia create and operate its own health benefits exchange to preserve and enhance competition in the health insurance market. The Authority is authorized to enter agreements with the State Corporation Commission and Departments of Medical Assistance Services, Health, and Social Services regarding the performance of duties related to the conduct of the Exchange. The Exchange will be funded by assessments on health insurers offering plans in the Exchange. Persons who file information that is known to be false or misleading, or willfully and knowingly violate any provision of the act, are subject to a civil penalty of not more than \$5,000. The measure provides that the same market rules will apply to health plans sold inside and outside the Exchange, and that mandated health benefits applicable to plans offered outside the Exchange will also apply to

plans offered through the Exchange. Insurance companies are required to offer the same health plans, for the same price, inside and outside the Exchange. Insurers are prohibited from offering bronze level plans outside the Exchange unless they also offer such plans through the Exchange. The State Corporation Commission is required to ensure that insurance agents and brokers are not provided with financial incentives to direct persons either to the Exchange or outside the Exchange. The measure will expire on the effective date of a final, nonappealable order of a court of proper jurisdiction invalidating the Patient Protection and Affordable Care Act or of federal legislation repealing the federal act.

Patron - McClellan

[F]HB402 Virginia Health Benefits Exchange. Creates the Virginia Health Benefits Exchange Authority as a political subdivision of the Commonwealth, as recommended by the Virginia Health Reform Initiative Advisory Council. The Authority is charged with establishing and operating health benefit exchanges for qualified individuals and for small businesses, collectively referred to as the Exchange. The measure also provides for the Authority to perform, or provide for the performance by other state agencies of, duties associated with the operation of the Exchange as required by the federal Patient Protection and Affordable Care Act, and implements the intent set forth in Chapter 823 of the Acts of Assembly of 2011 that Virginia create and operate its own health benefits exchange to preserve and enhance competition in the health insurance market. The Authority is authorized to enter agreements with the State Corporation Commission and Departments of Medical Assistance Services, Health, and Social Services regarding the performance of duties related to the conduct of the Exchange. The Exchange will be funded by assessment fees on all health carriers offering plans in the Exchange. The measure provides that mandated health benefits applicable to plans offered outside the Exchange will also apply to plans offered through the Exchange.

Patron - Hope

[F]HB432 Motor vehicle insurance; premiums based on credit information. Prohibits insurers from setting rates for motor vehicle insurance on the basis of a person's credit history or credit score. The measure will become effective January 1, 2013.

Patron - Tata

[F]HB464 Virginia Health Benefit Exchange. Creates the Virginia Health Benefit Exchange, which will be established and operated by a new division within the State Corporation Commission. The Exchange shall facilitate the purchase and sale of qualified health plans and qualified dental plans to qualified individuals and qualified employers. The Exchange will be funded by assessments on health insurers offering plans in the Exchange. A health plan will not be required to cover any state mandated health benefit if federal law does not require it to be covered as part of the essential benefits package. The essential health benefits are items and services included in the benchmark health insurance plan, which is the largest plan in the largest product in the Commonwealth's small group market as supplemented in order to provide coverage for the items and services within the statutory essential health benefits categories. The Exchange shall ensure that no qualified health insurance plan that is sold or offered for sale through the Exchange provides coverage for abortions, except for an abortion performed (i) when the life of the mother is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, or (ii) when the pregnancy is the result of an alleged act of rape or incest. The measure shall expire if any section, clause, provision, or portion of

Title I, subtitle D of the Patient Protection and Affordable Care Act shall be repealed or held invalid or unconstitutional by any court of competent jurisdiction.

Patron - Byron

HB960 Certificates of insurance; property and casualty insurance. Prohibits any person from (i) issuing or delivering a certificate of insurance that attempts to confer any rights upon a third party beyond what the referenced policy of insurance expressly provides; (ii) knowingly demanding or requiring the issuance of a certificate of insurance from an insurer, insurance producer, or policyholder that contains any false or misleading information concerning the policy; (iii) knowingly preparing or issuing a certificate of insurance that contains any false or misleading information or that purports to affirmatively or negatively alter, amend, or extend the coverage provided by the policy; and (iv) issuing or delivering a certificate of insurance that does not contain a statement regarding such matters. In addition, a certificate of insurance may not represent an insurer's obligation to give notice of cancellation or nonrenewal to a third party unless the giving of the notice is required by the policy.

Patron - Bell, Robert B.

HB1174 Health insurance; policies without abortion coverage. Requires any health insurer that offers, sells, or issues a health insurance policy in the Commonwealth that provides coverage for abortion services to also offer for sale in the Commonwealth a health insurance policy with substantively identical terms and conditions except that it does not provide coverage for abortion services. A health insurance policy that does not provide coverage for abortion services will be required to (i) provide coverage for the costs of services of a physician and other services incurred in providing medical assistance to preserve the life of a pregnant woman provided every possible measure shall be taken to preserve the life of the unborn child of the pregnant woman or (ii) reimburse the costs of services incurred in providing medical treatment to address previous fetal demise or intrauterine fetal death. The measure also provides that the basic health care services provided in a health care plan offered by a health maintenance organization may, but shall not be required to, provide coverage for abortion services.

Patron - Marshall, R.G.

SB39 Virginia Life, Accident, and Sickness Insurance Guaranty Association. Increases the maximum amount of coverage provided by the Virginia Life, Accident, and Sickness Insurance Guaranty Association for life insurance death benefits from \$300,000 to \$500,000. The measure also increases the maximum amount that the Association may become obligated to cover with respect to (i) the net cash surrender and net cash withdrawal values for life insurance policies from \$100,000 to \$200,000 and (ii) the present value of annuity benefits, including net cash surrender and net cash withdrawal values, from \$250,000 to \$500,000.

Patron - Reeves

SB81 Accident and sickness insurance; coverage for hospitalization and anesthesia for dental procedures.

Expands the scope of the existing requirement that health insurers, health maintenance organizations, and corporations providing accident and sickness subscription contracts provide coverage for general anesthesia and hospitalization or facility charges of a licensed outpatient surgery facility for dental care to include covered persons who are under the age of 13. The requirement currently applies to such persons who are under age five. The requirement for coverage continues to apply when a covered person is determined by a licensed dentist, in consultation with the covered person's treating physician, to

require general anesthesia and admission to a hospital or outpatient surgery facility to effectively and safely provide dental care. The existing requirement for coverage also applies to covered persons who are severely disabled or have a medical condition and require admission to a hospital or outpatient surgery facility and general anesthesia for dental care treatment.

Patron - McWaters

SB350 Motor vehicle insurance; premiums based on credit information. Prohibits insurers from setting rates for motor vehicle insurance on the basis of a person's credit history or credit score. The measure will become effective January 1, 2013.

Patron - Deeds

SB383 Virginia Health Benefits Exchange. Creates the Virginia Health Benefits Exchange Authority as a political subdivision of the Commonwealth. The Authority is charged with establishing and operating health benefit exchanges for qualified individuals and small businesses, collectively referred to as the Exchange. The measure also provides for the Authority to perform, or provide for the performance by other state agencies of, duties associated with the operation of the Exchange as required by the federal Patient Protection and Affordable Care Act, and implements the intent set forth in Chapter 823 of the 2011 Acts of Assembly that Virginia create and operate its own health benefits exchange to preserve and enhance competition in the health insurance market. The Authority is authorized to enter agreements with the State Corporation Commission and Departments of Medical Assistance Services, Health, and Social Services regarding the performance of duties related to the conduct of the Exchange. The Exchange will be funded by assessments on health insurers offering plans in the Exchange. Persons who file information that is known to be false or misleading, or willfully and knowingly violate any provision of the act, are subject to a civil penalty of not more than \$5,000. The measure provides that the same market rules will apply to health plans sold inside and outside the Exchange, and that mandated health benefits applicable to plans offered outside the Exchange will also apply to plans offered through the Exchange. Insurance companies are required to offer the same health plans, for the same price, inside and outside the Exchange. Insurers are prohibited from offering bronze level plans outside the Exchange unless they also offer such plans through the Exchange. The State Corporation Commission is required to ensure that insurance agents and brokers are not provided with financial incentives to direct persons either to the Exchange or outside the Exchange. The measure will expire on the effective date of a final, nonappealable order of a court of proper jurisdiction invalidating the Patient Protection and Affordable Care Act or of federal legislation repealing the federal act.

Patron - McEachin

SB488 Virginia Health Benefit Exchange. Creates the Virginia Health Benefit Exchange, which will be established and operated by a new division within the State Corporation Commission. The Exchange shall facilitate the purchase and sale of qualified health plans and qualified dental plans to qualified individuals and qualified employers. The Exchange will be funded by assessments on health insurers offering plans in the Exchange. A health plan will not be required to cover any state mandated health benefit if federal law does not require it to be covered as part of the essential benefits package.

Patron - Saslaw

SB522 Group health insurance; small employers. Provides that a small employer, for purposes of small group coverage under a health insurance plan or policy, is one who

employs between two and 50 employees who are covered under a group health plan offered by the employer. Currently, a small employer is one with between two and 50 employees, regardless of whether the employees obtain coverage through the employer.

Patron - Wagner

[F]SB542 Health insurance coverage for autism spectrum disorder. Deletes the requirement that board-certified behavior analysts be certified by the Board of Medicine. The measure also defines a board-certified behavior analyst as an individual certified by the Behavior Analyst Certification Board, or other nationally recognized organization with certification requirements that are no less stringent, as a board-certified behavior analyst.

Patron - Howell

[F]SB615 Virginia Health Benefits Exchange. Creates the Virginia Health Benefits Exchange Authority as a political subdivision of the Commonwealth, as recommended by the Virginia Health Reform Initiative Advisory Council. The Authority is charged with establishing and operating health benefit exchanges for qualified individuals and for small businesses, collectively referred to as the Exchange. The measure also provides for the Authority to perform, or provide for the performance by other state agencies of, duties associated with the operation of the Exchange as required by the federal Patient Protection and Affordable Care Act, and implements the intent set forth in Chapter 823 of the Acts of Assembly of 2011 that Virginia create and operate its own health benefits exchange to preserve and enhance competition in the health insurance market. The Authority is authorized to enter agreements with the State Corporation Commission and Departments of Medical Assistance Services, Health, and Social Services regarding the performance of duties related to the conduct of the Exchange. The Exchange will be funded by assessment fees on all health carriers offering plans in the Exchange. The measure provides that mandated health benefits applicable to plans offered outside the Exchange will also apply to plans offered through the Exchange.

Patron - Favola

[F]SB654 Claims-made liability insurance policies. Prohibits an insurer from denying coverage under a claims-made liability insurance policy for a claim based on the insured's failure to notify the insurer that a claim might be made under the policy, unless (i) the insured's failure to notify the insurer of the potential claim prejudices the insurer or (ii) the insured understood that the claim would be made under the policy.

Patron - McEachin

Carried Over

[C]HB398 Radiology benefits managers. Requires that any decision by a radiology benefits manager to deny a treating physician's order or recommendation for a diagnostic radiology test be made by a physician. An authorization to perform a diagnostic radiology test given by a health carrier or by a radiology benefits manager shall be conclusive to satisfy any requirement of medical necessity in a health benefit plan or a health carrier's plan, policy, or schedule of benefits. A managed care health insurance utilization review entity's utilization review plan is required to include a provision designed to ensure that adverse determinations by a radiology benefits manager are made by a licensed physician. Any person who countermands the treatment order or recommendation of a treating physician for a diagnostic radiology test by any means

or manner that is intended to influence the patient to refuse a recommended diagnostic radiology test or to elect to receive a different service than the diagnostic radiology test ordered or recommended by the treating physician shall be deemed to be practicing medicine.

Patron - Hope

[C]HB705 Health insurance; diagnostic procedures resulting from preventive care or screening. Prohibits a health carrier from imposing cost-sharing requirements with respect to any diagnostic service or test, or related procedure, that is administered or conducted as a result of, or in conjunction with, preventive care or screening if the health carrier is prohibited from imposing any cost-sharing requirements with respect to the preventive care or screening. The measure expires July 1, 2014, which is the same expiration date that applies to the existing provision that bars health carriers from imposing cost-sharing requirements with respect to preventive care and screenings.

Patron - Filler-Corn

[C]HB709 Motor vehicle insurance; medical expense benefits; assignments. Invalidates assignments of medical expenses benefits provided under a motor vehicle liability insurance policy. Medical expense benefits due to a covered injured person may be paid directly to a state or federal assistance program that provided benefits to such injured person that arose out of the ownership, maintenance, or use of a motor vehicle. The measure also provides that medical expense benefits may not be reduced because of any benefits paid, payable, or provided by a health insurance policy.

Patron - Kilgore

[C]HB980 Health insurance; time limit on submitting claims. Establishes a minimum period of one year for the filing of a claim with a health insurance carrier. If it is not reasonably possible to submit a claim within this period, the carrier shall not reduce or deny the claim due to the provider's failure to submit the claim within such period if the claim is filed as soon as reasonably possible.

Patron - Scott, J.M.

[C]SB38 Virginia Life, Accident, and Sickness Insurance Guaranty Association; advertisements. Exempts displays of the logo of the Virginia Life, Accident, and Sickness Insurance Guaranty Association on letterheads and signs, plaques, and posters within the office or other place of business of an agent of a member insurer from the prohibition on any advertisement that uses the existence of the Association for the purpose of selling or soliciting covered insurance. The measure also permits agents to display or distribute pamphlets that state the types of policies for which guaranty funds will provide coverage and the maximum amount of such coverage.

Patron - Reeves

[C]SB496 Virginia Health Benefit Exchange. Creates the Virginia Health Benefit Exchange, which will be established and operated by a new division within the State Corporation Commission. The Exchange shall facilitate the purchase and sale of qualified health plans and qualified dental plans to qualified individuals and qualified employers. The Exchange will be funded by assessments on health insurers offering plans in the Exchange. A health plan will not be required to cover any state mandated health benefit if federal law does not require it to be covered as part of the essential benefits package. The essential health benefits are items and services included in the benchmark health insurance plan, which is the largest plan in the largest product in the Commonwealth's small group market as supplemented in order to provide coverage for the items and services within the statutory essential

health benefits categories. The Exchange shall ensure that no qualified health insurance plan that is sold or offered for sale through the Exchange provides coverage for abortions, except for an abortion performed (i) when the life of the mother is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, or (ii) when the pregnancy is the result of an alleged act of rape or incest. The measure shall expire if any section, clause, provision, or portion of Title I, subtitle D of the Patient Protection and Affordable Care Act shall be repealed or held invalid or unconstitutional by any court of competent jurisdiction.

Patron - Watkins

[C]SB516 Motor vehicle insurance; medical expense benefits; assignments. Invalidates assignments of medical expenses benefits provided under a motor vehicle liability insurance policy. Medical expense benefits due to a covered injured person may be paid directly to a state or federal assistance program that provided benefits to such injured person that arose out of the ownership, maintenance, or use of a motor vehicle. The measure also provides that medical expense benefits may not be reduced because of any benefits paid, payable, or provided by a health insurance policy.

Patron - Wagner

[C]SB518 Mandated health insurance benefits; essential benefits package. Provides that health insurance plans will not be required, effective January 1, 2014, to provide coverage for state-mandated health benefits to the extent that the benefit is not an essential benefit that is required to be covered under a qualified health plan offered within a health benefit exchange established pursuant to the federal health reform law. The measure also provides that the entity operating a health benefit exchange for Virginia shall not condition its approval to the offering of a health plan within the health benefit exchange upon the plan's providing coverage for a state-mandated health benefit, to the extent that the state-mandated health benefit is not an essential benefit, that is required to be covered under a qualified health plan offered within the health benefit exchange.

Patron - Wagner

Labor and Employment

Passed

[P]HB1136 Boiler and Pressure Vessel Safety Act; liquefied propane gas containers. Exempts qualified stationary American Society of Mechanical Engineers (ASME) LP-Gas containers used exclusively in propane service from the Boiler and Pressure Vessel Safety Act until July 1, 2013. The measure also removes obsolete language.

Patron - Ware, R.L.

[P]HB1200 Human trafficking hotline; posted notices. Provides that any employer who operates a business that provides entertainment commonly called stripteasing or topless entertaining or entertainment that has employees who are not clad above or below the waist and who fails to post a specific notice in a clearly visible place on the premises thereof is subject to a \$500 civil penalty. The notice provides the telephone number of the National Human Trafficking Resource Center hotline.

Patron - Bulova

Failed

[F]HB167 Child labor; exemption for children employed in a family business. Exempts children from certain provisions of the child labor laws if they are employed by (i) their parent or a person standing in place of their parent or (ii) an employer that is a business entity primarily owned by a family member or members and the parent or person standing in place of the parent consents.

Patron - Cosgrove

[F]HB641 Employment certificates for children. Increases the age at which children are required to have a work-training certificate or part-time employment certificate from 16 to 18, provided that any individual who has obtained a standard diploma, advanced studies diploma, or general achievement diploma shall not be required to have an employment certificate.

Patron - Stolle

[F]HB1187 Noncompetition agreements. Makes unlawful any contract that serves to restrict an employee or former employee from engaging in a lawful profession, trade, or business of any kind. Exceptions are created for persons selling a business, former partners in a partnership, and former members in a limited liability company, who agree to refrain from carrying on a similar business within a specified geographic area in which the original entity carries on business.

Patron - Hope

Carried Over

[C]HB1077 Day labor centers; use of E-Verify program. Requires day labor centers to be enrolled in the E-Verify program by December 1, 2012, and to use the E-Verify program for each day laborer referred by the day labor center to a third-party employer for day labor employment on and after December 1, 2012.

Patron - Hugo

[C]SB483 Asbestos workers; violations; penalties. Requires the Commissioner of Labor and Industry to maintain a registry of employee complaints alleging the existence or imminent threat of an asbestos NESHAP violation. The measure prohibits employers from discharging or otherwise penalizing an employee who files a complaint in good faith. An employee who is subject to retaliation may bring an action against the employer for reinstatement and other remedies. The Commissioner is required to keep the identity of any employee filing a complaint confidential, and such information generally will be exempt from the Freedom of Information Act. The measure also provides that the amount of any noncompliance penalty for a violation shall not be less than \$2,000 per violation or more than \$25,000 for multiple violations.

Patron - Favola

Libraries

Passed

[P]HB294 Public libraries; qualifications of librarian; use of state funds. Increases from 13,000 to 15,000 the population of any locality that must meet the qualifications estab-

lished by the State Library Board in order to use state funds to pay for the position of professional librarian.

Patron - Scott, E.T.

Failed

[F]HB759 Public libraries; library boards; exceptions. Adds the County of Middlesex to the localities that are not required to have public library boards. As a result, the public library can be operated as a department of local government.

Patron - Hodges

Mechanics' and Certain Other Liens

Passed

[P]HB928 Mechanics' liens; site development improvements. Allows contractors to obtain a mechanics' lien in the amount of the value of the work contracted for by the claimant for site development improvements and clarifies that common areas are not to be included in the fraction used to calculate allocation of the contract amount to each individual lot or unit. The bill also specifies that any payment made to the contractor for an undesignated lot shall be applied to any lot previously sold by the developer.

Patron - Lingamfelter

Failed

[F]HB317 Mechanics' lien agent; building permit. Expands the requirement that the mechanics' lien agent, if one is named in the building permit, be notified of mechanics' liens before such liens may be perfected to cover any improvements to real estate for which the building permit application states a value of \$5 million or less. Currently, this requirement only applies to building permits for one- or two-family homes.

Patron - Ingram

Carried Over

[C]HB1265 Mechanics' lien notice. Provides that any person intending to perfect a mechanics' lien against a one- or two-family residential dwelling unit must send the mechanics' lien agent designated on the building permit or, if no agent is designated, the property owner written notice of his intention at least 30 days before filing the memorandum of lien with the clerk of the court. The bill also provides that if no mechanics' lien agent is designated on the building permit, the permit shall contain the name and mailing address of the property owner.

Patron - Purkey

Military and Emergency Laws

Passed

[P]HB20 Emergency services and disasters; constitutional rights. Provides that nothing in the Emergency Services and Disaster Law shall be interpreted to limit or prohibit the otherwise lawful possession, carrying, transportation, sale, or transfer of firearms. This bill is identical to SB 245.

Patron - Wilt

[P]HB1160 Unlawful detention of United States citizens. Prevents any agency, political subdivision, employee, or member of the military of Virginia from assisting an agency of the armed forces of the United States in the conduct of the investigation, prosecution, or detention of a United States citizen in violation of the United States Constitution, Constitution of Virginia, or any Virginia law or regulation.

Patron - Marshall, R.G.

[P]SB245 Emergency services and disasters; constitutional rights. Provides that nothing in the Emergency Services and Disaster Law shall be interpreted to limit or prohibit the otherwise lawful possession, carrying, transportation, sale, or transfer of firearms. This bill is identical to HB 20.

Patron - Obenshain

Failed

[F]HB820 Eligibility for service in the Virginia National Guard. Declares a person ineligible to serve in the Virginia National Guard if he has committed any act that would be punishable under the Uniform Code of Military Justice where the maximum prescribed punishment for such offense included a term of confinement of five or more years and a forfeiture of all pay and allowances.

Patron - Marshall, R.G.

Mines and Mining

Passed

[P]HB684 Coal mine safety. Requires the operator of a coal mine to submit (i) a map of the mine to the Chief of the Division of Mines of the Department of Mines, Minerals and Energy before producing coal and (ii) any revisions that show directional changes whenever mining projections deviate more than 600 feet from the approved mine plan. The bill also allows instructors that are certified by the Board of Coal Mining Examiners to determine the fitness of a miner to detect explosive gas before the miner is put in charge of cutting, loading, drilling, continuous miner, or timbering machines. This bill is identical to SB 330.

Patron - O'Quinn

[P]HB710 Use of mine voids. Establishes the presumption that, unless specified by contract, the owner of the coal mineral estate retains the rights to extract any coal remaining in place and to use an underground void for any activity related to the removal of coal from the subject property or other properties. No injunction shall be allowed to prevent such uses where the void is governed by a mine permit. Where the void is

located within a sealed mine for which a mining permit no longer exists, the owner of the coal mineral estate must pay reasonable compensation for the consent of the void's owner, and the void's owner may not unreasonably withhold such consent.

Patron - Kilgore

[P]SB330 Coal mine safety. Requires the operator of a coal mine to submit (i) a map of the mine to the Chief of the Division of Mines of the Department of Mines, Minerals and Energy before producing coal and (ii) any revisions that show directional changes whenever mining projections deviate more than 600 feet from the approved mine plan. The bill also allows instructors that are certified by the Board of Coal Mining Examiners to determine the fitness of a miner to detect explosive gas before the miner is put in charge of cutting, loading, drilling, continuous miner, or timbering machines. This bill is identical to HB 684.

Patron - Carrico

Failed

[F]SB143 Mining permit, use of mine voids. Requires an application for a mining permit to identify the owner of the underground space to be used.

Patron - Puckett

[F]SB144 Plats or maps; where map acreage differs from amount listed in county records. Requires a surveyor or engineer to certify that the acreages shown on a map or plat produced under the Virginia Oil and Gas Act since January 1, 1990, match the acreages listed in the county records. Where a mapped acreage differs from that listed in the county records, the operator is required to commission a survey and record a deed of correction in order to reconcile the acreages. Submitting a plat in violation of the accuracy requirement will cause all damaged mineral owners in the unit to be deemed fully-paid participants in the unit. The bill has an effective date of January 1, 2013.

Patron - Puckett

[F]SB145 Pooling orders and coalbed methane drilling; application to activities since 1990. Requires a well operator to obtain any required pooling order before applying for a well permit. Where an operator begins ground disturbing activity for a well without a required pooling order, any unleased mineral owners in the unit will be deemed fully paid participants in the unit. The bill applies to any ground disturbing activity for a well undertaken since January 1, 1990. The bill has an effective date of January 1, 2013.

Patron - Puckett

[F]SB152 Virginia Gas and Oil Act violations; penalties. Provides civil and criminal penalties for operating without a permit, disregarding orders, or making false statements.

Patron - Puckett

[F]SB153 Records of pooled operations. Requires each unit operator to maintain certain records and to provide them to participating and nonparticipating operators of gas or oil wells.

Patron - Puckett

Motor Vehicles

Passed

[P]HB72 Highway work zones. Requires highway work zones to be clearly marked with warning signs and attached flashing lights for projects covered by contracts entered into on or after July 1, 2012.

Patron - Bell, Richard P.

[P]HB97 Driving two abreast in a single lane. Allows two-wheeled motorcycles to drive two abreast in a single lane.

Patron - Wilt

[P]HB99 Registration of leased vehicles. Requires DMV to obtain in applications for registration of leased vehicles the residence street address of individual lessees and the names and street addresses of lessees that are businesses.

Patron - Loupassi

[P]HB119 Golf carts; operation on the highways.

Allows the governing body of the Town of Urbanna to authorize the operation of golf carts on the highways of the Town, subject to the limits of general law.

Patron - Hodges

[P]HB171 Motor Vehicle Transaction Recovery Fund; bonding requirements. Permits the Fund to drop below the previously mandated \$250,000 balance requirement but not to register a negative balance. The bill also allows the Board to await a positive balance in the Fund before paying claims so long as claims are not unpaid for more than 60 days. The bill further allows recovery against a dealer to include attorney fees.

Patron - Cosgrove

[P]HB187 Police check-points. Prohibits the establishment of "motorcycle only" police check-points.

Patron - Gilbert

[P]HB194 Commercial driver's licenses. Requires DMV to consider, to the extent not inconsistent with federal law, applicants' military training and experience in assessing their eligibility to receive a Virginia commercial driver's license.

Patron - Lewis

[P]HB235 Supplemental sales locations of motor vehicles. Limits the number of supplemental sales licenses that can be issued for motor vehicle dealers, T&M vehicle dealers, and motorcycle dealers.

Patron - Cosgrove

[P]HB289 Handicapped parking. Allows localities by ordinance to grant four hours free parking to vehicles exhibiting disabled parking indicia in some places while not granting such free parking in other places. This bill is identical to SB 454.

Patron - Sherwood

[P]HB353 Motor carrier and commercial driver's licensing. Amends several motor carrier and commercial driver's licensing laws. The bill also authorizes the DMV Commissioner to designate members of his staff as motor carrier size and weight compliance agents to issue citations for civil violations of size and weight and other related statutes. The bill also authorizes the agents to issue citations for IFTA violations

and place holds on vehicles, which can be levied to recover outstanding debts against the Commonwealth.

Patron - Cox, J.A.

[P]HB498 Funeral processions; sheriff and police escorts. Provides that either the sheriff or the police department in a locality may provide traffic control for funeral processions. Currently, sheriffs may only provide traffic control in localities that do not have a separate police department.

Patron - Dance

[P]HB541 Department of Motor Vehicles. Makes numerous comprehensive DMV service and safety changes. The bill also makes technical amendments.

Patron - Poindexter

[P]HB545 Virginia Department of Transportation; incident management. Allows VDOT to drive on a portion of the highway other than a roadway at, en route to, or from the scene of a traffic accident, without direction from law-enforcement officers. This bill is identical to SB 315.

Patron - Comstock

[P]HB647 Issuance of driver's licenses to minors.

Requires that a licensee who is under the age of 18 at the time that the ceremony is held to issue an original driver's license be accompanied by a parent, guardian, spouse, or other person in loco parentis. Under current law, a licensee must be accompanied at the ceremony if he is under the age of 18 at the time the application for licensure is made. This bill is a recommendation of the Committee on District Courts. This bill is identical to SB 113.

Patron - Habeeb

[P]HB649 Odometer tampering. Increases the minimum civil penalty for odometer tampering from \$1,500 to \$3,000. This bill is identical to SB 481.

Patron - Habeeb

[P]HB686 Special license plates; veterans of Operation Desert Shield or Operation Desert Storm. Authorizes the issuance of special license plates to veterans of Operation Desert Shield or Operation Desert Storm and exempts those license plates from minimum prepaid order requirements.

Patron - O'Quinn

[P]HB746 Unregistered farm vehicles. Restates the present gross vehicle weight ratings associated with exemptions from registration of certain farm vehicles (including trailers and semitrailers).

Patron - Cline

[P]HB774 Special license plates; centennial of Fort Belvoir. Repeals the 2011 Act of Assembly that authorized the issuance of special license plates celebrating the centennial of Fort Belvoir.

Patron - Landes

[P]HB780 Converted vehicles. Creates a definition for vehicles converted from gas to electric power and provides that such vehicles, when accompanied by certain documents, need not be examined by the Department of Motor Vehicles prior to the issuance of a title. The bill also provides for the titling and registration of and special equipment required for a converted electric vehicle. The bill contains technical amendments. The bill has a delayed effective date of October 1, 2012.

Patron - Lopez

[P]HB800 Nonsurface-treated highways. Allows counties to adopt an ordinance that the speed limit on nonsurface-

treated roads shall be 35 miles per hour. Current law restricts the 35 mph speed limit to certain counties.

Patron - Webert

[P]HB805 Emissions inspections. Privatizes services now provided by the Department of Environmental Quality related to vehicle emissions inspections. The bill also updates authorized testing equipment and allows use of wireless systems and on-road emissions testing. The bill also has a delayed effective date and is identical to SB 502.

Patron - May

[P]HB806 Overweight vehicle permits and fees. Provides a uniform method of assigning cost-based fees based on the amount that a vehicle is overweight. The bill also allocates payment of fees into specific funds. The bill has a delayed effective date of January 1, 2013.

Patron - May

[P]HB860 Local towing ordinances. Allows localities in Northern Virginia by ordinance to regulate the towing of trespassing vehicles from the locality adopting the ordinance to another locality.

Patron - Rust

[P]HB861 Vehicle and trailer immobilization. Makes all vehicles and trailers, in addition to motor vehicles, subject to removal or immobilization for outstanding parking violations. This bill is identical to SB 228.

Patron - Rust

[P]HB865 Local regulation of taxicabs. Disallows counties, cities, and towns from reducing the number of taxicabs that are permitted or authorized under the local ordinance, except for non-use or cause as defined by the ordinance. This bill is identical to SB 231.

Patron - Rust

[P]HB870 Salvage vehicles. Defines "repairable vehicles" as late model vehicles repaired by an insurance company and not accepted by their owners immediately prior to acquisition by the insurance company and exempts them from the provisions of Chapter 16 of Title 46.2 (Salvage, Nonrepairable, and Rebuilt Vehicles).

Patron - Rust

[P]HB875 Vehicle insurance. Places time limits on appeals of DMV suspensions of driver's licenses, registration certificates, and license plates for neither having vehicle insurance nor having paid the uninsured vehicle fee. This bill is identical to SB 280.

Patron - Rust

[P]HB1042 Expiration of driver's licenses; active duty military. Extends the grace period for driver's license expiration from 90 to 180 days after the return from service outside the United States of active duty military personnel, a member of the diplomatic service, or a civilian employee of the U.S. government or a federal agency or contractor.

Patron - Keam

[P]HB1043 Grace period for vehicle registration. Extends the allowance of a grace period for replacement of plates or decals and for vehicle registration to the spouse and dependent children accompanying a member of the armed services of the United States, a member of the United States diplomatic corps, or a civilian employee of the United States or a federal agency or contractor who is serving outside the United States.

Patron - Keam

HB1178 Offenders required to register prohibited from operating certain charter buses. Provides that no person required to register on the Sex Offender and Crimes Against Minors Registry shall be permitted to operate a charter bus used to transport children to and from day care and certain children's activities.

Patron - Webert

HB1290 Right-of-way of pedestrians; posting of signs in certain localities. Adds Falls Church to the list of localities authorized to post highway signs requiring motorists to yield the right-of-way to pedestrians.

Patron - Scott, J.M.

SB113 Issuance of driver's licenses to minors. Requires that a licensee who is under the age of 18 at the time that the ceremony is held to issue an original driver's license be accompanied by a parent, guardian, spouse, or other person in loco parentis. Under current law, a licensee must be accompanied at the ceremony if he is under the age of 18 at the time the application for licensure is made. This bill is a recommendation of the Committee on District Courts. This bill is identical to HB 647.

Patron - McDougale

SB155 Repairable vehicles. Defines 'repairable vehicle' and exempts repairable vehicles from Chapter 16 of Title 46.2 (Salvage, Nonrepairable, and Rebuilt Vehicles).

Patron - Puckett

SB195 Local towing ordinances. Allows localities in Northern Virginia by ordinance to require towing companies that tow trespassing vehicles within 10 miles of the tow origin from one locality to another to submit to inspection of their facilities by the locality from which such vehicles are towed.

Patron - Marsden

SB228 Vehicle and trailer immobilization. Makes all vehicles and trailers, in addition to motor vehicles, subject to removal or immobilization for outstanding parking violations. This bill is identical to HB 861.

Patron - Herring

SB231 Local regulation of taxicabs. Disallows counties, cities, and towns from reducing the number of taxicabs that are permitted or authorized under the local ordinance, except for non-use or cause as defined by the ordinance. This bill is identical to HB 865.

Patron - Herring

SB280 Vehicle insurance. Places time limits on appeals of DMV suspensions of driver's licenses, registration certificates, and license plates for neither having vehicle insurance nor having paid the uninsured vehicle fee. This bill is identical to HB 875.

Patron - Smith

SB315 Virginia Department of Transportation; incident management. Allows VDOT to drive on a portion of the highway other than a roadway at, en route to, or from the scene of a traffic accident, without direction from law-enforcement officers. This bill is identical to HB 545.

Patron - Black

SB322 Insurance requirements for motor carriers. Provides that the existing exemption of motor carriers from the laws in Chapter 21 of Title 46.2 for the transportation of property (i) between any point in Virginia and any point outside

Virginia and (ii) between points within any city or town does not apply to the chapter's insurance requirements.

Patron - Carrico

SB335 Weight limits; haulers of sand, gravel, and crushed stone. Extends the temporary increased weight limit for trucks hauling sand, gravel, or crushed stone in coal counties to January 1, 2013.

Patron - Carrico

SB337 Department of Motor Vehicles. Makes numerous comprehensive DMV service and safety changes. The bill also makes technical amendments.

Patron - Newman

SB343 Motor carrier and commercial driver's licensing. Amends several motor carrier and commercial driver's licensing laws. The bill also authorizes the DMV Commissioner to designate members of his staff as motor carrier size and weight compliance agents to issue citations for civil violations of size and weight and other related statutes. The bill also provides authority to the agents to issue citations for IFTA violations and place holds on vehicles, which can be levied to recover outstanding debts against the Commonwealth.

Patron - Newman

SB364 Police-requested vehicular towing. Allows "police-requested towing" to be initiated by uniformed employees of the local police department who are authorized to do so by the chief local law-enforcement officer.

Patron - Deeds

SB421 Motor vehicle dealers; the Motor Vehicle Transaction Recovery Fund. Provides a new mechanism whereby a person who purchases a vehicle from a dealer may recover the title to that vehicle if the title is in the possession of someone other than the dealer. The bill also provides a mechanism by which awards against dealers' bonds from the Motor Vehicle Transaction Recovery Fund will be adjusted to keep pace with inflation and allows recovery against a dealer to include attorney fees. The bill also permits the Fund to drop below the previously mandated \$250,000 balance requirement but not to register a negative balance and allows the Board to await a positive balance in the Fund before paying claims so long as they do not go unpaid for more than 60 days.

Patron - Marsden

SB454 Handicapped parking. Allows localities by ordinance to grant four hours free parking to vehicles exhibiting disabled parking indicia in some places while not granting such free parking in other places. This bill is identical to HB 289.

Patron - Vogel

SB481 Odometer tampering. Increases the minimum civil penalty for odometer tampering from \$1,500 to \$3,000. This bill is identical to HB 649.

Patron - Garrett

SB502 Emissions inspections. Privatizes services now provided by the Department of Environmental Quality related to vehicle emissions inspections. The bill also updates authorized testing equipment and allows use of wireless systems and on-road emissions testing. The bill also has a delayed effective date and is identical to HB 805.

Patron - Saslaw

SB595 Railroad grade crossings. Provides that where vehicles are required to stop for trains at railroad grade cross-

ings, they must stop for other self-propelled machinery or automobile type vehicles using the rails as well.

Patron - Lucas

[F]SB603 Nonpayment of jail fees; suspension of driver's licenses. Allows suspension of or refusal to renew the driver's license of persons who do not pay fees that local correctional facilities or regional jails are allowed to charge to defray the cost of their keep. The bill allows the persons whose licenses are suspended to petition a district court for a one-year restricted permit. The bill also divides existing § 46.2-320 of the Code of Virginia, relating to other grounds for refusal to issue or renew a driver's license, into two sections; grounds relating to nonpayment of child support (subsections B through E) are moved verbatim to new § 46.2-320.1.

Patron - McWaters

[F]SB686 Department of Motor Vehicles; electronic titling. Allows the Department of Motor Vehicles to establish an electronic titling program for new motor vehicles.

Patron - McWaters

Failed

[F]HB7 Bicycles at traffic lights. Provides the rider of a bicycle approaching an intersection controlled by traffic lights need not wait the two minutes required of the driver of a motorcycle or moped approaching the same intersection.

Patron - Edmunds

[F]HB106 Driver's licenses. Requires that driver's licenses show the street address of the licensee's principal residence in Virginia.

Patron - Loupassi

[F]HB115 Smoking in cars with a minor present; civil penalty. Makes it unlawful for a person to smoke in a motor vehicle with a child under the age of 13 present; punishable by a civil penalty of \$100.

Patron - Morrissey

[F]HB122 Driver's licenses; veterans. Allows military veterans who are at least 21 years old to have their veteran status indicated on their driver's licenses.

Patron - Morrissey

[F]HB179 Uninsured motor vehicles; fees. Raises the uninsured motor vehicle fee from \$500 to \$600.

Patron - O'Bannon

[F]HB303 Overweight permits for haulers of farm animal feed. Provides for issuance of overweight permits for operation of certain vehicles used for hauling farm animal feed.

Patron - Scott, E.T.

[F]HB304 Department of Motor Vehicles; service charge. Eliminates the \$5 statutory service charge fee for transactions carried out in DMV that could be carried out by mail, online, or over the telephone.

Patron - Crockett-Stark

[F]HB308 Department of Motor Vehicles; documents. Requires that all documents issued by DMV that include a photograph of the person to whom issued must be produced by local DMV facilities and not by outside contractors.

Patron - Crockett-Stark

[F]HB310 Driver's licenses; diabetes and hearing or speech impairments. Requires the Department of Motor Vehicles to prepare an informational brochure to inform driver's license applicants that they may designate insulin-dependent diabetes or a hearing or speech impairment on their driver's license or DMV-issued identification card and to mail such brochure with renewal notices.

Patron - Crockett-Stark

[F]HB376 Driver's licenses; storage of driver's license information. Prohibits the retention of any information contained on a Virginia-issued driver's license for any purpose unless otherwise required by law.

Patron - Pogge

[F]HB388 Driver's licenses; veterans. Allows military veterans to have their veteran status indicated on their driver's licenses.

Patron - Gilbert

[F]HB394 Use of handheld personal communications devices; exceptions; penalty. Prohibits the use of handheld personal communications devices while operating a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth. The bill makes a violation of this prohibition a primary traffic offense.

Patron - Howell, A.T.

[F]HB404 Use of handheld personal communications devices while driving. Prohibits the use of handheld personal communications devices for any purpose other than to make or receive phone calls.

Patron - Torian

[F]HB415 Operation of moving motor vehicle while distracted; penalties. Prohibits the operation of a moving motor vehicle while engaged in other activities, such as using a wireless telephone or other wireless telecommunications device without a hands-free apparatus, searching for an item, or personal grooming. Current law specifically prohibits the use of a handheld personal communications device to send or read an email or text message while operating a moving motor vehicle. The bill allows for certain exceptions, including the use of a citizens band radio. The offense would be a secondary offense punishable by a \$40 fine on the first offense and a \$100 fine for each subsequent offense.

Patron - Watts

[F]HB497 Use of handheld personal communications devices; penalty. Prohibits any use of a handheld personal communications device while operating a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth and makes such use a primary offense.

Patron - Dance

[F]HB524 Medical examinations required of driver's license holders. Allows transmission to DMV of the results of required medical examinations of driver's license holders to be by fax or other electronic means. The bill also provides that if any such transmission is lost or incomplete and, as a consequence, a licensee's license is suspended or revoked, such license shall be restored if it is discovered that the examination was performed as required and that the licensee was found to be competent to be licensed, and any record of the suspension or revocation must be expunged.

Patron - Farrell

HB532 Operation of moving motor vehicles while distracted; penalty. Prohibits the operator of a moving motor vehicle from being engaged in activities that are unnecessary to and that actually impair the operation of a motor vehicle. Certain exemptions apply. A violation of the statute would be a traffic offense.

Patron - Orrock

HB533 Four-for-Life; substantive review. Requires that a reallocation of moneys set aside from the Four-for-Life fees be made pursuant to legislation that has been reviewed by the House Health, Welfare and Institutions Committee and the Senate Committee on Education and Health. The bill includes technical amendments.

Patron - Orrock

HB560 Driver's licenses. Prohibits issuance of driver's licenses to any person less than 21 years old unless he is either a high school graduate or has earned a GED.

Patron - Marshall, D.W.

HB568 Driver's licenses; veterans. Allows military veterans to have their veteran status indicated on their driver's licenses.

Patron - Marshall, D.W.

HB583 Traffic control preemption devices. Allows local governments that control the highways within their boundaries the ability to control the use of traffic control signal preemption devices used to change traffic light signals.

Patron - Watson

HB588 Maximum speed limit in an industrial park. Provides that the maximum speed limit in an industrial park is 35 miles per hour.

Patron - Merricks

HB652 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 - Kory

HB685 Emergency lights. Removes the limit of two warning lights allowed any member of a fire department, rescue squad, ambulance driver, or police chaplain on a vehicle he owns, when answering emergency calls.

Patron - O'Quinn

HB688 Special driver's license required for convicted methamphetamine offenders. Provides that any person convicted of a violation of § 18.2-248, 18.2-248.02, 18.2-248.03, 18.2-266, 29.1-738, or 46.2-341.24 when such offense involves the possession, manufacture, sale, or consumption of methamphetamine shall be required, if he is licensed to drive a motor vehicle in the Commonwealth, to have a special driver's license containing a unique identifying mark for a period of 18 months following his first licensure after the conviction indicating that he is a convicted methamphetamine offender. The same restriction would apply to a special identification card issued by the Department of Motor Vehicles.

Patron - O'Quinn

HB689 Application for driver's license; social security number. Allows issuance of a driver's license to an applicant who fails to provide a social security number on the application if such failure is due to a bona fide religious objec-

tion to providing a social security number for any reason not related to official social security tax or benefit purposes.

Patron - O'Quinn

HB706 Pedestrians. Requires vehicle drivers to stop for pedestrians crossing at marked crosswalks or at intersections not controlled by traffic signals.

Patron - Filler-Corn

HB721 Board of Towing and Recovery Operators. Abolishes the Board of Towing and Recovery Operators.

Patron - Yancey

HB742 Farm use vehicles; distance limit. Increases the maximum distance that an unregistered farm use vehicle may be driven on a highway to obtain agricultural or horticultural supplies from 30 to 200 miles and to transport farm produce or livestock from 50 to 300 miles.

Patron - Fariss

HB762 Special license plates; Virginia's Eastern Shore. Changes the special license plates promoting tourism on Virginia's Eastern Shore from nonrevenue sharing to revenue sharing.

Patron - Lewis

HB784 Drivers to exercise due care. Requires drivers to exercise due care to avoid colliding with a pedestrian or the operator of a human-powered vehicle.

Patron - Lopez

HB785 Following too closely. Includes bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds among vehicles that the driver of a motor vehicle shall not follow more closely than is reasonable.

Patron - Lopez

HB846 Use of compression brakes within the Town of St. Paul. Authorizes the Town of St. Paul to regulate the use of compression brakes by operators of motor vehicles within the Town boundaries.

Patron - Johnson

HB857 Bicycles in Blacksburg. Authorizes the Town Council of Blacksburg to permit operation of bicycles in either direction on one-way streets. This bill is identical to SB 101.

Patron - Yost

HB868 Plug-in electric-drive vehicles. Provides that plug-in electric-drive vehicles may park free of charge in government owned or controlled parking space when the vehicles are recharging their batteries.

Patron - Rust

HB874 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 - Rust

HB884 Records of the Department of Motor Vehicles; privileged records of law-enforcement officers. Provides that any records maintained by the Department of Motor Vehicles that contain the personal address and telephone number of a federal or state law-enforcement officer shall be considered privileged.

Patron - Sickles

HB1025 Driver's licenses; veterans. Allows military veterans to have their veteran status indicated on their driver's licenses.

Patron - Englin

HB1038 Overweight and oversize vehicle permits and fees. Allows temporary registration of overweight and oversize vehicles and assigns fees based on the amount that a vehicle is overweight or oversize. The bill also designates fees into specific funds. The bill has a delayed effective date of January 1, 2013.

Patron - Keam

HB1053 Texting while driving. Removes the "secondary enforcement" provision from the statute prohibiting sending or reading email or text messages while driving.

Patron - Anderson

HB1072 Emissions inspections. Privatizes services now provided by the Department of Environmental Quality related to vehicle emissions inspections. The bill also updates authorized testing equipment, allows use of wireless systems to increase convenience, and replaces program validation required by the Clean Air Act with randomly assigned free emissions tests performed when vehicles undergo state safety inspection. Savings generated are dedicated to transportation maintenance projects. The bill removes language related to emissions testing in the Richmond area and establishes an enhanced emissions inspection program for areas other than Northern Virginia. Surplus funds from the program are dedicated to transportation maintenance in those localities required to have basic emissions inspections.

Patron - Hugo

HB1214 Driving on suspended license; when court may reduce charge. Provides that, upon the trial of any person charged with driving while his license is suspended whose full privilege to operate a motor vehicle is restored prior to trial, the court in its discretion may find the accused not guilty of driving on a suspended license but guilty of driving without an operator's license in violation of § 46.2-300.

Patron - Lewis

HB1296 Speed limit; Huguenot Bridge in Richmond. Sets the speed limit on the Huguenot Bridge in Richmond at 35 mph.

Patron - Loupassi

SB46 On-road clean screen program; vehicle emissions inspection. Includes the on-road clean screen program and on-road emissions inspections as comparable equipment and devices to satisfy emissions inspections in the Commonwealth. The bill contains technical amendments.

Patron - Watkins

SB101 Bicycles in Blacksburg. Authorizes the Town Council of Blacksburg to permit operation of bicycles in either direction on one-way streets. This bill is identical to HB 857.

Patron - Edwards

SB206 Possession of open container of alcohol in a motor vehicle; penalty. Provides that no person shall possess an alcoholic beverage in the passenger area of a motor vehicle upon a public highway of the Commonwealth in other than the manufacturer's unopened, original container. The bill punishes violators with a civil penalty of \$25.

Patron - Barker

SB208 Administrative suspension of license. Changes the period of administrative license suspension upon

arrest for a DUI from seven to 60 days and, for a second or subsequent offense, from 60 days until the time of trial.

Patron - Barker

SB210 Provisional driver's license holders. Changes from a secondary offense to a primary offense use of a cell phone by a provisional driver's license holder.

Patron - Barker

SB264 Following too closely. Includes bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds among vehicles that the driver of a motor vehicle shall not follow more closely than is reasonable.

Patron - Ebbin

SB289 Possession of open container of alcohol in a motor vehicle; penalty. Provides that no person shall possess an alcoholic beverage in the passenger area of a motor vehicle upon a public highway of the Commonwealth in other than the manufacturer's unopened, original container. The bill punishes violators with a civil penalty of \$25.

Patron - Locke

SB365 Judgments for motor vehicle accident damages; orders for suspension. Provides that a suspension of a judgment debtor's driver's license shall not extend (i) beyond 10 years from the date of judgment for any civil judgment obtained in a general district court or (ii) beyond 20 years from the date of judgment for any civil judgment obtained in a circuit court.

Patron - Deeds

SB397 Electric vehicles; emissions testing. Exempts qualified plug-in electric on-road vehicles from emissions inspections.

Patron - Hanger

SB500 Fines and fees for violations occurring on interstate highways. Provides that when a warrant or summons is issued for a violation of law occurring on an interstate highway or a highway that receives federal-aid funds, a state statute must be charged.

Patron - Watkins

SB587 Special license plates; Virginia's Eastern Shore. Changes the special license plates promoting tourism on Virginia's Eastern Shore from nonrevenue sharing to revenue sharing.

Patron - Northam

SB633 Bicycles helmets. Makes the hitherto local-option bicycle helmet law applicable statewide.

Patron - Barker

SB666 Fines and fees; disposition of fines in traffic cases. Provides that an arrest or summons issued by a local law-enforcement officer for a violation of a motor vehicle law of the Commonwealth shall be issued under an applicable local ordinance, unless no such ordinance exists. The bill also clarifies that any fines collected by localities for a violation of a local ordinance shall not be paid into the state treasury.

Patron - Garrett

Carried Over

HB182 Special license plates; PEACE BEGINS AT HOME. Authorizes the issuance of revenue-sharing special license plates bearing the legend PEACE BEGINS AT HOME

to support the programs of the Domestic Violence Action Alliance for the prevention of sexual and domestic violence in Virginia.

Patron - O'Bannon

HB604 Special license plates; IN REMEMBRANCE, APRIL 16, 2007. Authorizes the issuance of revenue-sharing special license plates bearing the legend IN REMEMBRANCE, APRIL 16, 2007. The annual surcharge for these plates would be \$25 instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets) \$15 will go to the VTV Family Outreach Foundation, to support its operation and programs in Virginia.

Patron - LeMunyon

HB651 Special license plates; I SUPPORT ANIMAL RESCUE. Authorizes the issuance of revenue-sharing special license plates to supporters of Homeless Animal Rescue Team and its programs of animal rescue.

Patron - Kory

HB798 Salvage vehicles. Heightens consumer awareness of issues that may arise in connection with the purchasing of motor vehicles at salvage auctions without fully understanding the disclaimers and waivers related to total-loss vehicles. The bill would allow consumers more readily to identify total-loss vehicles and imposes additional notice requirements in connection with the sale of salvage vehicles.

Patron - Scott, E.T.

HB843 Special license plates; Trees Virginia.

Authorizes the issuance of revenue-sharing special license plates to supporters of Trees Virginia.

Patron - Johnson

HB891 Operation of vehicles equipped with mobile infrared transmitters; penalty. Increases from a traffic infraction to a Class 4 misdemeanor any violation of the prohibition on operation of nonemergency vehicles equipped with mobile infrared transmitters used to change traffic light signals.

Patron - Alexander

HB1040 Special license plates commemorating America's buffalo soldiers. Authorizes the issuance of special license plates commemorating America's buffalo soldiers.

Patron - Keam

HB1070 Definitions of all-terrain and utility vehicles. Expands the definition of all-terrain vehicles to include six-wheeled vehicles and vehicles that can carry passengers and narrows the definition of all-terrain vehicles to exclude riding lawn mowers. The bill also expands the definition of utility vehicles to include those with more than 25 horsepower. The bill also makes numerous technical corrections.

Patron - Hugo

HB1195 Tandem axle weight limit. Increases the maximum tandem axle weight limit from 34,000 pounds to 40,000 pounds.

Patron - Lewis

HB1236 Special license plates; U.S. Army Rangers. Authorizes the issuance of special license plates to members and former members of the U.S. Army Rangers.

Patron - Cox, J.A.

SB27 Display of vehicle license plates. Provides for display of a single license plate on registered vehicles.

Patron - Locke

SB88 Notice of suspension or revocation of driver's licenses. Requires the Department of Motor Vehicles to send initial notice of the suspension or revocation of a driver's license by certified mail.

Patron - Howell

SB93 Special license plates; Reston. Authorizes the issuance of special license plates for Reston bearing the word: "RESTON!" and the legend: "LIVE WORK PLAY."

Patron - Howell

SB199 Pedestrians. Requires vehicle drivers to stop for pedestrians crossing at marked crosswalks or at intersections not controlled by traffic signals.

Patron - Marsden

SB225 Special license plates; PEACE BEGINS AT HOME. Authorizes the issuance of revenue-sharing special license plates bearing the legend PEACE BEGINS AT HOME to support the programs of the Virginia Sexual and Domestic Violence Action Alliance for the prevention of sexual and domestic violence in Virginia.

Patron - Herring

SB304 Display of vehicle license plates. Provides for display of a single license plate on registered vehicles.

Patron - Blevins

SB312 Four-for-Life; substantive review. Requires that a reallocation of moneys set aside from the Four-for-Life fees be made pursuant to legislation that has been reviewed by the House Health, Welfare and Institutions Committee and the Senate Committee on Education and Health. The bill includes technical amendments.

Patron - Blevins

SB333 Mopeds. Prohibits the operation of mopeds on highways with posted speed limits in excess of 35 miles per hour.

Patron - Carrico

SB334 Special license plates; supporters of NASCAR. Authorizes the issuance of revenue-sharing special license plates to supporters of NASCAR. Revenues derived from sale of these plates will be shared with Richmond International Raceway CARES once a minimum of 1,000 plates are sold.

Patron - Carrico

SB336 Definitions of all-terrain and utility vehicles. Expands the definition of all-terrain vehicles to include six-wheeled vehicles and vehicles that can carry passengers and narrows the definition of all-terrain vehicles to exclude riding lawn mowers. The bill also expands the definition of utility vehicles to include those with more than 25 horsepower. The bill also makes numerous technical corrections.

Patron - Newman

SB358 Infrared traffic light signal changers. Allows local governments by ordinance to permit use of infrared traffic light signal changers by firefighting vehicles in nonemergency situations.

Patron - Deeds

SB388 Special license plates; IN REMEMBRANCE, APRIL 16, 2007. Authorizes the issuance of revenue-sharing special license plates bearing the legend IN REMEMBRANCE, APRIL 16, 2007. The annual surcharge for these plates would be \$25 instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of

plates issued (after the first 1,000 sets) \$15 will go to the VTV Family Outreach Foundation, to support its operation and programs in Virginia.

Patron - Marsden

[C]SB423 Motor vehicle license plates. Provides that motor vehicles whose manufacturers do not provide, as original equipment, for a bracket or other device for displaying a license plate on the front of the vehicle will be required to display only single license plates, on the rear of the vehicle.

Patron - Ruff

[C]SB479 Weighing of vehicles. Exempts vehicles owned or leased by the City of Suffolk from being weighed at DMV-controlled weigh-stations along U.S. Route 58 in Suffolk.

Patron - Lucas

Notaries and Out-Of-State Commissioners

Passed

[P]SB270 Fiduciaries; permission to notarize. Clarifies that a notary named in a document for the purposes of receiving notices or as a fiduciary shall not be disqualified from notarizing the document for that reason alone. Currently, a notary so named is prohibited from acting as a notary, regardless of whether he is a party to or has a beneficial interest in the document. The bill also repeals the provision requiring those commissioned as electronic notaries to be sworn in twice, once as a notary and once as an electronic notary.

Patron - Norment

Failed

[F]HB442 Notaries; conflict of interests; election petitions. Prohibits a notary employed by a candidate campaign committee or referendum committee from performing any notarial act on any petition that names the candidate or the referendum. A violation of the prohibition constitutes official misconduct on the part of the notary and voids the portions of the petition affected by the notarial act.

Patron - Brink

Pensions, Benefits, and Retirement

Passed

[P]HB140 State Police Officers' Retirement System (SPORS); mandatory retirement; regional jail or jail farm superintendent. Exempts regional jail or jail farm superintendents from the age 70 mandatory retirement requirement. Currently, gubernatorial appointees and elected officials are exempt from mandatory retirement. This bill contains an emergency clause.

Patron - Cole

[P]HB350 Virginia Retirement System; disability benefits. Modifies the disability benefits provided to state employees by (i) no longer reducing such benefit by the amount of military disability benefits received and (ii) reflecting changes made in 2009 by the General Assembly limiting new employees to disability payments in an amount of 60 percent of their creditable compensation for the first 60 months of employment. The bill also makes some technical changes. The bill contains an emergency clause.

Patron - Cox, M.K.

[P]HB438 Virginia Retirement System; benefits for certain local law-enforcement employees. Provides that if an employee who has at least five years in a position covered by the higher retirement benefits plan authorized for certain local law-enforcement employees becomes disabled and is unable to return to such position but eventually accepts another position with the same employer that is not covered by such higher benefits plan, he may, at the sole discretion of his employer, continue to be covered under such benefits plan even if the new position would not otherwise be eligible for such benefits.

Patron - Tata

[P]HB791 Virginia Retirement System. Makes technical changes to programs administered by the Virginia Retirement System.

Patron - Tata

[P]HB792 Virginia Retirement System; deferred compensation plan for local employees. Permits localities that choose to allow employees to participate in a deferred compensation plan to require new employees to join the plan on an opt-out basis.

Patron - Tata

[P]HB1130 Virginia Retirement System; hybrid defined contribution and defined benefit retirement program. Creates a new hybrid retirement program, administered by the Virginia Retirement System, that contains a defined contribution and a defined benefit component. All new state employees, local employees, and judges commencing employment on or after January 1, 2014, would be required to participate in the hybrid plan. Employees in service on December 31, 2013, would be given the opportunity to make a one-time, irrevocable election to participate in the new hybrid program. The bill also creates a disability program for local employees participating in the hybrid plan.

The bill also makes adjustments to the existing defined benefit plan for nonvested employees, including lowering the retirement benefit multiplier from 1.7 to 1.65, basing average final compensation on 60 months of service instead of 36, and capping the cost-of-living adjustment at three percent. Any person with less than 20 years service who takes early retirement would not receive a cost-of-living adjustment until one year after he reaches normal retirement age. This bill is identical to SB 498.

Patron - Howell, W.J.

[P]SB171 Virginia Retirement System; certain local employees. Permits localities to exempt firefighters, emergency medical technicians, and law-enforcement officers from the higher age and service requirements for normal and early retirement applicable to employees hired on or after July 1, 2010.

Patron - Petersen

[P]SB497 Virginia Retirement System employee contributions; local employees; school board employees. Requires that persons employed by local government or school board

employers be required to pay the five percent employee contribution to the Virginia Retirement System. School board employees would be authorized to phase in the five percent contribution over a maximum of five years. Local employers and school boards would be required to provide employees with a raise to offset the employee contributions.

Patron - Watkins

[P]SB498 Virginia Retirement System; hybrid defined contribution and defined benefit retirement program. Creates a new hybrid retirement program, administered by the Virginia Retirement System, that contains a defined contribution and a defined benefit component. All new state employees, local employees, and judges commencing employment on or after January 1, 2014, would be required to participate in the hybrid plan. Employees in service on December 31, 2013, would be given the opportunity to make a one-time, irrevocable election to participate in the new hybrid program. The bill also creates a disability program for local employees participating in the hybrid plan.

The bill also makes adjustments to the existing defined benefit plan for nonvested employees, including lowering the retirement benefit multiplier from 1.7 to 1.65, basing average final compensation on 60 months of service instead of 36, and capping the cost-of-living adjustment at three percent. Any person with less than 20 years service who takes early retirement would not receive a cost-of-living adjustment until one year after he reaches normal retirement age. This bill is identical to HB 1130.

Patron - Watkins

Failed

[F]HB163 Mandatory judicial retirement. Increases the mandatory retirement age under the Judicial Retirement System from 70 years of age to 73 years of age.

Patron - Hope

[F]HB257 Local defined contribution retirement plan. Permits any locality or school board to establish a defined contribution retirement plan, in lieu of any other retirement plan, for employees hired after such plan is established.

Patron - Stolle

[F]HB318 Virginia Retirement System; general registrars. Permits a general registrar who (i) is involuntarily separated and (ii) has 20 or more years of creditable service to retire with an unreduced allowance upon attaining age 50.

Patron - Ingram

[F]HB386 Virginia Retirement System; investments related to Iran. Requires the Virginia Retirement System, under certain circumstances, to divest itself of investments in companies meeting certain criteria gauged to be related to support of the current regime in Iran.

Patron - Gilbert

[F]HB511 Virginia Retirement System. Requires that the Virginia Retirement System (i) adjust annually its calculation of pension fund liabilities and obligations by the rate of interest on 10-year U.S. Treasury notes and (ii) assume a rate of return on its investments no greater than the rate of interest on such notes. The bill shall expire whenever the funding level for the Virginia Retirement System is at least 90 percent of actuarial attested premium obligations and liabilities for three consecutive years.

Patron - Purkey

[F]HB594 Virginia Retirement System; general registrars. Permits a general registrar who (i) is involuntarily separated and (ii) has 20 or more years of creditable service to retire with an unreduced allowance upon attaining age 50.

Patron - Crockett-Stark

[F]HB636 Virginia Law Officers' Retirement System. Adds attorneys for the Commonwealth and their assistants as members of the Virginia Law Officers' Retirement System.

Patron - Iaquinto

[F]HB702 Health insurance credit for retired school division employees. Provides that the health insurance credit currently being provided to retired teachers would also be provided to all retired employees of the local school division at the option of the local school division and as a cost borne by the local government.

Patron - Filler-Corn

[F]HB949 Virginia Retirement System; optional defined contribution retirement plan for state employees. Establishes an optional defined contribution retirement plan that state employees may elect to join in lieu of the defined benefit retirement plan.

Patron - Bell, Robert B.

[F]HB1097 Mandatory judicial retirement. Increases the mandatory retirement age under the Judicial Retirement System from 70 years of age to 72 years of age.

Patron - Herring

[F]HB1129 Virginia Retirement System; defined benefit plan. Modifies several provisions of the defined benefit retirement plan. Beginning January 1, 2013, the bill changes the calculation of average final compensation to cover a period of 60 months rather than 36 months. Under current law, the use of a 60-month period applies only to those employees hired on or after July 1, 2010. However, current employees affected by this change in average final compensation may use the 36-month period of calculation for compensation received prior to January 1, 2013, if it is greater than the 60-month period of calculation.

Effective January 1, 2013, except for employees who are within five years of their unreduced retirement date at that time, the bill (i) restricts cost of living adjustments (COLA) to those employees who reach the age for unreduced retirement benefits and (ii) reduces the COLA to the first two percent of inflation plus one-half of the next two percent, for a maximum total of three percent. Under current law, the COLA is the first three percent of inflation plus one-half of the next four percent, for a maximum total of five percent.

Finally, for state and local employees hired on or after January 1, 2013, other than law-enforcement employees and judges, the bill reduces the multiplier from 1.7 to 1.6.

This bill was incorporated into HB 1130.

Patron - Howell, W.J.

[F]SB95 Mandatory judicial retirement. Increases the mandatory retirement age under the Judicial Retirement System from 70 years of age to 73 years of age. This is a recommendation of the Judicial Council.

Patron - Edwards

[F]SB136 Virginia Retirement System; retirees hired as police chief in certain towns. Provides that a retiree receiving retirement benefits may be hired as a police chief in any town

with a population less than 10,000 without interruption of his retirement benefits under certain conditions.

Patron - Puller

[F]SB198 Health insurance credits for retired school division employees. Provides that the health insurance credit currently being provided to retired teachers would also be provided to all retired employees of the local school division at the option of the local school division and as a cost borne by the local government.

Patron - Marsden

[F]SB298 Virginia Retirement System; fiscal impact analysis of employer contribution rates. Requires the Board of the Virginia Retirement System to conduct a fiscal impact analysis whenever the appropriation for employer contribution rates included in the budget bill submitted by the Governor to the General Assembly is less than the Board-certified contribution rate, or when either house of the General Assembly adopts an amendment to the budget appropriating less than the Board-certified contribution rate.

Patron - Howell

[F]SB506 Local defined contribution retirement plan. Permits any locality or school board to establish a defined contribution retirement plan in lieu of any other retirement plan for employees hired after such plan is established.

Patron - Wagner

Carried Over

[C]HB208 Virginia Retirement System; retirees hired as school board security personnel. Provides that retired law-enforcement officers may be hired as local school board security personnel without interruption of their retirement benefits under certain conditions.

Patron - Miller

[C]HB428 Virginia Retirement System; benefits for local law-enforcement, correctional, and emergency response employees in certain localities. Permits any locality that is exempt from providing all of the special statutory retirement benefits to local law-enforcement, correctional, and emergency response employees because the locality's annual retirement allowance for such employees exceeds the statutory amount to provide all of the other statutory benefits except the statutory annual retirement allowance (i) to all employees eligible for such benefits or (ii) only to eligible employees hired on or after July 1, 2010. The additional costs of providing the benefits would be borne by the locality making the election.

Patron - Bulova

[C]HB486 Virginia Retirement System; certain employees in the optional retirement plan for institutions of higher education. Provides employees in the optional retirement plan for institutions of higher education the opportunity to purchase service credit in the defined benefit plan with accrued contributions and earnings, and thereafter be covered under the defined benefit plan.

Patron - Ware, O.

[C]HB1078 Fairfax County; retirement. Requires Fairfax County to exclude members of its retirement system who are elected officials from participating in its Deferred Retirement Option Program ("DROP").

Patron - Hugo

[C]SB216 Virginia Retirement System; retirees hired as school board security personnel. Provides that retired law-enforcement officers may be hired as local school board security personnel without interruption of their retirement benefits under certain conditions. The provisions of the bill would only apply to a person hired on or after July 1, 2012, but before July 1, 2017.

Patron - Barker

[C]SB331 Law-enforcement officers retirement; early retirement. Requires that all employers electing to provide benefits equivalent to the State Police Officers' Retirement System for employees in hazardous duty positions consider employees eligible for full retirement after reaching the age of 50 and completing 25 years of service, for employees retiring on or after July 1, 2012. Under current law, certain employers could elect to provide for full retirement after employees complete 30 years of service.

Patron - Carrico

[C]SB357 Virginia Law Officers' Retirement System; membership. Adds conservation officers of the Department of Conservation and Recreation as members of the Virginia Law Officers' Retirement System. Conservation officers would accrue retirement benefits under the Virginia Law Officers' Retirement System only for creditable service on or after July 1, 2012.

Patron - Deeds

Persons with Disabilities

Passed

[P]SB557 Assistive Technology Loan Fund Authority; approval of loan applications. Eliminates the requirement that the Board of Directors of the Assistive Technology Loan Fund Authority ratify the approval or denial of loan applications by a delegated committee established by the Board for such purpose.

Patron - Howell

Police (State)

Passed

[P]HB1154 Department of State Police; access to electronic evidence. Provides for access by the Department of State Police to certain electronic evidence, documentation, and related materials that may be physically located outside the Commonwealth but that may be accessed by insurance professionals conducting business within the Commonwealth. The bill also allows for the authentication of such records to make them admissible as business records.

Patron - Poindexter

[P]SB682 Service pistol of Trooper Kevin W. Humphries. Transfers the service pistol of Trooper Kevin W. Humphries to his widow, Kristen P. Humphries.

Patron - Norment

Failed

[F]HB984 Department of State Police; establishment of cold case searchable database. Provides that the Superintendent of State Police may establish and maintain a cold case searchable database including unsolved homicide, missing person, and unidentified person cases. The searchable database may include interactive elements consisting of (i) the type of case, (ii) the location of where the crime was committed, (iii) the law-enforcement agency name, and (iv) the year the crime occurred.

Patron - Scott, J.M.

Carried Over

[C]HB1001 Enforcement of immigration laws; agreement with United States Immigration and Customs Enforcement. Provides that the Superintendent of State Police shall seek to enter into a memorandum of agreement with United States Department of Homeland Security, Immigration and Customs Enforcement, as authorized under 8 U.S.C. § 1357(g), to permit the State Police to perform federal immigration law-enforcement functions in the Commonwealth after arrest of an alien.

Patron - Ramadan

Prisons and Other Methods of Correction

Passed

[P]HB263 Correctional enterprises; exemption from mandatory purchase provisions. Provides that state departments, institutions, and agencies may be granted an exemption from mandatory procurement of articles produced or manufactured by persons confined in state correctional facilities with the consent of both the Director of the Division of Purchases and Supply and the Chief Executive Officer of the Virginia Correctional Enterprises Program. The bill adds that an exemption may be granted if an identical article can be obtained at a verified lesser cost from the private sector, which is evidenced by a verified request for pricing. The bill requires that on or before November 30, 2012, the Director of the Department of General Services and the Director of the Department of Corrections report to the Governor and the General Assembly on the impact of the implementation of the provisions of the bill, including any cost savings to the Commonwealth, efficiencies realized, the impact on prisoner re-entry, and safety in correctional institutions. The Departments may include in the report recommendations for improvement in the process. HB 90 was incorporated into this bill.

Patron - Peace

Failed

[F]HB16 Restoration of civil rights. Provides for the automatic restoration of civil rights to persons convicted of nonviolent felonies (excepting felony drug and election fraud crimes) upon completion of sentence, including any term of

probation or parole, and the payment of all restitution, fines, costs, and fees assessed as a result of the felony conviction.

Patron - Habeeb

[F]HB90 Correctional enterprises; exemption from mandatory purchase provisions. Provides that any department, institution, or agency of the Commonwealth may use competitive sealed bidding in accordance with the Virginia Public Procurement Act (§ 2.2-4300 et seq.) for the procurement of furniture without first seeking an exemption from the provisions of § 53.1-47 from the Director of the Division of Purchases and Supply. Incorporated into HB263.

Patron - Bell, Richard P.

[F]HB165 Conditional release of geriatric prisoners. Allows any prisoner serving a sentence imposed for a felony offense, other than a Class 1 felony, who has reached the age of 60 or older to petition the Parole Board for conditional release without regard to the number of years of his sentence he has served. Current law allows a 60-year-old prisoner to petition the Board after serving at least 10 years and a 65-year-old prisoner to petition the Board after serving at least five years of his sentence.

Patron - Hope

[F]HB392 Parole; eligibility for certain inmates otherwise ineligible. Provides that in the case of a person who is ineligible for parole for a combination of three or more offenses involving murder, rape, or robbery, the Parole Board shall consider a petition for reconsideration of ineligibility for parole if the person (i) was convicted only of robbery, (ii) did not injure or attempt to injure any person, (iii) did not have assistance of counsel in preparing a petition for review of ineligibility previously considered on the merits under this provision, (iv) has been continuously confined for at least 15 years, and (v) has a record of good conduct during confinement. The bill contains technical amendments.

Patron - Howell, A.T.

[F]HB397 Virginia Parole Board; exceptions to the Freedom of Information Act. Requires guidance documents of the Board to be available as public records under the Freedom of Information Act. The bill has a delayed effective date to give the Freedom of Information Advisory Council an opportunity to review the legislation and report on its implementation.

Patron - Hope

[F]HB435 Juveniles imprisoned for felony offense eligible for parole. Provides that any person sentenced to a term of imprisonment upon conviction of a felony offense who was a juvenile at the time of the commission of the offense is eligible for parole.

Patron - Tata

[F]HB436 Certain juveniles imprisoned for life eligible for parole. Provides that any person sentenced to a term of life imprisonment upon conviction of a felony offense, other than an offense set forth in Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2 (homicide offenses), who was a juvenile at the time of the commission of the offense is eligible for parole. This bill is in response to the U.S. Supreme Court decision in **Graham v. Florida**, 560 U.S. 130 S. Ct. 2011, 2034 (2010), in which the Court held that, pursuant to the 8th Amendment prohibition on cruel and unusual punishment, "[t]he Constitution prohibits the imposition of a life without parole sentence on a juvenile offender who did not commit homicide."

Patron - Tata

[F]HB683 Assessment for courthouse and courtroom security. Increases from \$10 to \$15 the maximum sum that may be assessed as part of the costs in each criminal or traffic case in district or circuit court in which the defendant is convicted of a violation of any statute or ordinance, to be used to pay for courthouse and courtroom security.

Patron - Surovell

[F]HB836 Restraint of certain prisoners. Prohibits a state, regional, local, or juvenile correctional facility from using restraints on any prisoner who is pregnant during labor, transport to a medical facility, delivery, or postpartum recovery unless the warden, superintendent, or jailor finds there is a compelling reason to believe that the prisoner poses serious harm to herself or others, is a flight risk, or cannot be reasonably restrained by other means. Such facility shall use the least restrictive restraints necessary on any inmate in the second or third trimester of pregnancy.

Patron - Hope

[F]HB1064 Conditional release of geriatric prisoners. Removes the petition requirement for the Parole Board to consider a geriatric release.

Patron - Sherwood

[F]HB1098 Restoration of civil rights. Provides for the automatic restoration of civil rights to persons convicted of nonviolent felonies (excepting election fraud crimes) upon completion of sentence, including any term of probation or parole, and the payment of all restitution, fines, costs, and fees assessed as a result of the felony conviction.

Patron - Herring

Carried Over

[C]HB487 Collection by locality of cost of transporting prisoners. Allows localities to charge persons convicted of violations of state law or ordinance for the costs of transporting them to jail or other holding facility.

Patron - Ware, O.

[C]HB586 Department of Corrections; confinement of local inmates in state correctional facilities. Allows sheriffs and regional jail administrators to sign agreements with the Department of Corrections for the housing of local inmates in state prisons.

Patron - Merricks

[C]HB1279 Crimes by prisoners; penalties. Provides that a prisoner may be charged under the Code sections that apply to crimes by prisoners, carrying a concealed weapon without a permit, and possession of a firearm by a felon.

Patron - Stolle

[C]SB247 Opportunities for work and career and technical education; child support. Requires the Department to withhold child support payments out of moneys paid to prisoners who maintain a job within the Department. Child support payments owed will also be withheld from any inmate trust account established for the prisoner.

Patron - Obenshain

[C]SB290 Conditional release of geriatric prisoners. Removes the petition requirement for the Parole Board to consider a geriatric release, and requires the Parole Board to report to the Chairman of the Senate Committee on Rehabilitation and Social Services not later than December 1, 2012, on the number of individuals considered for conditional release, the

number of individuals actually released, and the number of individuals conditionally released who are subsequently arrested and recommitted to the Department of Corrections.

Patron - Lucas

[C]SB586 Crimes by prisoners; penalties. Provides that a prisoner may be charged under the Code sections that apply to crimes by prisoners, carrying a concealed weapon without a permit, and possession of a firearm by a felon.

Patron - Northam

Professions and Occupations

Passed

[P]HB98 Athletic training; definition. Amends the definition of the practice of athletic training so that licensed physical therapists may no longer direct such practice.

Patron - Bell, Richard P.

[P]HB181 Registered nurse or physician assistant; authority to pronounce death. Adds registered nurses employed by and physician assistants working at continuing care retirement communities to the list of individuals who may pronounce death under certain circumstances.

Patron - O'Bannon

[P]HB206 Real Estate Board; duties of real estate brokers and salespersons. Requires the Real Estate Board to establish procedures for carrying over continuing education credits by real estate licensees. The bill also (i) authorizes the Board to regulate the permitted activities of unlicensed individuals employed by licensees or under the supervision of a broker; (ii) requires brokers to certify that their brokerage firms or sole proprietorships have been audited for compliance with real estate law and Board regulations; (iii) sets out duties for supervising brokers at each branch location with regard to supervising/training associate brokers and salespersons; (iv) clarifies the term "independent contractor"; (v) provides that licensees are not required to disclose whether an attorney or nonattorney will be providing settlement services; (vi) combines dual agency and dual representation disclosure forms for residential and commercial properties; and (vii) makes several changes to terminology related to dual and designated representation and agency relationships. The bill contains technical amendments.

Patron - Miller

[P]HB210 Regulation of real estate appraisal management companies. Adds definitions of "appraisal services" and "appraiser" and provides exemptions from licensure for certain entities. The bill also (i) authorizes the Board, beginning July 1, 2014, to issue a license to a person or entity to do business as an appraisal management company in the Commonwealth provided such person or entity meets certain requirements set out in the bill; (ii) requires the Board to require an appraisal management company as a condition of licensure to execute a performance agreement and provide collateral to the Board in form of cash, letter of credit, or bond in an amount sufficient as reasonably determined by the Board to secure the payment of the obligations of the licensee for its transactions in the Commonwealth for a period not less than 12 months; (iii) increases the civil penalty from not more than \$2,500 to \$10,000 for willful violations by a real estate appraisal management company; and (iv) requires the disclosure on the settlement statement of any fees paid to a real estate appraisal management

company. The bill requires the Real Estate Appraiser Board to adopt emergency regulations to implement the provisions of the bill.

Patron - Miller

[P]HB265 Board of Health Professions; meetings.

Requires the Board of Health Professions to meet at least annually, rather than quarterly.

Patron - Peace

[P]HB266 Definition of surgery. Defines "surgery" and provides that no person shall perform surgery unless he is (i) licensed by the Board of Medicine as a doctor of medicine, osteopathy, or podiatry; (ii) licensed by the Board of Dentistry as a doctor of dentistry; (iii) jointly licensed by the Boards of Medicine and Nursing as a nurse practitioner; (iv) a physician assistant acting under the supervision of a doctor of medicine, osteopathy, or podiatry; (v) a midwife performing episiotomies during childbirth; or (vi) acting pursuant to the orders and under the appropriate supervision of a licensed doctor of medicine, osteopathy, podiatry, or dentistry. The bill is identical to SB 543.

Patron - Peace

[P]HB268 Practice of occupational therapy. Provides that the definition of "practice of occupational therapy" is amended to make clear that "practice of occupational therapy" includes the therapeutic use of occupations for habilitation and rehabilitation to enhance physical health, mental health, and cognitive functioning and that it includes the design of adaptive equipment and assistive technologies and consultation concerning the adaptation of sensory and social, as well as physical, environments. The bill requires the Board of Medicine to promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment. This bill is identical to SB 340.

Patron - Peace

[P]HB275 Virginia Board of Accountancy; confidentiality of certain information. Provides that tax returns, financial statements, and other financial information that is not generally available to the public through regulatory disclosure or otherwise, subdivision 3 of § 54.1-108 notwithstanding, provided to the Board by a complainant or as a result of an investigation of a licensee by the Board in response to a complaint shall be exempt from the provisions of the Virginia Freedom of Information Act.

Patron - Peace

[P]HB337 Professions and occupations; unlawful procurement of certificate, license, or permit. Clarifies language prohibiting the use, disclosure, or release of questions and answers for examinations for certification or licensure.

Patron - Wilt

[P]HB344 Dental and dental hygiene school faculty; licensure. Clarifies what patient care activities are allowed for a person enrolled in a Virginia dental education program who has a temporary license to practice dentistry while in the program, clarifies requirements for the Board to issue a faculty license to a qualified person from out of state to teach dentistry or dental hygiene in a Virginia dental school or program, and specifies that a restricted license for a foreign dentist to teach dentistry in Virginia is a temporary appointment and extends this restricted license expiration from one year to two years. This bill is identical to SB 384.

Patron - O'Bannon

[P]HB346 Practice of nurse practitioners; patient care teams. Amends provisions governing the practice of nurse

practitioners. The bill provides that nurse practitioners shall only practice as part of a patient care team and shall maintain appropriate collaboration and consultation, as evidenced in a written or electronic practice agreement, with at least one patient care team physician licensed to practice medicine in the Commonwealth. The bill also establishes requirements for written or electronic practice agreements for nurse practitioners, provides that physicians practicing as part of a patient care team may require nurse practitioners practicing as part of that patient care team to be covered by professional malpractice insurance, and amends requirements related to the prescriptive authority of nurse practitioners practicing as part of a patient care team.

Patron - O'Bannon

[P]HB347 Prescription Monitoring Program; disclosures. Modifies the Prescription Monitoring Program to (i) require dispensers of covered substances to report the method of payment for the prescription, (ii) require the Director of the Department of Health Professions to report information relevant to an investigation of a prescription recipient, in addition to a prescriber or dispenser, to any federal law-enforcement agency with authority to conduct drug diversion investigations, (iii) allow the Director to disclose information indicating potential misuse of a prescription by a recipient to the State Police for the purpose of investigation into possible drug diversion, and (iv) allow prescribers to delegate authority to access the Program to an unlimited number, rather than the current limit of two, of regulated health care professionals under their direct supervision. This bill is identical to SB 321.

Patron - Miller

[P]HB378 Funeral services licensees; continuing education requirements. Changes the continuing education requirements for funeral services licensees, funeral directors, and embalmers from 10 hours every two years to five hours per year, and allows the one hour covering compliance with laws and regulations governing the profession to include federal or state law.

Patron - Pogge

[P]HB433 Real Estate Appraiser Board; continuing education. Requires the Real Estate Appraiser Board to evaluate the development of a continuing education curriculum for licensees that includes the effects of the use of energy efficiency and renewable energy equipment on the determination of the fair market value in the appraisal of non-income-producing residential real estate. Under the bill, the Board is required to report its findings to the Chairmen of the House Committee on General Laws, the Senate Committee on General Laws and Technology, and the Housing Commission by November 1, 2012. This bill is identical to SB 507.

Patron - Tata

[P]HB439 Veterans; disposition of cremains. Provides for a funeral director to provide the names and any other identifying information on unclaimed cremains to the Department of Veterans Services in order for the Department to determine if the unclaimed cremains are those of a veteran. Under the bill, commencing July 1, 2014, the Department shall notify the funeral director within 30 days of receipt of the information if the cremains are those of a veteran and whether such veteran is eligible for burial in a veterans cemetery. In addition, the bill provides that the names and any personal identifying information submitted by a funeral director to the Department are exempt from disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

Patron - Tata

HB543 Licensed massage therapists. Requires that massage therapists be licensed, rather than certified, by the Board of Nursing; includes "bodywork" in the definition of "massage therapy"; and identifies activities that do not constitute massage therapy and bodywork. The bill also allows the Board of Nursing to issue a provisional license valid until July 1, 2014, to any individual who meets the current requirements for certification as a massage therapist, and requires the Board of Nursing to promulgate regulations to implement the provisions of the act with 280 days.

Patron - Robinson

HB609 Department of Professional and Occupational Regulation; duties of regulatory boards. Requires a regulant of a regulatory board within the Department of Professional and Occupational Regulation to furnish, upon the request of a person to whom the regulant is providing or offering to provide service, satisfactory proof that the regulant (i) is duly licensed, certified, or registered and (ii) has obtained any required bond or insurance to engage in his profession or occupation. The bill defines the term "regulant" and contains technical amendments.

Patron - LeMunyon

HB733 Pharmacists; compounding authority. Increases pharmacists' authority to compound to allow the compounding of (i) a commercially manufactured drug whose manufacturer has notified the FDA that the drug is unavailable due to a current drug shortage or (ii) a commercially manufactured drug when the prescriber has indicated in the written or oral prescription for an individual patient that there is an emergent need for a drug that is not readily available within the time medically necessary.

Patron - Jones

HB885 Nursing; licensure exemption. Exempts from licensure any nurse who holds a current unrestricted license in another state, the District of Columbia, or a United States possession or territory while such nurse is in the Commonwealth temporarily and is practicing nursing in a summer camp or in conjunction with clients who are participating in specified recreational or educational activities. This bill is identical to SB 415.

Patron - Hodges

HB937 Professions and occupations; expediting the issuance of licenses for spouses of military service members. Requires a regulatory board within the Department of Professional and Occupational Regulation, the Department of Health Professions, or any board named in Title 54.1 to expedite the issuance of a license, permit, certificate, or other document, required for the practice of any business, profession, or occupation in the Commonwealth, of an applicant (i) holding the same or similar license, permit, certificate, or other document required for the practice of any business, profession, or occupation issued by another jurisdiction; (ii) whose spouse is the subject of a military transfer to the Commonwealth; and (iii) who left employment to accompany the applicant's spouse to Virginia if, in the opinion of the board, the requirements for the issuance of the license, permit, certificate, or other document in such other jurisdiction are substantially equivalent to those required in the Commonwealth. The bill provides for the issuance of a temporary permit under certain circumstances and limits to six months the duration of a temporary permit issued. The bill has a delayed effective date of July 1, 2014, for the provisions requiring the issuance of a temporary permit.

Patron - Lingamfelter

HB938 Professions and occupations; qualifications for licensure; substantially equivalent military training and

education. Requires the regulatory boards within the Department of Professional and Occupational Regulation, the Department of Health Professions, or any board named in Title 54.1 except the Board of Medicine and the Board of Dentistry, to accept the military training, education, or experience of a service member returning from active military service in the armed forces of the United States, to the extent that such training, education, or experience is substantially equivalent to the requirements established by law and regulations of the respective board for the issuance of any license, permit, certificate, or other document, however styled or denominated, required for the practice of any business, profession, or calling in the Commonwealth. The bill provides that to the extent that the service member's military training, education, or experience, or portion thereof, is not deemed substantially equivalent, the respective board shall credit whatever portion of the military training, education, or experience that is substantially equivalent toward meeting the requirements for the issuance of the license, permit, certificate, or other document. The bill authorizes a regulatory board to require the service member to provide such documentation of his training, education, or experience as deemed necessary to determine substantial equivalency. The bill defines the term "active military service."

Patron - Lingamfelter

HB1020 Precious metal dealers; retention of purchases. Increases from 10 to 15 calendar days from the date of local law enforcement's receipt of a copy of the bill of sale the period that precious metal dealers must retain all precious metals or gems purchased by the dealer before they may be sold. Precious metal dealers who perform the service of removing precious metals or gems must retain articles received and the precious metals or gems removed from the articles for 15 calendar days.

Patron - Spruill

HB1106 Behavior analysts; licensure by Board of Medicine. Gives the Board of Medicine authority to license behavior analysts and assistant behavior analysts. The bill also requires the Board to promulgate emergency regulations within 280 days of enactment and contains an emergency clause.

Patron - Greason

HB1140 Carisoprodol added to list of Schedule IV controlled substances. Adds carisoprodol to the list of Schedule IV controlled substances in the Drug Control Act.

Patron - Hodges

HB1141 Ezogabine; add to Schedule V. Adds ezogabine to Schedule V of the Drug Control Act.

Patron - Hodges

HB1144 Board for Contractors; waiver of license requirement for Habitat for Humanity. Adds the rehabilitation of single-family dwellings by Habitat for Humanity for which the Board for Contractors may waive the requirement for licensure. Currently, the authority of the Board to waive licensure is limited to the construction of single-family dwellings by Habitat for Humanity.

Patron - Watson

HB1212 Storage of health records. Replaces obsolete terminology and cross-references related to storage of health records, currently referred to as medical records or patient records.

Patron - O'Bannon

HB1262 Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals; onsite sewage system installers. Provides that regulations of

the Board of Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals shall include requirements for the division of sewage system installers into classes, one of which shall be restricted to the installation of conventional onsite sewage systems, and that the Board shall not require applications for initial licensure as a conventional onsite sewage system installer to pass an examination prior to the issuance of such license provided that the applicant satisfactorily demonstrates to the Board that he has been actively engaged in the performance of duties of a conventional onsite sewage system installer for at least eight years within the 12-year period immediately preceding the date of application for licensure. The bill sunsets on July 1, 2016. The bill is identical to SB 662.

Patron - Poindexter

[P]HB1277 Licensing of contractors by localities; civil penalty. Permits a locality by ordinance to establish a civil penalty that may be assessed when a person or business falsely represents to a customer or prospective customer that such person or business has a valid contractor's license. Such civil penalty shall not exceed \$2,500.

Patron - LeMunyon

[P]SB106 Physician assistants; fluoroscopy. Allows a licensed physician assistant who (i) is working under the supervision of a licensed doctor of medicine or osteopathy specializing in the field of radiology, (ii) has been trained in the proper use of equipment for the purpose of performing radiologic technology procedures, and (iii) has successfully completed the exam administered by the American Registry of Radiologic Technologists for physician assistants to use fluoroscopy for guidance of diagnostic and therapeutic procedures. The bill requires the Board of Medicine to promulgate emergency regulations to implement the provisions of this bill.

Patron - Edwards

[P]SB146 Dental hygienists; scope of practice. Expands an earlier trial program to allow licensed dental hygienists employed by the Department of Health to provide educational and preventative dental care throughout the Commonwealth when such care is provided under the remote supervision of a dentist employed by the Department of Health and pursuant to a standing protocol adopted by the Board of Health. The bill also requires an annual report of services provided by such dental hygienists, including their impact upon the oral health of the citizens of the Commonwealth, to be prepared by the Department of Health and submitted to the Virginia Secretary of Health and Human Resources.

Patron - Puckett

[P]SB321 Prescription Monitoring Program; disclosures. Modifies the Prescription Monitoring Program to (i) require dispensers of covered substances to report the method of payment for the prescription, (ii) require the Director of the Department of Health Professions to report information relevant to an investigation of a prescription recipient, in addition to a prescriber or dispenser, to any federal law-enforcement agency with authority to conduct drug diversion investigations, (iii) allow the Director to disclose information indicating potential misuse of a prescription by a recipient to the State Police for the purpose of investigation into possible drug diversion, and (iv) allow prescribers to delegate authority to access the Program to an unlimited number, rather than the current limit of two, of regulated health care professionals under their direct supervision. This bill is identical to HB 347.

Patron - Carrico

[P]SB340 Practice of occupational therapy. Provides that the definition of "practice of occupational therapy" is

amended to make clear that it includes the therapeutic use of occupations for habilitation and rehabilitation to enhance physical health, mental health, and cognitive functioning and that it includes the design of adaptive equipment and assistive technologies and consultation concerning the adaptation of sensory and social, as well as physical, environments. The bill requires the Board of Medicine to promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment. This bill is identical to HB 268.

Patron - Newman

[P]SB384 Dental and dental hygiene school faculty; licensure. Clarifies what patient care activities are allowed for a person enrolled in a Virginia dental education program who has a temporary license to practice dentistry while in the program, clarifies requirements for the Board to issue a faculty license to a qualified person from out of state to teach dentistry or dental hygiene in a Virginia dental school or program, and specifies that a restricted license for a foreign dentist to teach dentistry in Virginia is a temporary appointment and extends this restricted license expiration from one year to two years. This bill is identical to HB 344.

Patron - McEachin

[P]SB415 Nursing; licensure exemption. Exempts from licensure any nurse who holds a current unrestricted license in another state, the District of Columbia, or a United States possession or territory while such nurse is in the Commonwealth temporarily and is practicing nursing in a summer camp or in conjunction with clients who are participating in specified recreational or educational activities. This bill is identical to HB 885.

Patron - Blevins

[P]SB433 Determination of status of unclaimed remains belonging to veterans. Provides for a funeral director to provide the names and any other identifying information on unclaimed cremains to the Department of Veterans Services in order for the Department to determine if the unclaimed cremains are those of a veteran. Under the bill, commencing July 1, 2014, the Department of shall notify the funeral director within 30 days of receipt of the information if the cremains are those of a veteran and whether such veteran is eligible for burial in a veterans cemetery. In addition, the bill provides that the names and any personal identifying information submitted by a funeral director to the Department are exempt from disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

Patron - Reeves

[P]SB507 Real Estate Appraiser Board; continuing education. Requires the Real Estate Appraiser Board to evaluate the development of a continuing education curriculum for licensees that includes the effects of the use of energy efficiency and renewable energy equipment on the determination of the fair market value in the appraisal of non-income-producing residential real estate. Under the bill, the Board is required to report its findings to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology and the Housing Commission by November 1, 2012. This bill is identical to HB 433.

Patron - Wagner

[P]SB517 Nursing education programs; due process. Requires the Board of Nursing to comply with certain due process procedures in cases in which the Board places a nursing education program on conditional approval with terms and conditions that include a restriction on enrollment in the program following an informal fact-finding proceeding.

Patron - Wagner

[F]SB543 Definition of surgery. Defines "surgery" and provides that no person shall perform surgery unless he is (i) licensed by the Board of Medicine as a doctor of medicine, osteopathy, or podiatry; (ii) licensed by the Board of Dentistry as a doctor of dentistry; (iii) jointly licensed by the Boards of Medicine and Nursing as a nurse practitioner; (iv) a physician assistant acting under the supervision of a doctor of medicine, osteopathy, or podiatry; (v) a midwife performing episiotomies during childbirth; or (vi) acting pursuant to the orders and under the appropriate supervision of a licensed doctor of medicine, osteopathy, podiatry, or dentistry. This bill is identical to HB 266.

Patron - Martin

[F]SB556 Pawnbrokers; holding period for purchases. Makes technical changes to the provisions addressing how long goods purchased by pawnbrokers must be retained before they can be sold by the pawnbroker.

Patron - Miller, Y.B.

[F]SB638 Cemeteries; perpetual care trust fund. Clarifies that no portion of the perpetual care trust fund shall be used to pay any personal obligation or debt of any officer or owner of the cemetery or any tax obligation incurred by the cemetery or for any purpose other than the general care, maintenance, administration, and embellishment of the cemetery.

Patron - Stuart

[F]SB662 Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals; onsite sewage system installers. Provides that regulations of the Board of Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals shall include requirements for the division of sewage system installers into classes, one of which shall be restricted to the installation of conventional onsite sewage systems, and that the Board shall not require applications for initial licensure as a conventional onsite sewage system installer to pass an examination prior to the issuance of such license provided that the applicant satisfactorily demonstrates to the Board that he has been actively engaged in the performance of duties of a conventional onsite sewage system installer for at least eight years within the 12-year period immediately preceding the date of application for licensure. The bill sunsets on July 1, 2016. The bill is identical to HB 1262.

Patron - Smith

Failed

[F]HB100 Lawyers; client accounts. Repeals the provision prohibiting the Supreme Court of Virginia from adopting a disciplinary rule requiring that lawyers deposit client funds in an interest-bearing account.

Patron - Loupassi

[F]HB260 Regulation of health care providers; prohibited acts. Provides that any person who is licensed, registered, certified, or otherwise subject to the oversight of a health regulatory board who knowingly or intentionally makes any false statement or includes any false information in a patient's medical record shall be guilty of a Class 1 misdemeanor, and that any individual who knowingly or intentionally makes a false statement or provides false information related to the subject of an investigation to investigative personnel of the Department of Health Professions engaged in the investigation of a complaint shall be guilty of a Class 1 misdemeanor.

Patron - Cole

[F]HB372 Pawnbrokers; records required to be maintained; digital images. Requires pawnbrokers to take a digital image of (i) the person involved in the transaction, (ii) the form of identification used by the person involved in the transaction, and (iii) the article or thing pawned or pledged or received on account of money loaned.

Patron - Pogge

[F]HB373 Regulation of locksmiths. Transfers the regulatory authority for the licensing of locksmith businesses and those who perform locksmith services from the Department of Criminal Justice Services to the Department of Professional and Occupational Regulation and requires employees of such businesses to be registered with the Locksmith Board, which is created in the bill.

Patron - Pogge

[F]HB379 Funeral services; alkaline hydrolysis prohibited; penalty. Prohibits any person from offering alkaline hydrolysis, which is the chemical process to dissolve human tissue, human remains, or a dead human body involving heat, high pressure, water, and potassium hydroxide, or an alternative alkaline solution. A violation is a Class 1 misdemeanor.

Patron - Pogge

[F]HB506 Definition of surgery. Defines "surgery" and provides that no person other than a licensed doctor of medicine, osteopathy, or dentistry, a licensed nurse practitioner, or a person who is acting pursuant to the orders and under the appropriate supervision of a licensed doctor of medicine, osteopathy, or dentistry shall perform surgery.

Patron - Garrett

[F]HB711 Nursing education programs; due process. Requires the Board of Nursing to develop regulations detailing the due process procedures to be followed before restricting the enrollment of any nursing education program.

Patron - Kilgore

[F]HB858 Tramadol added to list of Schedule IV controlled substances. Adds tramadol, an opiate painkiller, to the list of Schedule IV controlled substances.

Patron - Yost

[F]HB985 Pawnbrokers and Precious Metals Dealers; records required to be maintained; electronic reports. Requires pawnbrokers and precious metals dealers to take a photograph or digital image of (i) the person pawning or pledging or selling an article, precious metal, or gem taken at the time of the transaction and (ii) the article, precious metal, or gem pawned or pledged or sold. The bill also requires the pawnbrokers and precious metals dealers to submit a daily report containing information on transactions to law-enforcement officials by electronic means. Currently, for pawnbrokers the requirement to submit electronic reports is a local option and precious metals dealers are required to mail or deliver the report within 24 hours of the transaction.

Patron - Scott, J.M.

[F]HB1056 Determination of status of unclaimed cremains belonging to veterans. Provides that prior to the disposal of any unclaimed cremains, a funeral director must submit the name and any other identifying information for such cremains to the Department of Veterans Services for the purposes of determining whether the unclaimed cremains are those of a veteran. Under the bill, the names and any personal identifying information submitted by a funeral director to the Department of Veterans Services are exempt from disclosure.

under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

Patron - Anderson

[F]HB1206 Requirements of preneed funeral contracts. Eliminates the requirement that, in cases in which a life insurance or annuity contract is used to fund the contract, the insurance or annuity contract must provide for adjustment of the face value of the insurance or annuity or for a benefit payable at death that will equal or exceed the sum of all premiums paid for the contract plus interest or dividends.

Patron - Rust

[F]SB44 Virginia State Bar admission for full-time law school professors. Allows a full-time law professor to be admitted as an active member of the Virginia State Bar without examination provided that (i) he has been engaged in the full-time practice of law for five of the seven years immediately preceding application for membership to the Virginia State Bar; (ii) he is employed as a full-time professor at an American Bar Association accredited Virginia law school; and (iii) he meets all other requirements for admission to the Virginia State Bar. The bill provides that membership is limited to the period of employment as a full-time professor.

Patron - Marsh

[F]SB157 Virginia Board for Asbestos, Lead, Mold, and Home Inspectors; examination; initial asbestos worker license applicants. Requires the Virginia Board for Asbestos, Lead, Mold, and Home Inspectors to administer an examination of initial applicants for an asbestos worker license.

Patron - Favola

[F]SB192 Pawnbrokers; records required to be maintained; digital images. Requires pawnbrokers to take a digital image of (i) the person involved in the transaction, (ii) the form of identification used by the person involved in the transaction, and (iii) the article or thing pawned or pledged or received on account of money loaned.

Patron - Miller, J.C.

[F]SB205 Collection of forensic evidence; consent. Allows the collection of forensic evidence in cases of suspected sexual assault where the alleged victim may not be legally capable of giving consent.

Patron - Barker

[F]SB380 Birth control; definition. Adds a definition of birth control. The bill provides that "birth control" means contraceptive methods that are approved by the U.S. Food and Drug Administration and is not considered abortion for the purposes of Title 18.2 of the Code of Virginia.

Patron - McEachin

[F]SB482 Virginia Board for Asbestos, Lead, Mold, and Home Inspectors; examination; initial asbestos worker license applicants. Provides for the Board for Asbestos, Lead, Mold, and Home Inspectors to require initial applicants for an asbestos worker license to pass a Board-administered examination or an examination administered by a testing organization acting on behalf of the Board. The bill also requires employers to provide each licensed asbestos worker with a written notice containing the following information: (i) that the worker has the right to work in a safe environment, (ii) a summary of basic safety rules for handling asbestos, and (iii) information on how to file a complaint with the Board. In addition, the bill empowers the Board to summarily suspend the license of an asbestos contractor if the Board finds that the asbestos contractor's conduct poses a substantial danger to the public health or safety. The bill further authorizes the Board to suspend, revoke, or

deny renewal of an existing license of any asbestos contractor who is shown to have a substantial identity of interest with an asbestos contractor whose license has been revoked.

Patron - Favola

[F]SB584 Kinesiotherapists; licensure required.

Requires the Board of Medicine to license and regulate kinesiotherapists.

Patron - Miller, Y.B.

[F]SB592 Tramadol added to list of Schedule IV controlled substances. Adds tramadol, an opiate painkiller, to the list of Schedule IV controlled substances.

Patron - Puckett

Carried Over

[C]HB158 Devocalization of cats and dogs; penalty.

Requires veterinarians to keep records of devocalization procedures and provides that any person, including a licensed veterinarian, who performs a surgical devocalization on a cat or dog when such procedure is not necessary to treat or relieve an illness, disease, or injury or to correct a congenital abnormality that is causing or may cause the animal physical pain or harm is guilty of a Class 1 misdemeanor.

Patron - Hope

[C]HB267 Dental laboratories; register with the Board of Dentistry. Requires any individual or business entity engaged in the manufacture or repair of dental prosthetic appliances to register with the Board of Dentistry. The bill also requires the Board to develop regulations governing the operation of dental laboratories.

Patron - Peace

[C]HB345 Licensure of dietitians. Requires the Board of Medicine to promulgate regulations for the licensure of dietitians in the Commonwealth; provides that it shall be unlawful for any person to practice as or hold himself out to be a dietitian or to use in conjunction with his name the letters or words "dietitian," "L.D.," or "Licensed Dietitian" without a license issued by the Board of Medicine beginning July 1, 2013; and establishes the Advisory Board for Dietitians to advise the Board of Medicine regarding the regulation of dietitians in the Commonwealth.

Patron - O'Bannon

[C]HB459 Pawnbrokers and precious metal dealers; records required to be maintained; digital images. Requires pawnbrokers and precious metal dealers to take a digital image of (i) the form of identification used by the person involved in the transaction, which identification must bear a photograph of the person pawning or selling the goods, and (ii) the article or thing pawned, pledged, or sold.

Patron - BaCote

[C]HB724 False advertising; liability of real estate brokers and salespersons; exemption. Exempts a licensed real estate broker or salesperson from criminal and civil liability for making an advertisement that contains any promise, assertion, representation, or statement of fact that is untrue, deceptive, or misleading if the information was (i) provided to such broker or salesperson by his client; (ii) obtained from a governmental entity; (iii) obtained from a nongovernmental person or entity that obtained the information from a governmental entity; or (iv) obtained from a person licensed, certified, or registered to provide professional services in the Commonwealth, upon which such broker or salesperson relies, and such broker or

salesperson did not (a) have actual knowledge that the information was false or (b) act in reckless disregard of the truth.

Patron - Yancey

[C]HB1289 Impaired health care providers. Amends definition of "impairment."

Patron - Jones

[C]SB313 Surgical assistants and surgical technologists; licensure and certification by the Board of Medicine. Requires surgical assistants to be licensed and surgical technologists to be certified by the Board of Medicine. The bill also grandfatheres in surgical assistants and surgical technologists practicing at any time during the six months prior to July 1, 2012, and allows a 12-month grace period in order to meet licensure and certification requirements for those completing a training program between July 1, 2012, and July 1, 2013.

Patron - Blevins

[C]SB320 Prescribing Schedule II, Schedule III, or Schedule IV controlled substances. Requires any prescriber who prescribes to a patient a controlled substance included in Schedule II, III, or IV of the Drug Control Act to request and review information about that patient from the Prescription Monitoring Program and to continue to do so at least annually for so long as the prescriber continues to prescribe the controlled substance to the patient.

Patron - Carrico

[C]SB342 Dental laboratories; register with the Board of Dentistry. Requires any individual or business entity engaged in the manufacture or repair of dental prosthetic appliances to register with the Board of Dentistry. The bill also requires the Board to develop regulations governing the operation of dental laboratories.

Patron - Newman

[C]SB634 Health Practitioners' Monitoring Program; impaired health care providers. Provides that the term "impairment" includes psychological and behavioral disabilities, including the mismanagement of countertransference, for the purposes of determining eligibility for the Health Practitioners' Monitoring Program.

Patron - Vogel

Property and Conveyances

Passed

[P]HB229 Doctrine of necessities. Provides that a lien arising out of a judgment under the doctrine of necessities shall not attach to the principal residence of a husband and wife that was held by the spouses as tenants by the entireties prior to the death of either spouse where the tenancy terminated as a result of such death.

Patron - Habeeb

[P]HB233 Time-Share Act; resale revisions. Requires any reseller, defined in the bill, of a time-share in Virginia to be registered with the Common Interest Community Board and therefore subject to the regulatory authority of the Board. The bill requires time-share resellers to make written disclosures to purchasers concerning the time-share being resold and requires that a separate buyer's acknowledgment form must be provided to each time-share purchaser disclosing certain information, including whether or not the developer owns a buyback pro-

gram and making it clear that the purchaser is buying a time-share for personal use, rather than investment purposes or resale potential. Under the bill, a willful violation of the registration, acknowledgment, or disclosure provisions is a Class 1 misdemeanor.

Patron - Cosgrove

[P]HB234 Time-Share Act; advertising foreclosed time-share properties. Provides the option of a more streamlined advertisement of the time-shares being foreclosed by requiring publication of the time, place, and date of sale; identification of the time-share being sold; contact information for obtaining further information about the sale; and a website address where more complete information and documentation can be obtained.

Patron - Cosgrove

[P]HB240 Amherst County; conveyance of certain property by DCR. Authorizes the Department of Conservation and Recreation to convey a 31.153-acre parcel at State Route 1004 to Amherst County while requiring that the land remain open to the public.

Patron - Cline

[P]HB377 Condominium Act; sale at auction. Provides that a disposition of a unit through a sale at auction, where the resale certificate was made available as part of the auction package for prospective purchasers prior to the auction, is exempt from certain provisions of the Condominium Act.

Patron - Pogge

[P]HB410 Condominium and Property Owners' Association Act; recovery of costs and interest. Provides that in cases in which the prevailing party is the association in an action against an owner for nonpayment of assessments in which the owner has failed to pay assessments levied by the association on more than one unit or lot, or when the unit or lot owner has had legal actions taken against him for nonpayment of any prior assessment, the award of reasonable attorney fees, costs, and interest on the judgment is mandatory with the court. The bill also provides in such instances that reasonable attorney fees, costs expended in the matter, and interest can be recovered even if the proceeding is settled prior to judgment. Finally, the bill provides that the delinquent owner is personally responsible for all reasonable costs and attorney fees incurred by the association whether any judicial proceedings are filed.

Patron - Watts

[P]HB423 Common Interest Community Board; duties. Requires the Common Interest Community Board to develop and publish best practices for declarations and develop a model declaration consistent with the best practices and the requirements of the Condominium Act (§ 55-79.39 et seq.), the Real Estate Cooperative Act (§ 55-424 et seq.), and the Property Owners' Association Act (§ 55-508 et seq.) of Title 55.

Patron - Bulova

[P]HB502 Receipt required for certain rental payments; upon request. Requires that a landlord provide a tenant with a written receipt, upon the tenant's request, whenever the tenant pays rent in the form of cash or a money order. This bill is recommended by the Virginia Housing Commission.

Patron - Dance

[P]HB902 Condominium Act; time limits for expansion, contraction, or conversion of condominium. Increases from seven years to 10 years from the date of recordation of the declaration the time limit in which a declarant/developer of a

condominium must exercise his rights to expand, contract, or convert a condominium.

Patron - Minchew

HB1110 Landlord and tenant law; dwelling units. Allows a plaintiff in an unlawful detainer action to submit copies of the lease under certain circumstances. The bill also (i) removes the four-residential-unit limitation on the exemption from licensure as a mold inspector or remediator; (ii) revises the definition of dwelling unit; (iii) allows a tenant to stay in the dwelling unit after foreclosure of the property containing the dwelling unit under certain circumstances; (iv) provides that in unlawful detainer actions, the proceeding shall be dismissed if the tenant pays the landlord or his attorney or pays into court all (a) rent due and owing as of the court date, (b) damages and other charges contracted for in the rental agreement, (c) late charges contracted for in the rental agreement, (d) reasonable attorney fees, and (e) costs of the proceeding; and (v) allows the landlord to recover from the tenant the tenant's prorated share of the actual costs of other insurance coverages provided by the landlord relative to the premises, including the landlord's administrative or other fees associated with the administration of such coverages.

Patron - Greason

HB1219 Common Interest Community Board; Virginia Condominium Act; Virginia Real Estate Time-Share Act; common interest communities. Authorizes the Common Interest Community Board to terminate inactive condominium or time-share registrations. In addition, the bill clarifies the authority of the Common Interest Community Ombudsman to assist individual members of common interest communities regarding rights and processes available under applicable laws and regulations. The bill also makes technical amendments. The bill is identical to SB 472.

Patron - Fariss

HB1224 Transfer of property by VDOT; emergency. Authorizes VDOT to convey certain real property located in Tazewell County controlled by the Department.

Patron - Morefield

HB1261 Landlord and tenant law; energy submetering. Provides that energy submetering equipment, energy allocation equipment, water and sewer submetering equipment, or a ratio utility billing system may be used in a campground if clearly stated in the rental agreement or lease for the leased premises or dwelling unit. The bill defines campground and campsite.

Patron - Ware, R.L.

HB1270 Transfer of certain property in the City of Hampton. Provides that the Department of General Services, on behalf of the Department of Education and the Commonwealth of Virginia, with the approval of the Governor, is authorized to convey its interest in certain property located in the City of Hampton.

Patron - Ward

SB11 Self-settled spendthrift trusts; creation of. Provides for the creation of self-settled spendthrift trusts, which protect trust assets against the claims of a settlor who is also a trust beneficiary. This bill allows a settlor to transfer assets to an irrevocable trust to be held for the joint benefit of the settlor and at least one other beneficiary. Currently, a spendthrift clause is ineffective to shield the beneficiary from creditors when the beneficiary is also the settlor. Current law allows the creation of trusts that are protected from the claims of creditors

against trust beneficiaries, and this bill extends that policy to trusts of which the settlor is also a discretionary beneficiary.

Patron - Stuart

SB34 Landlord accounting of tenant credits and debits; upon request. Compels a landlord, upon the written request of a tenant, to produce a written accounting of charges and payments from the tenant over the tenancy or the past 12 months, whichever is shorter. This bill is recommended by the Virginia Housing Commission.

Patron - Locke

SB35 Recovery of possession by landlord. Clarifies that an unlawful detainer action and the execution of a writ of possession is needed to evict a tenant from a residential rental unit. A provision in a rental agreement saying otherwise is unenforceable. "Dwelling unit" and "residential dwelling unit" are defined. This bill is recommended by the Virginia Housing Commission.

Patron - Locke

SB109 Land trusts; successor trustee. Provides that the beneficiaries of a land trust, by majority decision, shall name a successor trustee when the trustee named in the deed of conveyance creating the trust is unable to serve if no successor trustee is named in the deed or designated by the trust instrument or no procedure to designate a successor trustee is set forth in the deed or trust instrument.

Patron - Edwards

SB110 Irrevocable trusts; trustee's power to appoint assets into second trust. Authorizes the trustee of an irrevocable trust to appoint all or part of the principal or income of a trust into a second trust for the benefit of the beneficiaries of the original trust.

Patron - Edwards

SB164 Fraudulent and voluntary conveyances; power of court to set aside; sanctions. Authorizes the court to set aside a fraudulent or voluntary conveyance during an action brought by a creditor to execute on a judgment, either on the motion of the creditor or on its own motion. The bill also allows the court to assess sanctions, including attorney fees, against any party over which it has jurisdiction who is found to have participated in the conveyance with the intent to defraud.

Patron - Petersen

SB180 Protection of certain trustees from liability. Provides for the protection of a trustee from liability when he follows the directions of a trust director or fails to act while awaiting directions from a trust director. The bill specifies that the trust director must be fiduciary and have the power to direct the trustee on any matter. The provisions of this bill only apply upon incorporation into the trust instrument.

Patron - Stuart

SB432 Grantor trusts; settlor's creditors; payment of taxes. Prohibits creditors from compelling the trustee of a grantor trust to exercise his discretionary authority to pay income taxes on trust income.

Patron - Stuart

SB472 Common Interest Community Board; Virginia Condominium Act; Virginia Real Estate Time-Share Act; common interest communities. Authorizes the Common Interest Community Board to terminate inactive condominium or time-share registrations. In addition, the bill clarifies the authority of the Common Interest Community Ombudsman to assist individual members of common interest communities regarding rights and processes available under

applicable laws and regulations. The bill also makes technical amendments.

Patron - Locke

☐SB628 Virginia Property Owners' Association Act; limitation on certain contracts and leases by declarant.

Limits any management contract or employment contract that is entered into during the period of declarant control to five years. The bill also provides that any such contract or agreement entered into on or after July 1, 2012, may be terminated without penalty by the association or its board of directors upon not less than 90 days' written notice to the other party given not later than 60 days after the expiration of the period of declarant control contemplated by the governing documents. In addition, the bill requires the declarant to include, with other information provided upon transfer of control to the association, the number of lots that may be subject to the declaration upon completion of development and the number of members of the board of directors and number of such directors appointed by the declarant together with names and contact information of members of the board of directors.

Patron - Herring

Failed

☐HB28 Foreclosure procedures; assignment of deed of trust.

Provides that the trustee under any deed of trust or mortgage shall not proceed with any sale of the property unless the land records of the county or city in which the property is located contain a duly recorded assignment to the person who asserts that he is the holder of the obligation. The trustee may proceed with the sale (i) upon the recordation of any assignments not recorded or, if an intervening assignment cannot be located, upon the receipt of an affidavit from the party secured that he is the party secured by the deed of trust and (ii) upon the payment by the person who asserts that he is the holder of the obligation of any fees and taxes for recording the assignment. The bill also provides that a nominee of a grantee or mortgagee for a deed of trust or mortgage has no authority to request that the trustee proceed with any sale of the property conveyed to him by the deed of trust or mortgage. The bill also requires that the party secured by the deed of trust or mortgage provide notice of his intent to foreclose to the property owner at least 45 days before any proposed sale. The bill provides further that a person who (a) knowingly makes, uses, or causes to be made or used any false or fraudulent record, document, or statement or (b) knowingly swears or affirms falsely to any matter in support of any foreclosure is liable for a civil penalty of \$5,000, which shall be paid into the local treasury. The bill also creates a civil cause of action for such a violation in favor of the owner of the property foreclosed on.

Patron - Marshall, R.G.

☐HB291 Notice for cutting timber. Requires the owner of any property on which timber is to be cut to send written notice to all adjoining property owners at least 60 days before cutting timber and to send written certification to the State Forester that such notice was sent at least 45 days before cutting timber.

Patron - Johnson

☐HB297 Condominium Act and Property Owners' Association Act; charges for rules violations. Increases from \$50 to \$100 the charge that may be assessed by an association for a rules violation for a single offense.

Patron - Scott, E.T.

☐HB401 Landlord and tenant law; landlord obligations; receipt required for certain rent payments. Requires a landlord to provide, upon request, a written receipt whenever a tenant pays rent in the form of cash or money orders. The bill also requires written rental or lease agreements to include a notice of the tenant's right to receive the written receipt beginning January 1, 2013. The notice is not required for leases entered into prior to January 1, 2013, that are subsequently renewed by the parties.

Patron - Hope

☐HB411 Condominium and Property Owners' Association Acts; recovery of costs and interest. Requires the award to the prevailing party in an action brought under the Condominium and Property Owners' Association Acts for non-compliance with the declaration of reasonable attorney fees, costs expended in the matter, and interest on the judgment. In cases where the prevailing party is the association in an action against an owner for nonpayment of assessments and, except for the instant case, the owner has not previously been in arrears in the payment of assessments, the award of reasonable attorney fees, costs expended in the matter, and interest on the judgment is discretionary with the court.

Patron - Watts

☐HB412 Condominium Act; Property Owners' Association Act; foreclosure on lien for unpaid assessments; priority of certain liens. Provides that a property owner or condominium association may conduct a foreclosure sale on a lien for unpaid assessments subject to the lien of a first trust. The bill also provides that such portion of the unpaid assessments due and owing the association for a period not to exceed three years that is directly attributable to providing the maintenance and upkeep of the common areas and such other areas of association responsibility expressly provided for in the declaration, including capital expenditures, shall be prior to all other liens and encumbrances, except real estate taxes. The bill contains technical amendments.

Patron - Watts

☐HB418 Condominium and Property Owners' Association Acts; assessments; imposition of late fees. Authorizes condominium and property owners' associations, except to the extent the declaration provides otherwise, to impose a late fee of not more than \$15 or such other amount as may be determined by the board of directors, not to exceed \$50, for any assessment or installment thereof that is not paid on the due date for payment of the assessment or installment.

Patron - Watts

☐HB605 Virginia Property Owners' Association Act; board of directors; duty of care; enforcement of rules.

Establishes a duty of care for officers and members of the board of directors. The bill also authorizes a board to increase the total charges that may be assessed in the case of a member's continuing failure to comply with architectural guidelines pertaining to the renovation or expansion of a structure to an amount equal to 20 percent of the increase in the value resulting from the renovation or expansion.

Patron - LeMunyon

☐HB668 Condominium and Property Owners' Association Acts; posting of documents on association website. Requires the board of directors to post on any website maintained by the association a copy of the declaration, any articles of incorporation, and all rules and regulations adopted by the board of directors.

Patron - Surovell

[F]HB821 Wrongful foreclosure; civil action. Creates a civil cause of action for the owner of any residential real property against any person who wrongfully asserts that he is, or has the authority to act as, the holder of the obligation secured by a deed of trust or mortgage on such property and who wrongfully initiates any foreclosure proceeding upon the property. The owner is entitled to recover actual damages incurred as a result of the wrongful foreclosure, in addition to reasonable attorney fees and costs.

Patron - Marshall, R.G.

[F]HB822 Mortgage modification; application; limitations on foreclosure. Provides that if a borrower has submitted an application to modify the terms of a loan securing a debt on any residential real property that serves as the primary residence of the borrower, a mortgage lender or mortgage servicer may not initiate foreclosure on such property until (i) it has denied the application or (ii) if the modification was granted, the borrower has defaulted under the terms of the modification. A mortgage lender or mortgage servicer shall also notify in writing the borrower of its denial of an application for modification and its reasons therefor within 30 days after receipt.

Patron - Marshall, R.G.

[F]HB901 Condominium and Property Owners' Association Acts; suspension of certain owner rights for rules violations. Gives condominium and property owners' association boards the authority, even in cases where the declaration does not expressly grant the authority to the boards, to (i) suspend a unit owner's right to use facilities or services, including utility services, provided directly through the association for nonpayment of assessments that are more than 60 days past due, to the extent that access to the unit through the common elements is not precluded and provided that such suspension shall not endanger the health, safety, or property of any owner, tenant, or occupant and (ii) assess charges against any owner for any violation of the declaration or of the rules or regulations promulgated pursuant thereto for which such owner or his family members, tenants, guests, or other invitees are responsible. The bill contains technical amendments.

Patron - Brink

[F]HB979 Virginia Property Owners' Association Act; adoption and enforcement of rules. Authorizes the board of directors or its agents to enter onto a lot subject to the declaration as may be reasonably necessary to remedy the failure of the lot owner to comply with the declaration or rules and regulations of the association. The authority may be used only after the board has exhausted all other internal efforts to achieve compliance, including an opportunity for the lot owner to take corrective action, and reasonable notice is provided.

Patron - Scott, J.M.

[F]HB1213 Virginia Condominium Act; assessment of charges for violations; lien for assessments. Removes the cap on charges that a unit owners' association may assess against any unit for a violation of the condominium instruments or rules or regulations. Currently such charges are limited to \$50 for a single offense and \$10 per day for up to 90 days for any offense of a continuing nature. Under the bill, such charges must be reasonable in consideration of the seriousness of the violation and the history of previous violations. The bill authorizes the unit owners' association to file a lien on a condominium unit for current and future unpaid assessments.

Patron - Scott, J.M.

[F]SB150 Presumption of ownership of mineral rights. Adds the rights to transport coal, gas, and oil to those rights

presumed to be held by the owner of the shell. Current law provides only the right to transport minerals.

Patron - Puckett

[F]SB163 Foreclosure; use of false records, documents, or statements. Provides that any person who knowingly makes, uses, or causes to be made or used a false or fraudulent record, document, or statement in support of any foreclosure shall be liable to the injured party. Upon proof of both a violation and damages, the injured party shall be entitled to appropriate equitable relief and compensatory damages. If compensatory damages are awarded, an injured party may also be awarded punitive damages. A person violating the provisions of this bill shall be liable for reasonable attorney fees and costs of a civil action.

Patron - Petersen

[F]SB548 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 Accomack.

Patron - Northam

Carried Over

[C]HB280 Correcting errors in deeds; affidavit.

Allows, in the event that a recorded deed or other instrument contains an obvious description error, the recordation of a corrective affidavit by an attorney, settlement agent, or title insurance company involved in the transaction that resulted in the recordation of the deed or other instrument needing correction. Obvious description errors include (i) errors transcribing courses and distances, (ii) errors incorporating previously recorded plat or deed references, (iii) errors incorporating tax map or other identification numbers, and (iv) omitted exhibits that supply property parcel descriptions. Before a corrective affidavit may be recorded, all parties to the deed or other instrument and, if necessary, the title insurance company must be provided with a copy of the affidavit and such parties have 30 days to object in writing to the recordation of the corrective affidavit. If a corrective affidavit is recorded, the title insurance company shall amend the title insurance policy and deliver a copy of the amended policy to all parties to the policy.

Patron - Iaquinto

[C]HB890 Mortgage foreclosure; right to reinstate. Provides that the grantor under a first priority deed of trust securing a loan on residential real property may, at any time up to the date of the sale of the property, cure any default, de-accelerate, and reinstate the loan by paying all sums that would have been due in the absence of default, paying other fees and costs incurred by the trustee and beneficiary in connection with the default, and performing any other obligation that the grantor would have been bound to perform in the absence of the default or acceleration. The grantor may exercise the right to cure a default as to a particular loan and reinstate that mortgage only once.

Patron - Alexander

[C]HB1008 Condominium and Property Owners' Association Acts; rights of owners. Provides that no provision of the declaration or rules or regulations adopted pursuant thereto shall prohibit an owner or any person entitled to occupy a unit or lot from exercising his constitutionally protected right of freedom of speech upon property to which the owner or per-

son entitled to occupy has a separate ownership interest or a right to exclusive possession. The bill further provides that any provision of a declaration or rule or regulation adopted pursuant thereto that prohibits the exercise of such right upon such property shall be void as against public policy. The bill allows, however, an association to establish reasonable time, place, and manner restrictions on such property provided the restrictions are necessary to protect a substantial interest of the association. In any action brought by an association for a violation of such restriction, the association bears the burden of proof that such time, place, or manner restriction is necessary to protect a substantial interest of the association. Finally, the bill provides that the association may restrict an owner's exercise of freedom of speech upon the common areas.

Patron - Ramadan

HB1209 Virginia Real Estate Time-Share Act; developer control period. Provides that, except to the extent the time-share instruments expressly provide otherwise, the developer control period shall terminate when the developer (i) transfers to purchasers legal or equitable ownership of at least 90 percent of the time-share estates, excluding any reacquisition by the developer; (ii) is no longer the beneficiary on deeds of trust secured of at least 10 percent of the time-share estates; or (iii) has completed all of the promised common elements and facilities comprising the time-share estate project, whichever occurs later.

Patron - Cosgrove

HB1256 Condominium Act; Property Owners' Association Act; lien for assessments; priority. Provides that such portion of the unpaid assessments due and owing the association for a period not to exceed three years that is attributable to providing the maintenance and upkeep of the common areas and such other areas of association responsibility expressly provided for in the declaration, including capital expenditures, shall be prior to all other liens and encumbrances except any real estate tax liens, deeds of trust, or mortgages, regardless of when recorded, on the unit or lot. The bill contains technical amendments.

Patron - Sickles

Public Service Companies

Passed

HB232 Renewable energy. Expands the definition of renewable energy to include landfill gas. The measure also provides that the RPS Goals under the renewable energy portfolio standard program may be composed of renewable thermal energy equivalents. A renewable thermal energy equivalent is the thermal energy output from a renewable-fueled combined heat and power generation facility that is (i) constructed, or renovated and improved, after January 1, 2012, (ii) located in the Commonwealth, and (iii) utilized in industrial processes other than the combined heat and power generation facility, where thermal energy is expressed as an equivalent number of megawatt hours. This bill is identical to SB 492.

Patron - Cosgrove

HB455 Wireless E-911 Fund; distribution. Transfers the administration of the distribution of the Wireless E-911 Fund revenues for public safety answering point operators (PSAPs) to the Department of Taxation. The bill also bases the distribution percentages on the average pro rata distribution for fiscal years 2007-2012, taking into account funding adjust-

ments for overpayments and underpayments. The measure directs that the distribution percentage be recalculated every five years based on cost and call load data of the PSAP, which data shall continue to be received by the E-911 Services Board and then reported to the Department of Taxation. This bill is identical to SB 495.

Patron - Ware, R.L.

HB559 Natural gas utility infrastructure. Permits a natural gas utility to construct the necessary facilities of a qualifying project and to recover the eligible infrastructure development costs necessary to develop the eligible infrastructure for designated projects in future rates. Eligible infrastructure development costs include planning, development, and construction costs and, if applicable, an allowance for funds used during construction, in addition to a return on investment, a revenue conversion factor, depreciation, and property taxes. A qualifying project is an economic development project requiring natural gas service as to which the natural gas utility has made a good faith determination that (i) it is located in an area where adequate natural gas infrastructure is not available; (ii) eligible infrastructure will provide opportunities for increased natural gas usage and economic development benefits in the area of the eligible infrastructure in addition to those provided by the subject project; (iii) either the developer or occupant of the proposed project shall provide, prior to the initiation of service, a binding commitment to the natural gas utility regarding capacity needed for a period of at least five years from the date gas is made available, which commitment covers a level of service no less than 50 percent of the capacity of the gas facilities to serve such project, or the natural gas utility receives a financial guaranty from the developer or state or local government in the amount of at least 50 percent of the estimated investment to be made by the natural gas utility in the proposed project; (iv) the natural gas utility has negotiated with the project's developer or occupant in an attempt to reach agreement on a commitment for the entire aid to construction otherwise required to cover the cost of the necessary eligible infrastructure; and (v) the projected non-gas revenues from the proposed project will not be sufficient to cover the cost of service associated with the necessary eligible infrastructure after accounting for any aid to construction contributed by the developer of the project or the person that will occupy the proposed project. Natural gas utilities are required to account for the actual monthly eligible infrastructure development costs incurred on the cumulative investment in eligible infrastructure in excess of any aid to construction contributed by the developer of the project or the person that will occupy the proposed project as a deferred cost until new base rates and charges that incorporate eligible infrastructure development costs become effective for the utility. Transportation and storage quantities of contracts entered into by a natural gas utility for the acquisition of upstream pipeline capacity to meet the reasonably anticipated service requirements of a qualifying project and other service requirements to be served through the eligible infrastructure shall be deemed prudent and reasonable. This bill is identical to SB 511.

Patron - Marshall, D.W.

HB564 Electric utility ratemaking incentives; landfill gas. Authorizes investor-owned electric utilities to earn an enhanced rate of return, equal to 200 basis points above the authorized rate of return, on their investments in generation facilities that are fired by methane or other combustible gas produced in a solid waste management facility licensed by the Waste Management Board. The facility includes the equipment used in collecting, drying, treating, and compressing the landfill gas and in transmitting the landfill gas from the solid waste

management facility where it is collected to the generation facility where it is combusted.

Patron - Marshall, D.W.

HB587 Electric transmission lines; approval process. Eliminates the requirement that an electric transmission line of 138 kV obtain State Corporation Commission approval, based on findings that the line is needed and that its corridor or route will reasonably minimize adverse impact on the scenic assets, historic districts, and environment of the area concerned, if a certificate of public convenience and necessity for the line is not required. The measure provides that such a certificate is not required for such a line if the public utility has obtained approval pursuant to requirements regarding local planning commission approval of the comprehensive plan and applicable local zoning ordinances by the locality or localities in which the transmission line will be located. This bill is identical to SB 418.

Patron - Merricks

HB893 E-911 Services Board; Commonwealth Interoperability Coordinator to serve as advisor. Establishes that the Commonwealth Interoperability Coordinator serve as an advisor to the E-911 Services Board to ensure that enhanced wireless emergency telecommunications services and technologies are compliant with the statewide interoperability strategic plan.

Patron - Wilt

HB894 Utility energy efficiency programs. Provides that an energy efficiency program proposed by an electric utility is in the public interest if, among other factors, the net present value of the benefits exceeds the net present value of the costs as determined by the Commission upon consideration of the following four tests: (i) the Total Resource Cost Test; (ii) the Utility Cost Test (also referred to as the Program Administrator Test); (iii) the Participant Test; and (iv) the Ratepayer Impact Measure Test. The Commission's determination shall include an analysis of all four tests, and a program or portfolio of programs shall not be rejected based solely on the results of a single test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or elderly customers. The current standard for what constitutes a cost-effective conservation and energy efficiency program conducted by a natural gas utility is revised to conform to these new provisions for electric utilities. Finally, the measure expands the definition of "energy efficiency program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices. The bill contains an emergency clause.

Patron - Ware, R.L.

HB1102 Renewable energy portfolio standard program; credits for investments. Allows any investor-owned electric utility that participates in the renewable energy portfolio standard program to meet up to 20 percent of an RPS Goal through certificates evidencing the utility's expenses in conducting research and development activities in Virginia related to renewable or alternative energy sources. To qualify, such expenses shall either (i) be designed to enhance the participating utility's understanding of emerging energy technologies and their potential impact on and value to the utility's system and customers within the Commonwealth; (ii) promote economic development within the Commonwealth; (iii) supplement customer-driven alternative energy or energy efficiency initiatives; (iv) supplement alternative energy and energy efficiency initiatives at state or local governmental facilities in the Commonwealth; or (v) be designed to mitigate the environ-

mental impacts of renewable energy projects. The State Corporation Commission shall issue certificates to utilities making qualified investments based on the prices for renewable energy certificates in the interconnection region of the regional transmission entity of which the utility is a member. Qualified investments are stated to be reasonable and prudent operating expenses of a participating utility. A participating utility is not authorized to recover the costs associated with qualified investments through rate adjustment clauses and is not authorized to earn a return on its qualified investments. A participating utility is not eligible for a research and development tax credit for qualified investments made under this measure.

Patron - Miller

HB1166 Renewable portfolio standard program; reporting. Requires each utility participating in the renewable portfolio standard program to identify, in its annual report to the State Corporation Commission, the states where purchased or owned renewable energy was generated, the decades in which the renewable energy generating units were placed in service, and the fuel types used to generate the renewable energy. This bill is identical to SB 382.

Patron - McClellan

HB1186 Attachments by cable television systems and telecommunications service providers to poles of electric cooperatives. Authorizes the State Corporation Commission to determine just and reasonable rates, and certain terms and conditions of service, for attachments to electric cooperative poles by telecommunications service providers and cable television systems. The authority may be exercised if, after good faith negotiations, the parties cannot reach an agreement regarding the attachment. Fees may be assessed to allow the Commission to recover appropriate costs of such proceedings. This bill is identical to SB 652.

Patron - May

SB382 Renewable portfolio standard program; reporting. Requires each utility participating in the renewable portfolio standard program to identify, in its annual report to the State Corporation Commission, the states where the purchased or owned renewable energy was generated, the decades in which the renewable energy generating units were placed in service, and the fuel types used to generate the renewable energy. This bill is identical to HB 1166.

Patron - McEachin

SB413 Renewable energy portfolio standard program; credits for investments. Allows any investor-owned electric utility that participates in the renewable energy portfolio standard program to meet up to 20 percent of an RPS Goal through certificates evidencing the utility's expenses in conducting research and development activities in Virginia related to renewable or alternative energy sources. To qualify, such expenses shall either (i) be designed to enhance the participating utility's understanding of emerging energy technologies and their potential impact on and value to the utility's system and customers within the Commonwealth; (ii) promote economic development within the Commonwealth; (iii) supplement customer-driven alternative energy or energy efficiency initiatives; (iv) supplement alternative energy and energy efficiency initiatives at state or local governmental facilities in the Commonwealth; or (v) be designed to mitigate the environmental impacts of renewable energy projects. The State Corporation Commission shall issue certificates to utilities making qualified investments based on the prices for renewable energy certificates in the interconnection region of the regional transmission entity of which the utility is a member. Qualified investments are stated to be reasonable and prudent operating expenses of a participating utility. A participating utility is not

authorized to recover the costs associated with qualified investments through rate adjustment clauses and is not authorized to earn a return on its qualified investments. A participating utility is not eligible for a research and development tax credit qualified investments made under this measure. The measure also provides that a utility shall receive double credit toward meeting the program's goals for energy from facilities in the Commonwealth fueled primarily by animal waste.

Patron - Norment

[P]SB418 Electric transmission lines; approval process. Eliminates the requirement that an electric transmission line of 138 kV obtain State Corporation Commission approval, based on findings that the line is needed and that its corridor or route will reasonably minimize adverse impact on the scenic assets, historic districts, and environment of the area concerned, if a certificate of public convenience and necessity for the line is not required. The measure provides that such a certificate is not required for such a line if the public utility has obtained approval pursuant to requirements regarding local planning commission approval of the comprehensive plan and applicable local zoning ordinances by the locality or localities in which the transmission line will be located. This bill is identical to HB 587.

Patron - Stanley

[P]SB492 Renewable energy. Expands the definition of renewable energy to include landfill gas. The measure also provides that the RPS Goals under the renewable energy portfolio standard program may be composed of renewable thermal energy equivalents. A renewable thermal energy equivalent is the thermal energy output from a renewable-fueled combined heat and power generation facility that is (i) constructed, or renovated and improved, after January 1, 2012, (ii) located in the Commonwealth, and (iii) utilized in industrial processes other than the combined heat and power generation facility, where thermal energy is expressed as an equivalent number of megawatt hours. This bill is identical to HB 232.

Patron - Watkins

[P]SB493 Utility energy efficiency programs. Provides that an energy efficiency program proposed by an electric utility is in the public interest if among other factors, the net present value of the benefits exceeds the net present value of the costs as determined by the Commission upon consideration of the following four tests: (i) the Total Resource Cost Test; (ii) the Utility Cost Test (also referred to as the Program Administrator Test); (iii) the Participant Test; and (iv) the Ratepayer Impact Measure Test. The Commission's determination shall include an analysis of all four tests, and a program or portfolio of programs shall not be rejected based solely on the results of a single test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or elderly customers. The current standard for what constitutes a cost-effective conservation and energy efficiency program conducted by a natural gas utility is revised to conform to these new provisions for electric utilities. Finally, the measure expands the definition of "energy efficiency program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices.

Patron - Watkins

[P]SB495 Wireless E-911 Fund; distribution. Transfers the administration of the distribution of the Wireless E-911 Fund revenues for public safety answering point operators (PSAPs) to the Department of Taxation. The bill also bases the distribution percentages on the average pro rata distribution for fiscal years 2007-2012, taking into account funding adjust-

ments for overpayments and underpayments. The measure directs that the distribution percentage be recalculated every five years based on cost and call load data of the PSAP, which data shall continue to be received by the E-911 Services Board and then reported to the Department of Taxation. This bill is identical to HB 455.

Patron - Watkins

[P]SB511 Natural gas utility infrastructure. Permits a natural gas utility to construct the necessary facilities of a qualifying project and to recover the eligible infrastructure development costs necessary to develop the eligible infrastructure for designated projects in future rates. Eligible infrastructure development costs include planning, development, and construction costs and, if applicable, an allowance for funds used during construction, in addition to a return on investment, a revenue conversion factor, depreciation, and property taxes. A qualifying project is an economic development project requiring natural gas service as to which the natural gas utility has made a good faith determination that (i) it is located in an area where adequate natural gas infrastructure is not available; (ii) eligible infrastructure will provide opportunities for increased natural gas usage and economic development benefits in the area of the eligible infrastructure in addition to those provided by the subject project; (iii) either the developer or occupant of the proposed project shall provide, prior to the initiation of service, a binding commitment to the natural gas utility regarding capacity needed for a period of at least five years from the date gas is made available, which commitment covers a level of service no less than 50 percent of the capacity of the gas facilities to serve such project, or the natural gas utility receives a financial guaranty from the developer or state or local government in the amount of at least 50 percent of the estimated investment to be made by the natural gas utility in the proposed project; (iv) the natural gas utility has negotiated with the project's developer or occupant in an attempt to reach agreement on a commitment for the entire aid to construction otherwise required to cover the cost of the necessary eligible infrastructure; and (v) the projected non-gas revenues from the proposed project will not be sufficient to cover the cost of service associated with the necessary eligible infrastructure after accounting for any aid to construction contributed by the developer of the project or the person that will occupy the proposed project. Natural gas utilities are required to account for the actual monthly eligible infrastructure development costs incurred on the cumulative investment in eligible infrastructure in excess of any aid to construction contributed by the developer of the project or the person that will occupy the proposed project as a deferred cost until new base rates and charges that incorporate eligible infrastructure development costs become effective for the utility. Transportation and storage quantities of contracts entered into by a natural gas utility for the acquisition of upstream pipeline capacity to meet the reasonably anticipated service requirements of a qualifying project and other service requirements to be served through the eligible infrastructure shall be deemed prudent and reasonable. This bill is identical to HB 559.

Patron - Wagner

[P]SB632 Wireless E-911 Fund; distribution of funds. Requires CMRS providers to submit requests for payment from the Wireless E-911 Fund no later than four months after the end of the fiscal year in which the costs were incurred. If the Fund is not sufficient to pay for all of the costs, the unpaid costs may not be carried over for repayment to a future year. The bill also provides that any funds remaining in the Fund at the end of a fiscal year may be designated for a reserve fund.

Patron - Watkins

SB652 Attachments by cable television systems and telecommunications service providers to poles of electric cooperatives. Authorizes the State Corporation Commission to determine just and reasonable rates, and certain terms and conditions of service, for attachments to electric cooperative poles by telecommunications service providers and cable television systems. The authority may be exercised if, after good faith negotiations, the parties cannot reach an agreement regarding the attachment. Fees may be assessed to allow the Commission to recover appropriate costs of such proceedings. This bill is identical to HB 1186.

Patron - Stanley

Failed

HB69 Renewable energy portfolio standard. Requires each investor-owned electric utility and distribution cooperative to participate in a renewable energy portfolio standard program commencing with calendar year 2013. Under the program, each utility is required to generate renewable energy or to purchase renewable energy certificates, or both, in amounts that start in 2013 at three percent of the total electric energy sold in the base year of 2007 and that increase to 20 percent of such amount in 2020 and thereafter. Failure to meet the required percentages will result in the assessment of alternative compliance payments, which are to be paid into the newly created Virginia Sustainable Energy Fund. The measure provides that an investor-owned electric utility that was authorized to receive a performance incentive as a consequence of its participation in the renewable portfolio standard program as it existed prior to the effective date of this act shall continue to receive the incentive until the utility's next biennial rate review proceeding.

Patron - Englin

HB70 Energy conservation and efficiency goal. Establishes a statewide goal of reducing the consumption of electric energy within the Commonwealth, through energy conservation and efficiency actions taken by government, electric utilities, and retail customers, by 2025 to a level that is 19 percent less than the quantity of electricity that would reasonably be projected to be consumed in the Commonwealth in 2025 in the absence of such actions. The measure specifies percentages of the reductions in consumption that are to be attained through elements including energy performance improvements resulting from enhancements to the Statewide Building Code and appliance efficiency standards, improved energy performance of publicly owned buildings, energy performance improvements in the industrial sector, and combined heat and power. Investor-owned utilities are required to address their energy efficiency and demand response management programs in their annual conservation reports. The measure also requires electric cooperatives to file assessments of impediments to their implementation of certain rate initiatives.

Patron - Englin

HB109 Personal Localized Alerting Network. Requires each provider of wireless service that elects to transmit emergency alerts through the federal Personal Localized Alerting Network to offer its Virginia subscribers the capability of preventing the receipt of Presidential Alerts on their mobile devices. Federal law requires wireless carriers to give subscribers the option to block Child Abduction Emergency/AMBER Alerts or Imminent Threat Alerts, but does not allow Presidential Alerts to be blocked.

Patron - Marshall, R.G.

HB312 Utility energy efficiency programs. Provides that an energy efficiency program proposed by an electric utility is in the public interest if the net present value of the benefits exceeds the net present value of the costs as determined by any three of four benefit cost tests. The four tests to be considered are the Total Resource Cost Test, the Utility Cost Test (also referred to as the Program Administrator Test), the Participant Test, and the Ratepayer Impact Measure Test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or elderly customers. The current standard for what constitutes a cost-effective conservation and energy efficiency program conducted by a natural gas utility is revised to conform to these new provisions for electric utilities. Finally, the measure expands the definition of "energy efficiency program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices.

Patron - Ware, R.L.

HB425 Telephone carriers; third-party billing. Prohibits a telephone company that issues a telephone bill to its customers from including on its bill charges for any products, goods, or services, other than those provided by the telephone company or its affiliate, unless the billing carrier has received (i) from the service provider or billing agent documentation evidencing that the service provider or billing agent provided the customer with disclosure of all material terms and conditions of their sale, including the fact that such charges shall appear on the customer's telephone bill, and (ii) from the customer a communication authorizing the billing carrier to bill him for the products, goods, or services on his telephone bill. The measure also requires both the billing carrier and the service provider or billing agent to verify the customer's authorization for such billing through an independent third party. Any charges for products, goods, or services that are included on the telephone bill without the customer's authorization are void and unenforceable.

Patron - Bulova

HB448 Net energy metering program; standby charges. Revises the requirement, enacted in 2011, that a customer-generator pay a monthly standby charge that allows its supplier to recover a portion of its infrastructure costs. The revisions provide that a supplier shall not assess standby charges until it has 1,000 customer-generators and that a supplier has the option not to assess standby charges on its customer-generators.

Patron - Toscano

HB590 Renewable energy facilities; eligibility for incentives. Establishes a requirement that electricity generated from renewable sources be generated from a facility located in the Commonwealth, or a facility off the Commonwealth's coastline if it is an offshore wind facility, in order to qualify as renewable energy for purposes of the renewable energy portfolio standard program. The measure also makes renewable powered generation facilities located outside of the Commonwealth, except offshore wind facilities located in waters off the Commonwealth's shoreline, ineligible for certain cost recovery and enhanced rate of return incentives in the Virginia Electric Utility Regulation Act.

Patron - Merricks

HB645 Renewable energy. Expands the definition of renewable energy to include landfill gas. The measure also provides that the RPS Goals under the renewable energy portfolio standard program may be composed of renewable thermal energy equivalents. A renewable thermal energy equivalent is

the thermal energy output from a renewable-fueled combined heat and power generation facility that is (i) constructed, or renovated and improved, after January 1, 2012, (ii) located in the Commonwealth, and (iii) utilized in industrial processes other than the combined heat and power generation facility, where thermal energy is expressed as an equivalent number of megawatt hours.

Patron - Cosgrove

HB657 Electric utilities; renewable energy portfolio standard program. Adjusts the mix of energy sources that qualify as satisfying the requirements of the renewable energy portfolio standard program. The measure limits the amount of renewable energy generated outside Virginia or its coastal waters that can qualify for the program. Wind or solar power generated outside Virginia in the interconnection region of the regional transmission entity of which the participating utility is a member will not be eligible if it is purchased through a power purchase agreement entered into after July 1, 2012. The measure allows renewable energy certificates issued by an affiliate of the regional transmission entity to be used to meet the RPS Goals if the energy is from sources with an in-service date of or after July 1, 2007. Nuclear energy is ineligible for credit in meeting certain RPS Goals. The measure requires utilities to permanently retire one renewable energy certificate for each megawatt hour or renewable energy certificate claimed for compliance with RPS Goals. The measure requires that after 2017 at least 20 percent of the energy or certificates in a utility's compliance demonstration be attributable to a combination of energy derived from sunlight, onshore wind, or offshore wind; the minimum percentage increases in 2023 to 40 percent. Finally, the measure removes a provision that allowed a utility to apply excess renewable energy sales in any period to the requirements for any future RPS Goal.

Patron - Rust

HB672 Distributed electric generation; community solar gardens. Authorizes the establishment of community solar gardens, which are required to be owned by a subscriber organization that has at least 10 subscribers. Subscribers will receive credits on their utility bills from energy generated at the solar facility in proportion to the size of their subscription. The output and renewable energy credits from a solar garden shall be purchased by the utility in the form of net metering credits allocated to the subscribers. To the extent that a subscriber's net metering credit exceeds the subscriber's electric bill in any billing period, the credit will be applied against future bills. If the electricity output of the community solar garden is not fully subscribed, the utility is required to purchase the unsubscribed renewable energy at a rate equal to the utility's average hourly incremental cost of electricity supply over the immediately preceding calendar year.

Patron - Surovell

HB789 Electrical utility facilities; consideration of stability of fuel prices. Requires the State Corporation Commission, when required to approve the construction of any electrical utility facility, to consider the long-term price stability of any fuels used in the generation of energy from the facility.

Patron - Lopez

HB911 Renewable energy; community net metering and renewable energy certificates. Requires the State Corporation Commission to establish a program of community net metering, which will allow a group of residential, commercial, industrial, and other customers to establish an "eligible community customer" to act collectively to generate renewable energy for their own use. Members of an eligible community customer may develop a net metered system that provides that

excess generation by some members of the group will be used to offset consumption by other members within the group. The generating capacity of an eligible community customer's facility shall not exceed two megawatts at a single site. If electricity generated by the generation facility or facilities within the eligible community customer group in a year exceeds the net electricity consumption by members of the group, the utility shall reduce the eligible community customer's bill for the next monthly billing period by the amount of the excess. An eligible community customer will be exempt from the requirement that he install two-way metering equipment if the electrical generating system from which the eligible community customer obtains electricity is not physically attached to or an integral part of the building or structure where he consumes electricity, provided metering equipment measures the excess electricity from the generation facility. The measure also requires the Commission to establish a process for issuing or recognizing renewable energy certificates. The process will provide for the issuance, monitoring, transferring, and use of renewable energy certificates.

Patron - Minchew

HB1017 Renewable energy portfolio standard program. Eliminates the Performance Incentive provision in the renewable energy portfolio standard program that entitles any investor-owned electric utility to a 50 basis point increase in its authorized combined rate of return on common equity if it meets the program's RPS Goals. The measure retains provisions that allow a utility to recover its costs associated with meeting the RPS Goals, but provides that a utility that exceeds the RPS Goals shall not recover the incremental costs associated with exceeding the RPS Goals unless it demonstrates that the decision to exceed the RPS Goals was reasonable and prudent.

Patron - Poindexter

HB1028 Approval of electrical utility facilities. Requires the State Corporation Commission, when considering requests for approval to construct electrical utility facilities, to consider the public health impacts of the electrical utility facility that have been identified in the applicant's most recent integrated resource plan. The measure also requires an electric utility's integrated resource plan to take into consideration public health impacts.

Patron - Englin

HB1191 Pole attachments; cable television systems and cooperatives. Requires cable television systems and cooperatives to negotiate in good faith to resolve certain issues, including the rates, terms, and conditions of contracts permitting attachments by a cable television system to a cooperative's poles. If an issue cannot be resolved, either party may petition the State Corporation Commission to resolve the issue. In adjudicating the issue, the Commission shall ensure that the cooperative is compensated by the cable television system for certain costs. Annually commencing July 1, 2012, cable television systems are required to pay an annual fee to the Commission equal to \$1.00 for each attachment to a cooperative's pole. Each cooperative is required to make a survey of cable television system attachments on its poles every 36 months. Beginning in 2013, cooperatives will be required to report to the Commission on the number of each cable television system's attachments. In addition, if any cable television system attachment interferes with, obstructs, or delays the service or operations of a cooperative or creates a safety hazard, the cooperative may take immediate action to remedy the situation at the cable television system's expense.

Patron - Merricks

[F]SB316 Dulles Greenway; tolls. Requires the SCC, if it grants a toll increase for use of the Greenway, to vary the amount of the toll in accordance with vehicle miles traveled. The bill also requires the SCC to hold a public hearing in Loudoun County prior to granting a toll increase.

Patron - Black

[F]SB381 Electric utilities; integrated resource plans. Provides that an electric utility's integrated resource plan should identify a portfolio of electric generation supply resources that is most likely to provide the electric generation supply needed to meet forecasted demand, net of any reductions from demand side programs, so that over the long term the utility will continue to provide reliable service at reasonable prices that take into consideration public health impacts.

Patron - McEachin

[F]SB469 Public-Private Transportation Act of 1995 (PPTA). Requires the approval by transportation planning organizations (TPOs) of PPTA comprehensive agreements dealing with projects within the boundaries of one of the TPO's constituent localities.

Patron - Northam

Carried Over

[C]HB129 Electric utilities; retail competition; purchases from net metering sellers. Authorizes individual retail customers who are eligible customer-generators under Virginia's net energy metering program to purchase electricity provided 100 percent from renewable energy exclusively for their own consumption from a net metering seller. A net metering seller is a person, other than a utility or licensed supplier, that owns or operates a renewable energy electricity generation source on premises that is owned, leased, or otherwise controlled by an eligible customer-generator and sells the electricity generated from the renewable generation source exclusively to the eligible customer-generator under a power purchase agreement. This exception to the incumbent electric utility's exclusive service territory applies even if the utility offers an approved tariff for electric energy provided 100 percent from renewable energy.

Patron - Kilgore

[C]HB162 Telephone services for incarcerated persons.

Authorizes the State Corporation Commission to exercise jurisdiction over rates and charges of telecommunication services that enable correctional inmates to originate calls at pay telephones or other telephones that are designated for prisoners' personal use.

Patron - Hope

[C]HB231 Gas pipeline safety; information disclosures.

Prohibits employees and members of the State Corporation Commission from disclosing to any person any investigative notes and other correspondence and information furnished in confidence by a public service company with respect to a gas pipeline safety inspection or investigation. The prohibition applies to information produced by, obtained by, or disclosed to any employee or member of the Commission before or after the measure's effective date.

Patron - Cosgrove

[C]HB429 Telephone bills; blocking third-party charges. Prohibits a billing carrier from including in a customer's bill charges for products, goods, or services submitted by a service agent or service provider after the customer has requested the billing carrier to block such billings. Billing car-

riers are also prohibited from entering into agreements to bill for a service provider or billing agent with respect to a customer who has requested the billing carrier to block such billings. Finally, the measure provides that a customer is not liable for an amount charged through a billing carrier after the billing carrier has received and processed a request from the customer that the billing carrier block such billings. A customer may submit a request in writing, orally, or electronically.

Patron - Bulova

[C]HB1246 Dulles Greenway; outdoor advertising; tolls. Allows the Dulles Greenway to lease property under its control for purposes of outdoor advertising. The bill also requires that the amount of toll vary according to distance traveled and take into consideration any income generated by the advertising leases.

Patron - Ramadan

[C]SB582 Net energy metering; stand-by charges. Requires the State Corporation Commission, when determining whether to approve a utility's proposed standby charge methodology, to find that (i) the methodology utilized by the supplier is generally accepted in the industry for making such determinations, (ii) the methodology proposed by the supplier calculates costs based upon sample statistics derived solely from the class of residential eligible customer-generators, and (iii) the quantity of the class of residential eligible customer-generators represents a sufficient base to form reasonable statistical conclusions. These criteria are in addition to the existing requirement that the standby charges collected from eligible customer-generators allow the supplier to recover only the portion of the supplier's infrastructure costs that are properly associated with serving eligible customer-generators. The measure also provides that the supplier's infrastructure costs include, in addition to the direct costs associated with the supplier's infrastructure, an offset for any benefits derived from any net energy metering provided by eligible customer-generators to the supplier. Finally, the measure requires the Commission to deny a utility's application for standby charges if its methodology fails to consider all four of the criteria.

Patron - Edwards

Religious and Charitable Matters; Cemeteries

Passed

[P]HB306 Cemeteries; abandoned interment rights; notice. Provides that when no address is known or reasonably ascertainable for a record owner of interment rights, a cemetery owner shall publish a notice of its intent to declare interment rights abandoned in a newspaper of general circulation in the county or city where the cemetery is located for four consecutive weeks before such interment rights may be declared abandoned.

Patron - Crockett-Stark

[P]SB86 Solicitation of contributions; registration of charitable organizations. Provides that any charitable organization whose annual gross revenue would qualify it to file Form 990-N with the Internal Revenue Service (IRS) may submit a balance sheet and income and expense statement verified under oath or affirmation by the treasurer of the organization. The IRS recently raised the threshold for organizations allowed to file Form 990-N from \$25,000 to \$50,000. Currently, Vir-

ginia law sets the annual gross revenue threshold at \$25,000. The bill will allow the state threshold for filing the form to track the threshold set by the IRS.

Patron - Saslaw

Failed

[P]SB675 Confederate Memorial Chapel; state war memorial. Provides for the Governor to designate the Confederate Memorial Chapel an official state war memorial.

Patron - Ruff

Taxation

Passed

[P]HB35 Collection of state taxes; period of limitation. Reduces the period of limitation for the collection of state taxes from 10 years to seven years. The bill also provides that if no contact has been made with a delinquent taxpayer for a period of six years after the assessment, then interest and penalty would no longer be added to the delinquent tax liability. Under current law, if no contact has been made for a period of seven years, then interest and penalty are no longer added to the delinquent tax liability.

Patron - Cole

[P]HB41 Personal property tax; situs of certain motor vehicles. Provides that when a motor vehicle is normally garaged in a location different from the domicile of the owner of the vehicle due to its use by a student attending an institution of higher education, then the situs is the owner's domicile. Under current law, the situs of such vehicle is the owner's domicile only if the student is the owner.

Patron - Tata

[P]HB52 Disclosure of certain tax information by the Attorney General. Permits the Attorney General to disclose certain information related to the sale and taxation of cigarettes and other tobacco products.

Patron - Albo

[P]HB80 Real property tax; assessment of wetlands. Requires the local assessing official to separately assess the fair market value of wetlands on real property, if requested by the property owner.

Patron - Orrock

[P]HB81 Real property tax; land use valuation. Provides that prior use of any property shall not be considered in determining its current use for land use valuation purposes. The bill contains technical amendments.

Patron - Orrock

[P]HB103 Consumer utility tax; natural gas. Exempts public utilities and electric cooperatives from the consumer utility tax on natural gas when the natural gas is used to generate electricity at a power station. This bill is identical to SB 519.

Patron - Loupassi

[P]HB154 Apportionment of corporate income tax; retail companies. Requires retail companies to use a formula for apportioning taxable income to the Commonwealth based on multiplying their income by the sales factor. The provisions

of the bill would be effective for tax years beginning on or after July 1, 2012, and would be phased in with the apportionment formula having a 100 percent sales factor by 2015. This bill is identical to SB 49.

Patron - Ware, R.L.

[P]HB190 Real property tax exemption for disabled veterans. Requires the Commissioner of the Department of Veterans Services to promulgate rules and regulations for the administration and implementation of the real property tax exemption for disabled veterans. Such rules and regulations shall include written guidance for veterans and commissioners of the revenue concerning eligibility for the exemption. The bill also authorizes the Commissioner of the Department of Veterans Services to hear and decide appeals concerning denials of eligibility for the exemption. The bill contains an emergency clause.

Patron - O'Bannon

[P]HB202 Real estate with delinquent taxes or liens; City of Hampton. Adds the City of Hampton to a list of localities authorized to have a special commissioner appointed to execute the necessary deeds to convey certain real estate to the locality when the delinquent taxes or liens, including penalties and interest, exceed 35 percent of the assessed value or when the taxes alone exceed 15 percent of the assessed value. This bill is identical to SB 33.

Patron - Ward

[P]HB216 Sales and use tax exemption; certain computer equipment and enabling software. Expands the sales and use tax exemption for the purchase or lease of computer equipment or enabling software by data centers by extending it to tenants of the centers, and by including jobs created not only by the data center operator but also by the tenants of the data center in collectively meeting the level of new jobs required for eligibility for the exemption. This bill is identical to SB 112.

Patron - Comstock

[P]HB255 Warrants maintained by treasurers. Specifies that the information regarding warrants that shall not be disclosed includes any invoice that has been presented to a locality for payment, which the locality has attempted to pay, but the payment has not been completed because electronic payment has failed or a check was mailed but not cashed.

Patron - Stolle

[P]HB277 Local cigarette tax stamps. Requires that beginning January 1, 2013, any local tax stamp or meter impression required to be used to evidence payment of the local cigarette tax shall be of the same stamp technology that is used or required by the Commonwealth for the state cigarette tax stamp. This bill is identical to SB 394.

Patron - Peace

[P]HB298 Machinery and tools tax; car washing businesses. Classifies machinery and tools used to clean motor vehicles by a motor vehicle cleaning business as a separate class of property for tax rate purposes.

Patron - Scott, E.T.

[P]HB299 Sales and use tax exemption; certain educational materials. Extends the sunset date from July 1, 2012, to July 1, 2017, on the sales and use tax exemption for textbooks and other educational materials withdrawn from inventory at book-publishing distribution facilities for free distribution to professors and other individuals who have an educational focus. This bill is identical to SB 37.

Patron - Scott, E.T.

HB314 Roll-your-own cigarette machines. Declares that any person who maintains, operates, or rents a roll-your-own cigarette machine at a retail establishment for use by a consumer is a manufacturer of cigarettes, and resulting products from the machine are cigarettes. Under the bill, a person who purchases a cigarette rolling machine for personal use to make cigarettes for personal consumption would not be deemed a manufacturer. This bill is identical to SB 74.

Patron - Ware, R.L.

HB321 Tax credits; assistance to low-income families, scholarships for K through 12 students attending private schools. Establishes a credit beginning in taxable year 2013 for individuals, business entities, and corporations making monetary donations to nonprofit organizations providing education improvement scholarships to students whose family's annual household income is not in excess of 300 percent of the current poverty guidelines and certain students with disabilities, in order for them to attend nonpublic elementary or secondary schools. Nonprofit organizations to which donations are made would be required to distribute at least 90 percent of each donation in the form of scholarships to such students. The credit would equal 65 percent of the donation made. Any unused credit for the taxable year could be carried forward for five years. There is an annual cap of \$25 million in tax credits for the scholarship program. The Department of Education would administer the tax credit program.

The bill also expands the current Neighborhood Assistance Act Tax Credit program by increasing the tax credit percentage from 40 to 65 percent; raising the total cap on the program from \$11.9 million to \$15 million and raising the cap on education proposals from \$4.9 million to \$8 million; expanding the eligibility criteria for programs qualifying for tax credits to encompass programs providing services to certain students with disabilities and individuals whose family's annual household income is not in excess of 300 percent of the poverty guidelines; raising the cap on tax credits for neighborhood organizations and affiliates to \$825,000; allowing unused credits at the end of the year to be distributed to neighborhood organizations that had previously met the cap on tax credits; and extending the sunset for the program to July 1, 2017.

Patron - Massie

HB336 Virginia Land Conservation Fund; distribution of revenues. Provides that in distributing the revenues in the Virginia Land Conservation Fund generated by the sale of land conservation tax credits, funds shall not be distributed to federal governmental entities.

Patron - Wilt

HB368 Neighborhood assistance tax credits; eligibility of certain mediators. Provides that mediators certified under guidelines of the Judicial Council of Virginia who provide mediation services, without charge, at the direction of an approved neighborhood organization that provides court referred mediation services would be eligible for neighborhood assistance tax credits.

Patron - Webert

HB406 Local incentives for defense contractors. Authorizes a local government to provide local incentives and regulatory flexibility to defense contractors located within a defense production and support services zone established by the local government. The bill defines defense contractors as businesses primarily engaged in providing services in support of national defense.

Patron - Torian

HB408 Real property tax exemption for the elderly and disabled. Provides more flexibility to localities in determining the income and financial worth of the elderly and disabled, for those localities that choose to have caps on income and financial worth in establishing eligibility for the real property tax exemption.

Patron - Watts

HB460 Corporate income tax; single sales factor apportionment for income of manufacturers. Repeals the penalties that would have been assessed on any manufacturer that elected the single sales factor apportionment for income and that did not maintain certain employment levels. The bill also would only require a manufacturer that elected the single sales factor apportionment to pay additional taxes and interest if its average annual employment falls below 90 percent of the base year employment, or if the average wage of its employees is less than the state or local average weekly wage.

Patron - Byron

HB479 Contraband and tax-paid cigarettes; penalties. Establishes legal limits and imposes criminal and civil penalties for possession with intent to distribute contraband tax-paid cigarettes by parties outside the legitimate distribution chain. This bill is identical to SB 347.

Patron - Albo

HB509 Recordation tax. Clarifies that the recordation tax for deeds of trust is based on the value of the security interest created by the deed of trust, not just on the amount of the obligations described in the deed of trust. Therefore, the amount subject to tax does not include any amount that is unsecured because the value of the property conveyed by the deed of trust is inadequate to secure the full amount of obligations described in the deed of trust.

Patron - Garrett

HB513 Sales and use tax exemptions; extension of sunset dates. Extends the sunset dates for the limited sales and use tax exemption periods for hurricane preparedness equipment and for certain energy-efficient products from July 1, 2012, to July 1, 2017.

Patron - Purkey

HB516 Income taxes. Advances the date as of which Virginia income tax laws conform with the Internal Revenue Code from December 31, 2010, to December 31, 2011; restores conformity to certain provisions of the federal earned income tax credit for taxable year 2011 for purposes of Virginia's low-income taxpayer income tax credit; and reinstates the age deduction for individuals born on or before January 1, 1939, that was inadvertently deleted by Chapter 851 of the Acts of Assembly of 2011. The bill contains an emergency clause. This bill is identical to SB 463.

Patron - Purkey

HB531 Historic rehabilitation tax credit. Provides that any gain or income under federal law relating to the allocation or application of a historic rehabilitation tax credit would not be gain or income for Virginia tax purposes. The bill's provisions are declaratory of existing law. This bill is identical to SB 444.

Patron - Cole

HB536 Motor fuels tax. Removes the requirement that bulk users and retailers of undyed diesel fuel be licensed. The bill also gives the Commissioner of the Department of Motor Vehicles discretion to seize and lock or seal a tank or other storage receptacle holding illegally imported, transported, delivered, stored, acquired, or sold fuel until the fuels

tax and related penalties and interest are assessed and paid. Under current law, the Commissioner is required to seize and lock or seal the tank or other storage receptacle holding such fuel.

Patron - Orrock

HB551 Telework expenses tax credit. Extends the telework expenses tax credit for employers through December 31, 2016. The credit currently expires on December 31, 2013. The bill also makes other clarifying changes concerning expenses eligible for the credit. This bill is identical to SB 238.

Patron - Comstock

HB581 Authorized tourism project; sales and use tax revenues. Clarifies that the amount of revenue to which the authorized tourism project is entitled is equal to the amount of revenue generated by a one percent sales and use tax on transactions taking place on the premises of the project. This bill is identical to SB 414.

Patron - Watson

HB714 Major business facility job tax credit. Extends the expiration of the period during which the major business facility job tax credit may be taken within a two-year allowance from December 31, 2012, to December 31, 2014. This bill is identical to SB 368.

Patron - Kilgore

HB734 Recordation tax. Requires that a deed or other document regarding conveyance of real property state on its first page the actual consideration for the conveyance before it can be admitted to record.

Patron - Jones

HB743 Personal property tax; farm vehicles. Allows a county, city, or town to exempt, partially exempt, or set a lower tax rate for motor vehicles used exclusively for farming.

Patron - Fariss

HB841 Major business facility job tax credits and enterprise zone job creation grants. Allows a business creating permanent, full-time positions to be eligible for both the major business facility job tax credit and enterprise zone job creation grants. However, the bill prohibits both the tax credit and the grant being allowed for the same job created.

Patron - James

HB842 Applications for local business license or land use authorization; conditions. Permits localities to condition issuance of a local business license or land use authorization on payment of certain delinquent taxes, fees, or other charges owed by the applicant to the locality. This bill is identical to SB 308.

Patron - James

HB876 Motor vehicle fuels sales tax. Transfers the administration and collection of the motor vehicle fuels sales tax imposed in certain transportation districts from the Department of Taxation to the Department of Motor Vehicles, effective July 1, 2013. This bill is identical to SB 503.

Patron - Rust

HB879 Income tax; subtraction for certain death benefit payments. Clarifies that the current subtraction applies only to death benefit payments (i) paid to a beneficiary that are pursuant to an annuity contract between an annuitant and an insurance company and (ii) paid solely by lump sum.

The bill reflects the current manner in which the Department of Taxation is implementing the subtraction.

Patron - Sickles

HB919 Personal property tax; distraint and sale of personal property for delinquent taxes. Provides that a locality is not required to obtain a certificate of title when motor vehicles are distrained for sale to satisfy delinquent taxes. The bill clarifies that any penalties and interest owed by the taxpayer are paid out of the proceeds of the sale. Finally, the bill requires the party conducting the sale provide the purchaser with a sales receipt or affidavit that the purchaser can use to apply for a certificate of title from the Department of Motor Vehicles.

Patron - Brink

HB922 Real property tax exemption for disabled veterans. Provides that the tax exemption for the primary residence of a disabled veteran, a disabled veteran and his spouse, or a surviving spouse of a disabled veteran includes real property (i) held in a revocable inter vivos trust over which the veteran, the veteran and his spouse, or the surviving spouse hold the power of revocation; (ii) held in an irrevocable trust under which a veteran alone or in conjunction with his spouse possesses a life estate or an estate for joint lives, or enjoys a continuing right of use or support; or (iii) held by a veteran alone or in conjunction with his spouse as tenant or tenants for life or joint lives. The bill also provides that the exemption for the surviving spouse of a disabled veteran includes property held in any of these ways. Finally, the bill establishes a formula for pro rating the amount of the exemption in the event there are owners in addition to the disabled veteran. This bill is identical to SB 540.

Patron - Lingamfelter

HB933 Real property tax; exemption for disabled veterans. Provides that the real property tax exemption for disabled veterans for property acquired after January 1, 2011, begins on the date of acquisition and that the previous owner of the property is entitled to a pro rata refund of any taxes paid for any period of the tax year coming after the date of acquisition. The bill also provides that a veteran or spouse otherwise qualified for the exemption does not lose the exemption solely because of extended stays at hospitals, nursing homes, or other convalescent facilities as long as the real property is not leased to another person.

Patron - Lingamfelter

HB959 Sales and use tax; public transportation companies. Clarifies that the sales and use tax is not applicable to any company that is owned, operated, or controlled by any county, city, or town and provides public transportation services. This bill is identical to SB 40.

Patron - Bell, Robert B.

HB1013 Income tax; capital gains subtraction. Extends the subtraction from individual and corporate taxable income of capital gains from investments in qualified businesses from June 30, 2013, to June 30, 2015. This bill is identical to SB 226.

Patron - Comstock

HB1068 Real property tax; commercial and industrial property in localities in Northern Virginia. Extends the sunset date from June 30, 2013, to June 30, 2018, on the reduction in the tax rate for the special real property tax on commercial and industrial property in the localities encompassed by the Northern Virginia Transportation Authority from

25 cents (\$0.25) per \$100 of assessed value to 12.5 cents (\$0.125) per \$100 of assessed value.

Patron - Hugo

HB1073 Real property tax; valuation of residential rental apartments. Requires that, in any appeal to a board of equalization concerning the fair market value of residential apartments in excess of four units, the board use the income approach to valuation, unless certain specified exceptions exist. Criteria to be used in making this determination include actual gross income generated, losses due to vacancies, collection losses, and rent concessions, as well as actual operating expenses and expenditures. The bill contains an emergency clause and is effective for tax years beginning on or after January 1, 2012. The bill is identical to SB 73.

Patron - Hugo

HB1116 Entitlement to sales and use tax revenues; development of regional impact. Entitles the City of Bristol to retain certain sales and use taxes generated on the premises of a development of regional impact located in the City, to pay bonds issued for the development. The bill sets forth numerous criteria that a development must meet in order to qualify. The bill is identical to SB 607.

Patron - O'Quinn

HB1128 Delinquent real property taxes. Modifies procedures governing delinquent real property taxes by (i) requiring the attorney for a locality who handles delinquent real property taxes to request the commissioner of the revenue to correct land records that incorrectly report property as having delinquent taxes, and requiring the attorney, if necessary to petition the court to make such correction; (ii) requiring the owner of real property to pay all delinquent town taxes, in addition to paying delinquent county taxes under current law, in order to stop a judicial sale of the property; and (iii) conditioning a court's referral of a judicial sale to a commissioner of chancery for a ruling prior to sale, upon a proper objection having been made by an interested party.

Patron - Johnson

HB1148 Tangible personal property; volunteer deputy sheriffs. Allows motor vehicles owned by volunteer deputy sheriffs to be classified as a separate class of tangible personal property for local taxation purposes for tax years beginning on or after January 1, 2013. The classification currently includes motor vehicles owned by auxiliary, reserve, or special deputy sheriffs. This bill is identical to SB 534.

Patron - Dudenhefer

HB1153 Income tax; conformity with § 199 of the Internal Revenue Code. Allows the entire amount of the deduction allowed for domestic production activities pursuant to § 199 of the Internal Revenue Code to be deducted for Virginia income tax purposes for taxable years beginning on and after January 1, 2013. This bill is identical to SB 462.

Patron - Massie

HB1192 Coalfield employment enhancement tax credit; sunset date. Extends from January 1, 2015, to January 1, 2017, the sunset date for the coalfield employment enhancement tax credit. This bill is identical to SB 609.

Patron - O'Quinn

HB1233 Local license tax ordinances for the severance of minerals. Requires certain localities that imposed local severance taxes for the 2008, 2009, 2010, or 2011 license year to amend their local ordinances to adopt or include certain local license tax uniform ordinance provisions into the local ordinance with an effective date retroactive to the 2008 license

year. Each such locality would be required to allow taxpayers upon whom local severance taxes were imposed to avail themselves of the appeal procedures included as part of the local license tax uniform ordinance provisions. In addition, within 60 days of the effective date of the bill, each such locality would be required to provide written notice to taxpayers upon whom the locality imposed local severance taxes for the 2008, 2009, 2010, or 2011 license year that the locality has adopted or will adopt the uniform ordinance provisions retroactive to the 2008 license year and for each license year thereafter. Each such ordinance so amended within 90 days of the effective date of the bill would be deemed valid and properly enacted for purposes of any local severance tax imposed for license year 2008, 2009, 2010, 2011, or 2012. The bill also provides that any person assessed with a local severance tax for license year 2008, 2009, 2010, 2011, 2012, or 2013 would be allowed to file an administrative or judicial appeal of the same only during the period beginning July 1, 2013, and ending July 1, 2014. In addition, for any assessment of additional license tax for license year 2008, 2009, 2010, or 2011 collection activity would be suspended until July 1, 2013. Collection activity would be suspended until July 1, 2013, on any assessment of additional license tax for license year 2012 or 2013 if the taxpayer in filing a severance tax return includes with the return a good faith payment of the tax due or a good faith estimate of the tax due. The bill contains an emergency clause. This bill is identical to SB 658.

Patron - Kilgore

HB1248 Transportation construction, operation and maintenance, and funding. Provides for the construction, maintenance, and funding of transportation by (i) increasing transportation's share of year-end surpluses to 67 percent, and (ii) authorizing the Commonwealth Transportation Board (CTB) to name highways, bridges, interchanges, and other transportation facilities for private entities if an annual naming rights fee is paid, with the revenue dedicated to highway maintenance and operation. The bill also charges the CTB with greater responsibilities involving integration of land use and transportation planning and authorizes the CTB to withhold federal and state funds for certain local or regional capital improvement projects if those projects are inconsistent with the Statewide Transportation Plan or the Six-Year Improvement Program. Provision is made for use of "revenue-sharing" funds for secondary highway system maintenance projects carried out by local governments. The bill provides for special allocations by the CTB for bridge reconstruction, high priority highway projects, and reconstruction of highways with particularly deteriorated pavements. Finally, the bill establishes an annual \$50 license tax for electric motor vehicles registered in the Commonwealth. This bill is identical to SB 639.

Patron - Lingamfelter

SB22 Real property tax; exemption for disabled veterans. Provides that the real property tax exemption for veterans whose disability rating occurs after January 1, 2011, begins on the date of the rating. The bill also clarifies that a locality is not liable for interest on any refund due to the veteran for taxes paid prior to the filing of the affidavit or written statement concerning the veteran's disability.

Patron - Stuart

SB33 Real estate with delinquent taxes or liens; City of Hampton. Adds the City of Hampton to a list of localities authorized to have a special commissioner appointed to execute the necessary deeds to convey certain real estate to the locality when the delinquent taxes or liens, including penalties and interest, exceed 35 percent of the assessed value or when

the taxes alone exceed 15 percent of the assessed value. This bill is identical to HB 202.

Patron - Locke

[P]SB37 Sales and use tax exemption; certain educational materials. Extends the sunset date from July 1, 2012, to July 1, 2017, on the sales and use tax exemption for textbooks and other educational materials withdrawn from inventory at book-publishing distribution facilities for free distribution to professors and other individuals who have an educational focus. This bill is identical to HB 299.

Patron - Reeves

[P]SB40 Sales and use tax; public transportation companies. Clarifies that the sales and use tax is not applicable to any company that is owned, operated, or controlled by any county, city, or town and provides public transportation services. This bill is identical to HB 959.

Patron - Reeves

[P]SB49 Apportionment of corporate income tax; retail companies. Requires retail companies to use a formula for apportioning taxable income to the Commonwealth based on multiplying their income by the sales factor. The provisions of the bill would be effective for tax years beginning on or after July 1, 2012, and would be phased in with the apportionment formula having a 100 percent sales factor by 2015. This bill is identical to HB 154.

Patron - Watkins

[P]SB73 Real property tax; valuation of residential rental apartments. Requires that, in any appeal to a board of equalization concerning the fair market value of residential apartments in excess of four units, the board use the income approach to valuation, unless certain specified exceptions exist. Criteria to be used in making this determination include actual gross income generated, losses due to vacancies, collection losses, and rent concessions, as well as actual operating expenses and expenditures. The bill contains an emergency clause and is effective for tax years beginning on or after January 1, 2012. The bill is identical to HB 1073.

Patron - Watkins

[P]SB74 Roll-your-own cigarette machines. Declares that any person who maintains, operates, or rents a roll-your-own cigarette machine at a retail establishment for use by a consumer is a manufacturer of cigarettes, and resulting products from the machine are cigarettes. Under the bill, a person who purchases a cigarette rolling machine for personal use to make cigarettes for personal consumption would not be deemed a manufacturer. This bill is identical to HB 314.

Patron - Watkins

[P]SB103 Transient occupancy tax; Roanoke County. Authorizes Roanoke County to impose a transient occupancy tax at a rate not to exceed seven percent. Under its charter, Roanoke County currently is authorized to impose a transient occupancy tax at a rate not to exceed five percent. The additional revenues generated shall be used solely for advertising the Roanoke metropolitan area as an overnight tourist destination by members of the Roanoke Valley Convention and Visitors Bureau.

Patron - Edwards

[P]SB112 Sales and use tax exemption; certain computer equipment and enabling software. Expands the sales and use tax exemption for the purchase or lease of computer equipment or enabling software by data centers by extending it to tenants of the centers, and by including jobs created not only by the data center operator but also by the tenants of the data

center in collectively meeting the level of new jobs required for eligibility for the exemption. This bill incorporates SB 232. This bill is identical to HB 216.

Patron - McDougle

[P]SB131 Tax credits; assistance to low-income families; scholarships for K through 12 students attending private schools. Establishes a credit beginning in taxable year 2013 for individuals, business entities, and corporations making monetary donations to nonprofit organizations providing education improvement scholarships to students whose family's annual household income is not in excess of 300 percent of the current poverty guidelines and certain students with disabilities, in order for them to attend nonpublic elementary or secondary schools. Nonprofit organizations to which donations are made would be required to distribute at least 90 percent of such donations in the form of scholarships to such students. The credit would equal 65 percent of the donation made and any unused credit for the taxable year could be carried forward for five years. There is an annual cap of \$25 million in tax credits for the scholarship program. The Department of Education would administer the tax credit program.

The bill also expands the current Neighborhood Assistance Act Tax Credit program by increasing the tax credit percentage from 40 to 65 percent; raising the cap on education proposals from \$4.9 million to \$8 million, which has the effect of raising the total cap on the program from \$11.9 million to \$15 million; expanding the eligibility criteria for programs qualifying for tax credits to encompass programs providing services to certain students with disabilities and individuals whose family's annual household income is not in excess of 300 percent of the poverty guidelines; allowing unused credits at the end of the year to be distributed to neighborhood organizations that had previously met the \$500,000 cap on tax credits; and extending the sunset for the program to July 1, 2017. This bill incorporates SB 241.

Patron - Stanley

[P]SB226 Income tax; capital gains subtraction. Extends the subtraction from individual and corporate taxable income of capital gains from investments in qualified businesses from June 30, 2013, to June 30, 2015. This bill is identical to HB 1013.

Patron - Herring

[P]SB238 Telework expenses tax credit. Extends the telework expenses tax credit for employers through December 31, 2016. The credit currently expires on December 31, 2013. The bill also makes other clarifying changes concerning expenses eligible for the credit. This bill is identical to HB 551.

Patron - Herring

[P]SB308 Applications for local business license or land use authorization; conditions. Permits localities to condition issuance of a local business license or land use authorization on payment of certain delinquent taxes, fees, or other charges owed by the applicant to the locality. This bill is identical to HB 842.

Patron - Blevins

[P]SB347 Contraband and tax-paid cigarettes; penalties. Establishes legal limits and imposes criminal and civil penalties for possession with intent to distribute contraband tax-paid cigarettes by parties outside the legitimate distribution chain. This bill is identical to HB 479.

Patron - McDougle

[P]SB368 Major business facility job tax credit. Extends the expiration of the period during which the major

business facility job tax credit may be taken within a two-year allowance from December 31, 2012, to December 31, 2014. This bill is identical to HB 714.

Patron - Reeves

SB393 Media-related tax exemptions. Extends, until 2017, the sunset on media-related tax exemptions for catalogs, letters, brochures, reports, and other similar printed materials when stored for 12 months or less in the Commonwealth and distributed for use outside the Commonwealth.

Patron - Hanger

SB394 Local cigarette tax stamps. Requires that beginning January 1, 2013, any local tax stamp or meter impression required to be used to evidence payment of the local cigarette tax shall be of the same stamp technology that is used or required by the Commonwealth for the state cigarette tax stamp. This bill is identical to HB 277.

Patron - Hanger

SB409 Recordation tax. Eliminates the recordation tax exemption for certain deeds of trust securing a refinanced obligation and establishes a reduced tax for all refinancing deeds of trust or mortgages that is equal to a maximum of 18 cents (\$0.18) per \$100 of the amount refinanced. Under current law, there is an exemption for a deed of trust or mortgage that is refinanced with the same lender on the principal amount of the original debt; all other such instruments of refinancing are subject to the tax at rates higher than the new rates established in the bill.

Patron - Hanger

SB414 Authorized tourism project; sales and use tax revenues. Clarifies that the amount of revenue to which the authorized tourism project is entitled is equal to the amount of revenue generated by a one percent sales and use tax on transactions taking place on the premises of the project. This bill is identical to HB 581.

Patron - Norment

SB444 Historic rehabilitation tax credit. Provides that any gain or income under federal law relating to the allocation or application of a historic rehabilitation tax credit would not be gain or income for Virginia tax purposes. The bill's provisions are declaratory of existing law. This bill is identical to HB 531.

Patron - Vogel

SB462 Income tax; conformity with § 199 of the Internal Revenue Code. Allows the entire amount of the deduction allowed for domestic production activities pursuant to § 199 of the Internal Revenue Code to be deducted for Virginia income tax purposes for taxable years beginning on and after January 1, 2013. This bill is identical to HB 1153.

Patron - Stosch

SB463 Income taxes. Advances the date as of which Virginia income tax laws conform with the Internal Revenue Code from December 31, 2010, to December 31, 2011; restores conformity to certain provisions of the federal earned income tax credit for taxable year 2011 for purposes of Virginia's low-income taxpayer income tax credit; and reinstates the age deduction for individuals born on or before January 1, 1939, that was inadvertently deleted by Chapter 851 of the Acts of Assembly of 2011. The bill contains an emergency clause. This bill is identical to HB 516.

Patron - Stosch

SB503 Motor vehicle fuels sales tax. Transfers the administration and collection of the motor vehicle fuels sales

tax imposed in certain transportation districts from the Department of Taxation to the Department of Motor Vehicles, effective July 1, 2013. This bill incorporates SB 138 and is identical to HB 876.

Patron - Saslaw

SB519 Consumer utility tax; natural gas. Exempts public utilities and electric cooperatives from the consumer utility tax on natural gas when the natural gas is used to generate electricity at a power station. This bill is identical to HB 103.

Patron - Wagner

SB534 Tangible personal property; volunteer deputy sheriffs. Allows motor vehicles owned by volunteer deputy sheriffs to be classified as a separate class of tangible personal property for local taxation purposes. The classification currently includes motor vehicles owned by auxiliary, reserve, or special deputy sheriffs. The bill is effective for tax years beginning on or after January 1, 2013. This bill is identical to HB 1148.

Patron - Stuart

SB540 Real property tax exemption for disabled veterans. Provides that the tax exemption for the primary residence of a disabled veteran, a disabled veteran and his spouse, or a surviving spouse of a disabled veteran includes real property (i) held in a revocable inter vivos trust over which the veteran, the veteran and his spouse, or the surviving spouse hold the power of revocation; (ii) held in an irrevocable trust under which a veteran alone or in conjunction with his spouse possesses a life estate or an estate for joint lives, or enjoys a continuing right of use or support; or (iii) held by a veteran alone or in conjunction with his spouse as tenant or tenants for life or joint lives. The bill also provides that the exemption for the surviving spouse of a disabled veteran includes property held in any of these ways. Finally, the bill establishes a formula for prorating the amount of the exemption in the event there are owners in addition to the disabled veteran. This bill incorporates SB 529.

Patron - Puller

SB562 Transient occupancy tax; Campbell County. Adds Campbell County to the list of counties authorized to impose a transient occupancy tax not to exceed five percent.

Patron - Ruff

SB597 Retail sales and use tax; presumption for registration for collection of the tax. Creates a legal presumption to require registration by a dealer for collection of retail sales and use taxes if any commonly controlled person maintains a distribution center, warehouse, fulfillment center, office, or similar location within the Commonwealth that facilitates the delivery of property sold by the dealer to its customers. The presumption can be rebutted by demonstrating that the activities conducted by the commonly controlled person in the Commonwealth are not significantly associated with the dealer's ability to establish or maintain a market in the Commonwealth for the dealer's sales. The effective date of the bill depends upon whether federal legislation passes authorizing states to require remote sellers to collect sales taxes on sales to in-state purchasers and the effective date of such federal legislation.

Patron - Wagner

SB607 Entitlement to sales and use tax revenues; development of regional impact. Entitles the City of Bristol to retain certain sales and use taxes generated on the premises of a development of regional impact located in the City, to pay bonds issued for the development. The bill sets forth numerous

criteria that a development must meet in order to qualify. The bill is identical to HB 1116.

Patron - Carrico

[P]SB609 Coalfield employment enhancement tax credit; sunset date. Extends from January 1, 2015, to January 1, 2107, the sunset date for the coalfield employment enhancement tax credit. This bill incorporates SB 616. This bill is identical to HB 1192.

Patron - Carrico

[P]SB614 Local sales tax distribution; correction of erroneous payments. Requires the state to make adjustments in the next month's distribution of sales tax revenues to a locality after it is discovered that an error in payment was made. Current law allows the adjustment to be made over a period of six months.

Patron - Edwards

[P]SB639 Transportation construction, operation and maintenance, and funding. Provides for the construction, maintenance, and funding of transportation by (i) increasing transportation's share of year-end surpluses to 67 percent, and (ii) authorizing the Commonwealth Transportation Board (CTB) to name highways, bridges, interchanges, and other transportation facilities for private entities if an annual naming rights fee is paid, with the revenue dedicated to highway maintenance and operation. The bill also charges the CTB with greater responsibilities involving integration of land use and transportation planning and authorizes the CTB to withhold federal and state funds for certain local or regional capital improvement projects if those projects are inconsistent with the Statewide Transportation Plan or the Six-Year Improvement Program. Provision is made for use of "revenue-sharing" funds for secondary highway system maintenance projects carried out by local governments. The bill provides for special allocations by the CTB for bridge reconstruction, high priority highway projects, and reconstruction of highways with particularly deteriorated pavements. Finally, the bill establishes an annual \$50 license tax for electric motor vehicles registered in the Commonwealth. This bill is identical to HB 1248.

Patron - Wagner

[P]SB658 Local license tax ordinances for the severance of minerals. Requires certain localities that imposed local severance taxes for the 2008, 2009, 2010, or 2011 license year to amend their local ordinances to adopt or include certain local license tax uniform ordinance provisions into the local ordinance with an effective date retroactive to the 2008 license year. Each such locality would be required to allow taxpayers upon whom local severance taxes were imposed to avail themselves of the appeal procedures included as part of the local license tax uniform ordinance provisions. In addition, within 60 days of the effective date of the bill, each such locality would be required to provide written notice to taxpayers upon whom the locality imposed local severance taxes for the 2008, 2009, 2010, or 2011 license year that the locality has adopted or will adopt the uniform ordinance provisions retroactive to the 2008 license year and for each license year thereafter. Each such ordinance so amended within 90 days of the effective date of the bill would be deemed valid and properly enacted for purposes of any local severance tax imposed for license year 2008, 2009, 2010, 2011, or 2012. The bill also provides that any person assessed with a local severance tax for license year 2008, 2009, 2010, 2011, 2012, or 2013 would be allowed to file an administrative or judicial appeal of the same only during the period beginning July 1, 2013, and ending July 1, 2014. In addition, for any assessment of additional license tax for license year 2008, 2009, 2010, or 2011 collection activity would be suspended until July 1, 2013. Collection activity

would be suspended until July 1, 2013, on any assessment of additional license tax for license year 2012 or 2013 if the taxpayer in filing a severance tax return includes with the return a good faith payment of the tax due or a good faith estimate of the tax due. The bill contains an emergency clause. This bill is identical to HB 1233.

Patron - Puckett

[P]SB680 Neighborhood Assistance Act Tax Credit. The bill lowers the threshold, from 50 percent to 40 percent, for the percentage of impoverished people to whom a neighborhood assistance organization that submits a proposal to the State Board of Social Services must provide services to in order to be eligible to participate in the program.

Patron - Wagner

[P]SB681 Definition of income tax. Provides a definition of "income tax" for purposes of certain individual income tax credits for taxes paid to another state or a foreign country. The provisions of the bill are retroactive for taxable years 2007 through 2011 and prospective beginning with taxable year 2012. The bill contains an emergency clause.

Patron - Stosch

[P]SB684 Entitlement to sales and use tax revenues; City of Winchester and the City of Lynchburg. Adds the City of Winchester and the City of Lynchburg to the list of localities that are entitled to sales and use tax revenues generated at certain public facilities for the repayment of bonds related to the public facilities.

Patron - Vogel

Failed

[F]HB18 Transfer of certain income tax revenue generated by space flight entities to the Virginia Commercial Space Flight Authority. Clarifies that the revenue transferred to the Virginia Commercial Space Flight Authority attributable to the sale of commercial human spaceflights or commercial space flight training by space flight entities (i) is the income tax revenue generated from such sale and (ii) is not determined solely by the point of sale or where the space flight takes place. The bill also expands such space flight entities to include limited liability companies. This bill was incorporated into HB 813.

Patron - Kilgore

[F]HB19 Individual income tax deduction for certain purchases from space flight entities. Provides an individual income tax deduction in the amount paid for a prepaid contract entered into with a commercial space flight entity to place the taxpayer's cremated remains in earth or lunar orbit. The deduction shall not exceed \$8,000 in total and shall not exceed \$2,500 in any one tax year. The bill is effective for taxable years beginning on or after January 1, 2013, but before January 1, 2021.

Patron - Kilgore

[F]HB23 Sales and use tax revenue dedicated to the Transportation Trust Fund. Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a one percent tax rate, phased in by a 0.1 percent increase each year for five years, or over a longer period of time if there is a lack of growth in general fund revenues.

Patron - Cole

HB24 BPOL tax; certain localities required to assess on Virginia taxable income. Requires that the local license (BPOL) tax be imposed on the Virginia taxable income of a business for any locality that did not impose a BPOL tax in license year 2011 and subsequently elects to impose a BPOL tax. Under current law, the tax base upon which the local license tax is imposed is the gross receipts or gross income of businesses with a place of business in the locality.

Patron - Cole

HB31 Real property tax valuation; property's use restricted by law. Prohibits attributing any value to any unlawful use of real property when determining fair market value

Patron - Marshall, R.G.

HB53 Tangible personal property tax relief.

Requires that beginning with tax year 2013 the reimbursement paid by the Commonwealth to localities for providing tangible personal property tax relief would be apportioned approximately in an equal dollar amount among all vehicles in the county, city, or town qualifying for the tax relief.

Patron - Albo

HB105 Machinery and equipment recyclable materials tax credit. Provides that beginning January 1, 2012, machinery and equipment used in a manufacturing facility or plant unit that produces methane gas for sale through anaerobic digestion would be eligible for the tax credit.

Patron - Loupassi

HB117 Local taxes; interest on refunds and delinquent taxes. Authorizes localities not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer. This bill has technical amendments.

Patron - Wilt

HB124 Plastic bag tax. Imposes a tax of 20 cents (\$0.20) on plastic bags used by purchasers to carry tangible personal property purchased in grocery stores, convenience stores, or drug stores. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning, and prescription drugs are exempt from the tax. Retailers are allowed to retain five cents (\$0.05) of the 20-cent (\$0.20) tax or seven cents (\$0.07) if the retailer has a customer bag credit program. Failure to collect and remit the tax will result in fines of \$250, \$500, and \$1,000 for the first, second, and third and subsequent offenses, respectively.

Patron - Morrissey

HB145 Sales and use tax on watercraft. Removes the \$2,000 cap on the amount of tax imposed under the sales and use tax on watercraft.

Patron - Englin

HB160 Cigarette and other tobacco products; tax rates. Increases the cigarette tax rate from 30 cents (\$0.30) per pack to \$1.45 per pack and increases the cigarette excise tax on roll-your-own tobacco from 10 percent to 50 percent. The bill also increases the tax rate on certain other tobacco products from 10 percent of the manufacturer's sales price to 50 percent. The additional revenue attributable to the increase in taxes is distributed as follows: (i) four percent to the Virginia Department of Health for the Virginia state tobacco quitline, (ii) four percent to the Virginia Foundation for Healthy Youth to prevent tobacco use, and (iii) the remaining amount to increase appropriations to localities for car tax relief.

Patron - Hope

HB201 Real property tax exemption; elderly and disabled. Removes the requirement that "income" be restricted to that which is taxable under federal income tax laws, for purposes of a locality that elects to have income caps in determining eligibility of the elderly and disabled for tax relief.

Patron - Ward

HB236 Sales and use tax exemption; hurricane preparedness products and energy-efficient or water-efficient products. Merges the sales and use tax holiday for energy-efficient or water-efficient products with the sales and use tax holiday for hurricane preparedness products so that both occur during the same seven days previously reserved for only hurricane preparedness products. The bill also removes the sunset for these sales tax holidays.

Patron - Cosgrove

HB247 Sales and use tax exemption; computers. Adds computers and related computer equipment with an aggregate sales price of \$3,500 or less to the school supplies and clothing that are exempt from sales and use tax each year for a three-day period in August.

Patron - Cline

HB276 Neighborhood assistance tax credits; eligibility of certain mediators. Provides that mediators certified under guidelines of the Judicial Council of Virginia who provide mediation services, without charge, at the direction of an approved neighborhood organization that provides court referred mediation services would be eligible for neighborhood assistance tax credits. This bill is identical to HB 368.

Patron - Peace

HB290 Local taxes; interest on refunds and delinquent taxes. Authorizes localities not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer. This bill also has technical amendments.

Patron - Sherwood

HB322 Motor vehicle rental tax; exclusions from the tax. Provides exclusions from the gross rental proceeds upon which the motor vehicle rental tax is imposed. The exclusions include cash discounts taken on a rental contract; finance, carrying, and other service charges; charges for motor fuels; charges for optional accidental death insurance; and other specified exclusions.

Patron - Massie

HB323 Bank franchise tax; apportionment. Provides that the bank franchise tax for banks operating in multiple states shall be apportioned according to the proportion of the bank's deposits held in the Commonwealth.

Patron - Massie

HB335 Individual and corporate income taxes; subtraction for investment in small businesses. Grants an individual and corporate income tax deduction for any income taxed (i) as a gain for federal income tax purposes attributable to an investment in a small business held for a period of at least five years or (ii) as investment services partnership interest income for federal income tax purposes attributable to an investment in a small business. The bill defines a small business as a business having (a) a principal office or facility in the Commonwealth and (b) immediately after and at all times prior to the investment, aggregate assets that totaled less than \$50 million in cash plus the aggregate adjusted bases of all other property held by the business. The bill applies to investments in small businesses made on or after January 1, 2012. The deduction is limited to any gain or investment services partner-

ship interest income attributable to the first \$500,000 invested by the individual or corporation in the respective small business.

Patron - Villanueva

HB340 Neighborhood assistance tax credits. Provides that an auxiliary, subsidiary, or subordinate of a § 501(c)(3) or 501(c)(4) nonprofit is a neighborhood organization that may submit a proposal for an allocation of neighborhood assistance tax credits, regardless of whether the auxiliary, subsidiary, or subordinate holds a ruling that it is exempt from income taxation under the provisions of §§ 501(c)(3) and 501(c)(4). The auxiliary, subsidiary, or subordinate would be subject to all other conditions and requirements that neighborhood organizations must meet for an allocation of tax credits. As part of any tax credit proposal, the auxiliary, subsidiary, or subordinate would be required to include information that clearly establishes the § 501(c)(3) or 501(c)(4) nonprofit under which it is controlled. The auxiliary, subsidiary, or subordinate would be deemed an affiliate of the § 501(c)(3) or 501(c)(4) organization under which it is controlled for purposes of any limitation on the aggregate amount of tax credits that can be approved to a grouping of neighborhood organization affiliates.

Patron - Wilt

HB393 Motor fuels tax; rate increase. Increases the motor fuels tax rate by \$0.10 per gallon and dedicates the additional revenue to the operation, maintenance, improvement, and expansion of the Commonwealth's transportation system.

Patron - Howell, A.T.

HB419 Estate tax reinstated. Reinstates the estate tax for persons dying on or after July 1, 2012. No estate tax will be imposed on a gross estate if the majority of the assets of the estate is an interest in a closely held business or a working farm. The revenues from the estate tax would first be used for funding staffing standards in nursing homes required to be established under the bill, which staffing standards would require a minimum period of time of direct care services to each resident per 24-hour period.

Patron - Watts

HB422 Transportation funding and administration. Provides additional funding for transportation by (i) imposing a motor fuels sales tax rate of five percent, phased in over five years, for highway maintenance; (ii) increasing the state sales tax in Northern Virginia by 0.5 percent for transportation projects in Northern Virginia; and (iii) adding an additional recordation tax in Northern Virginia at a rate of \$0.40 per \$100 valuation. The motor fuels tax is not effective until the unemployment rate in the Commonwealth decreases for four consecutive quarters after July 1, 2011. The bill also reduces the sales and use tax rate on food for human consumption from 1.5 percent to one percent and repeals the authority for certain localities to impose a local income tax. In addition, the bill removes the sunset date from the 2009 Act of Assembly that reduced the special real property tax rate on commercial property in the localities embraced by the Northern Virginia Transportation Authority from \$0.25 per \$100 of assessed value to \$0.125 per \$100 of assessed value. Finally, the bill increases the special real property tax rate on commercial property in localities in Hampton Roads from \$0.10 per \$100 of assessed value to \$0.125 per \$100 of assessed value.

Patron - Watts

HB446 Termination of certain coal tax credits. Repeals the Virginia coal employment and production incen-

tive tax credit and the coalfield employment enhancement tax credit.

Patron - Toscano

HB461 Local taxes; interest and penalties. Provides that the rate of interest set by localities that is charged on delinquent local taxes, and paid on refunds of local taxes, for the first year shall not exceed the "Underpayment Rate" established pursuant to § 6621(a)(2) of the Internal Revenue Code. After the first year, the cap on the rate increases by two percent. Under current law, such interest rate shall not exceed the rate established pursuant to § 6621(a)(2) of the Internal Revenue Code or 10 percent, whichever is greater. The bill also repeals a statute that automatically imposed an interest rate of 10 percent in any locality that does not enact an ordinance setting the interest rate. Finally, the bill authorizes the waiver of interest and penalty for good cause. The current law requiring the interest charged on delinquent taxes to be the same as the interest paid on tax refunds, is maintained. The bill contains technical amendments.

Patron - Byron

HB512 Intangible personal property tax; machinery and tools. Classifies as intangible personal property, and therefore subject solely to state taxation, machinery and tools purchased on or after July 1, 2012, that have not been in service for more than three years.

Patron - Purkey

HB565 Sales and use tax exemption; computers. Adds computers and related computer equipment with an aggregate sales price of \$3,500 or less to the school supplies and clothing that are exempt from sales and use tax each year for a three-day period in August.

Patron - Marshall, D.W.

HB664 Publication of names of taxpayers claiming state tax credits. Requires the Tax Commissioner to annually report on and publish on the Department of Taxation's website the following for certain state tax credits: a brief description of the tax credit, the name of each taxpayer claiming at least \$1,000 of the respective credit, the dollar amount of the credit claimed by such taxpayer, and a reference to the Code of Virginia section (referenced with specificity) that establishes the credit.

Patron - Surovell

HB671 Tax administration; awards for detection of tax underpayments. Creates a program for the payment of monetary rewards to individuals who provide information to the Tax Commissioner that leads to the successful collection of taxes that are owed by other individual or business taxpayers. Awards may only be given if the underpaying individual taxpayer's income exceeds \$100,000 or the underpaying business taxpayer's income exceeds \$500,000, and the amount in question exceeds \$50,000.

Patron - Surovell

HB712 Coal severance tax. Codifies the manner in which the coal severance tax is calculated and is declarative of existing local practice.

Patron - Kilgore

HB783 Microenterprise investment tax credits. Creates a tax credit for individuals who make a qualified investment in a microenterprise in tax years beginning on or after January 1, 2012, but before January 1, 2017. The amount of the credit shall be 25 percent of an investment in a green business microenterprise or a microenterprise located in a Historically Underutilized Business Zone, or 20 percent of an

investment in any other microenterprise. An individual may receive a credit up to \$12,500, and the total aggregate amount of credits available in a calendar year is capped at \$2.5 million.

Patron - Lopez

[F]HB795 Food and beverage tax; Floyd County.

Authorizes Floyd County to impose a food and beverage tax at a rate not to exceed four percent, provided that (i) the local governing body unanimously votes to impose it and (ii) the local governing body decreases the real property tax rate to a level that will reduce its real property tax revenues by an amount equal to the estimated amount of revenue to be generated by the food and beverage tax.

Patron - Rush

[F]HB801 Board of equalization; Loudoun County.

Allows the Loudoun County board of supervisors to appoint the members of the Loudoun County board of equalization. Currently, the members are appointed by the circuit court.

Patron - May

[F]HB802 Transportation funding and administration; Virginia Pump Toll ("FareShare").

Imposes the Virginia Pump Toll ("FareShare"), in the amount of (i) \$0.50 on each use of a retail motor fuels pump and an additional \$0.50 when purchasing 35 or more gallons; (ii) \$1.00 on each 12-gallon sale of gasoline (other than for resale) from a transport truck or tank wagon and on each 60-gallon sale of diesel fuel (other than for resale) from a transport truck or tank wagon; (iii) an amount to be determined by the Commissioner of the Department of Motor Vehicles on the bulk purchase of clean fuel other than electricity at a rate equivalent to \$1.00 times the volume of clean fuel required to fill the average size fuel tank to three quarters full; and (iv) \$0.50 on each sale of clean fuel at an electric vehicle charging service facility. Revenue from the FareShare shall be used for highway maintenance and operation in the highway construction district in which the motor fuel is sold. The amount of the FareShare increases by 10 percent every five years. The bill has a delayed effective date of January 1, 2013.

Patron - May

[F]HB811 Corporate tax credit; taxes paid in another state. Allows an entity that pays corporate income tax in Virginia based upon 100 percent of its sales to receive a tax credit equal to the amount of income tax paid in another state for sales in that state. The tax credit would apply to tax years beginning on or after January 1, 2012.

Patron - May

[F]HB892 Taxes on fuels; issuance of bonds. Makes the retail sale of gasoline, diesel fuel, and other fuels subject to the general five percent retail sales and use tax and reduces the fuels tax on such fuels by \$0.05 per gallon from \$0.175 per gallon to \$0.125 per gallon. Under current law, the sale of fuels is exempt from the general retail sales and use tax, but fuels are subject to a fuels tax imposed at the rate of \$0.175 per gallon. Of the net additional revenues generated each year under the bill, \$250 million would be deposited into the Highway Maintenance and Operating Fund and the remainder would be deposited into the Highway Construction Projects Trust Fund created under the bill.

Moneys deposited into the Highway Construction Projects Trust Fund would be used to finance or fund the construction, acquisition, reconstruction, or replacement of or improvements or additions to highway projects determined necessary by the Commonwealth Transportation Board. The bill also authorizes the issuance of up to \$5 billion in bonds for such highway projects with the bonds and the interest thereon to be repaid from

the net additional revenues generated by the bill and deposited into the Fund.

The Commonwealth Transportation Board is charged with ensuring that of the net additional revenues over the long term approximately 38 percent of such revenues would be used for projects in the Northern Virginia construction district, 31 percent for projects in the Hampton Roads construction district, and 31 percent for projects in all other construction districts in the Commonwealth.

Patron - Alexander

[F]HB898 Transportation funding. Dedicates to the Highway Maintenance and Operating Fund (i) one-third of the total revenue from the insurance license tax and (ii) the amount of current state sales and use tax revenue attributable to a 0.25 percent sales and use tax rate.

Patron - Albo

[F]HB899 Transportation funding; motor fuels tax and sales and use tax revenue.

Provides funds for statewide transportation by indexing the motor fuels tax rate to the National Highway Construction Cost Index. The bill also allocates a portion of current sales and use tax revenue by (i) dedicating the revenue equal to a one-quarter percent sales and use tax in Northern Virginia for transportation projects in Northern Virginia, and (ii) dedicating the revenue equal to a one-quarter percent sales and use tax in Hampton Roads for transportation projects in Hampton Roads.

Patron - Albo

[F]HB983 Motor fuels tax rate. Converts the rate of taxation on motor fuels from cents per gallon to a percentage rate. The bill provides that the Commissioner of the Department of Motor Vehicles shall calculate the percentage rate in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, the percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the Department of Motor Vehicles over rolling six-month periods, to determine the cents to be charged.

Patron - Scott, J.M.

[F]HB1023 Tax credit for hiring certain individuals released from incarceration. Establishes beginning January 1, 2012, an individual and corporate income tax credit for taxpayers hiring individuals released from incarceration into new jobs paying an annual salary of at least \$50,000. Individuals released from incarceration are persons who were released from incarceration for conviction of a felony within the five years immediately preceding the date on which the person was hired into the new job. The tax credit would equal \$500 each year for five years for each such employee holding the new job continuously throughout the year. No credit would be allowed for any year in which the number of full-time employees of the taxpayer is less than the average annual number of full-time employees of the taxpayer in the immediately preceding three years.

Patron - Englin

[F]HB1027 Local motor fuels tax. Permits two or more localities that are constructing or operating high capacity transit systems to impose a local motor fuels tax at the rate of 2.1 percent of the wholesale price of fuels sold to retailers. The revenue generated from the tax shall be used to construct or operate high capacity transit systems.

Patron - Englin

[F]HB1030 Minimum corporate income tax. Establishes a \$250 minimum corporate income tax beginning January 1, 2012. Corporations would not be allowed to claim any tax credit to reduce the corporate income tax below \$250.

Patron - Englin

[F]HB1046 Real property tax exemption; elderly and disabled. Removes the requirement that "income" be restricted to that which is taxable under federal income tax laws, for purposes of a locality that elects to have income caps in determining eligibility of the elderly and disabled for tax relief.

Patron - Keam

[F]HB1082 Recordation tax. Eliminates the recordation tax exemption for certain deeds of trust securing a refinanced obligation, and establishes a reduced tax for all refinancing deeds of trust or mortgages that is equal to a maximum of 18 cents (\$0.18) per \$100 of the amount refinanced. Under current law, there is an exemption for a deed of trust or mortgage that is refinanced with the same lender on the principal amount of the original debt; all other such instruments of refinancing are subject to the tax at rates higher than the new rates established in the bill.

Patron - Hugo

[F]HB1157 Local government taxing authority. Equalizes city and county taxing authority beginning January 1, 2013, by granting counties the same authority available to cities. In general, cities are not subject to maximum tax rates that may be imposed on meals, transient room rentals, cigarettes, and admissions to events. In general, counties are subject to maximum rates for these taxes.

Patron - Merricks

[F]HB1204 Incentive payments for use of domestic tobacco by nonparticipating manufacturers. Extends through 2014 the incentive payments made to certain nonparticipating manufacturers using domestic tobacco to manufacture cigarettes. Incentive payments in 2013 and 2014 would equal the amount paid by the nonparticipating manufacturer for domestic tobacco that was used by the manufacturer in manufacturing cigarettes in the respective year, but not to exceed five percent of the amount that the manufacturer paid into a qualified escrow account in the preceding year to escrow funds for potential future claims against the manufacturer.

Current law provides that a manufacturer eligible for an incentive payment is a person or entity that (i) does not participate under the tobacco Master Settlement Agreement, (ii) is in compliance with all obligations imposed on nonparticipating manufacturers, and (iii) has made an irrevocable assignment to the Commonwealth of the moneys it paid into the qualified escrow account.

Patron - O'Quinn

[F]HB1239 Retail sales and use tax increase. Increases the state retail sales and use tax from four percent to five percent beginning January 1, 2013, subject to a statewide referendum on the same. The increase in the state retail sales and use tax would result in a combined state and local retail sales and use tax of six percent. One-half of the revenues generated would be deposited into a new special fund, the Supplemental Highway Construction and Maintenance Fund, and one-half of the revenues generated would be used in accordance with the general appropriation act for the provision of mental health services, public K through 12 education, and public higher education.

Of the sales and use tax revenues deposited into the Supplemental Highway Construction and Maintenance Fund, \$200 million each fiscal year would be used for the construction of secondary system roads. The remaining sales and use tax revenues deposited into the Fund would be distributed to the Highway Maintenance and Operating Fund to be used (i) to repair bridges that are structurally deficient or functionally obsolete and (ii) for maintenance of the Commonwealth's highways.

Patron - Putney

[F]HB1241 Motor fuels tax; indexed. Requires that the motor fuels tax rate be indexed on January 1, 2014, and each year thereafter, to the average percentage change in the U.S. Department of Transportation's Transportation Services Index for the three years ending October 31 of the year immediately preceding the affected year.

Patron - Purkey

[F]HB1264 Extension of time to file individual income tax return; penalty for late payment of tax. Provides that for individual income tax returns filed electronically under an extension of time allowed or elected, no late payment penalty would be imposed if the full amount of tax due is paid by the last day by which the taxpayer would have been required to file the return under the extension, regardless of whether the income tax return was filed prior to the full amount of the tax being paid.

Patron - Toscano

[F]SB48 Assessment of residential rental properties. Establishes criteria by which an assessor shall determine fair market value for real estate used in whole or in part as residential rental property as defined by ordinance or the locality. Criteria include actual gross income generated, losses due to vacancies, collection losses, and rent concessions as well as actual operating expenses and expenditures. Evidence as to fair market value presented by the property owner shall be considered by the real estate assessor in his property assessment.

Patron - Watkins

[F]SB78 Corporate tax credit; taxes paid in another state. Allows an entity that pays corporate income tax in Virginia based upon 100 percent of its sales to receive a tax credit equal to the amount of income tax paid in another state for sales in that state. The tax credit would apply to tax years beginning on or after January 1, 2012.

Patron - Watkins

[F]SB138 Motor vehicle fuel sales tax. Transfers the administration and collection of the motor vehicle fuel sales tax imposed in certain transportation districts from the Department of Taxation to the Department of Motor Vehicles, effective July 1, 2013. This bill was incorporated into SB 503.

Patron - Puller

[F]SB154 License tax; uniform ordinances. Declares that in order to meet the existing requirement that a local ordinance levying a license tax must include provisions "substantially similar" to those set forth in the uniform ordinance provisions of subsection A of § 58.1-3703.1, the ordinance may incorporate or adopt the provisions by reference. This bill contains technical amendments.

Patron - Puckett

[F]SB162 Fuels taxes; indexing of tax rates. Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index. The bill would define the fuel efficiency index as the quotient that is obtained when using as the numerator the total annual vehicle miles traveled in the Commonwealth for the relevant year and using as the denominator the

total gallons of motor fuel consumed for highway use in the Commonwealth for the relevant year. The numerator and denominator would be the corresponding amounts as published by the Federal Highway Administration of the United States Department of Transportation.

The bill would establish 2007 as the base year for the fuel efficiency index. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the rates of Virginia's fuels taxes. Each December the Commissioner of the Department of Motor Vehicles would compute the adjusted rates of fuels taxes.

Currently, Virginia's fuels taxes are fixed at the rate of \$0.175 per gallon for each gallon of gasoline, gasohol, and diesel fuel.

This bill was incorporated into SB 631.

Patron - Petersen

SB232 Sales and use tax exemption; certain computer equipment and enabling software. Expands the sales and use tax exemption for the purchase or lease of computer equipment or enabling software by data centers by extending it to tenants of the centers, and by including jobs created not only by the data center operator but also by the tenants of the data center in collectively meeting the level of new jobs required for eligibility for the exemption. This bill was incorporated into SB 112.

Patron - Herring

SB241 Tax credits; assistance to low-income families, scholarships for K through 12 students attending private schools. Establishes a credit beginning in taxable year 2012 for certain business entities making monetary donations to nonprofit organizations providing education improvement scholarships to students whose family's annual household income is not in excess of 300 percent of the current poverty guidelines and certain students with disabilities, in order for them to attend nonpublic elementary or secondary schools. Nonprofit organizations to which donations are made would be required to distribute at least 90 percent of their tax-credit-derived funds in the form of scholarships to such students. The credit would equal 84 percent of the donation made by the business entity and any unused credit for the taxable year would be refundable. There is an annual cap of \$50 million in tax credits for the scholarship program. The Department of Education would administer the tax credit program.

The bill also expands the current Neighborhood Assistance Act Tax Credit program by increasing the tax credit percentage from 40 to 64 percent; expanding the eligibility criteria for programs qualifying for tax credits to encompass programs providing services to certain students with disabilities and individuals whose family's annual household income is not in excess of 300 percent of the poverty guidelines; and repealing the July 1, 2014, sunset for the program. Current law provides that programs qualifying for tax credits must provide services to individuals whose family's annual household income is not in excess of 200 percent of the current poverty guidelines.

The bill was incorporated into SB 131.

Patron - Obenshain

SB262 Microenterprise investment grant program. Creates a grant program for individuals who make a qualified investment in a microenterprise. The amount of the credit shall be 25 percent of an investment in a green business microenterprise or a microenterprise located in a Historically Underutilized Business Zone or 20 percent of an investment in any

other microenterprise. An individual may receive a credit up to \$12,500. The microenterprise investment grant program is contingent upon an appropriation of general funds effectuating the provisions of the bill.

Patron - Ebbin

SB306 Tax increment financing; blighted areas. Specifies that only a blighted area may be designated as a development project area for purposes of tax increment financing.

Patron - Blevins

SB352 Land conservation income tax credit; transfer in the event of death. Allows the executor or administrator of an estate or the trustee of a revocable living trust to transfer the credit of the deceased taxpayer to another taxpayer.

Patron - Deeds

SB355 Land preservation tax credits; information about approved credits. Requires the Department of Taxation to publish and annually update a list that indicates the aggregate number of acres in each county or city for which tax credits were issued. The list shall also indicate the assessed value, the appraised value, and the amount of credits issued for each piece of property, or interest in property, awarded a land preservation tax credit.

Patron - Deeds

SB401 Local taxes; interest on refunds and delinquent taxes. Authorizes localities not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer. This bill has technical amendments.

Patron - Hanger

SB404 Riparian forest buffers; grant program and tax credit. Sunsets the existing riparian forest tax credit on December 31, 2012. In its place, the bill creates a grant program to be administered by the State Forester. A person would be eligible for a grant equal to \$17,500, or 25 percent of the value of the timber retained as a buffer, whichever is less. The creation of the grant program and the sunset of the existing tax credit are contingent upon an appropriation of General Funds effectuating the provisions of the program.

Patron - Hanger

SB529 Real property tax exemption for disabled veterans. Provides that the tax exemption for the primary residence of a disabled veteran, a disabled veteran and his spouse, or a surviving spouse of a disabled veteran includes real property (i) held in a revocable inter vivos trust over which the veteran, the veteran and his spouse, or the surviving spouse hold the power of revocation; (ii) held in an irrevocable trust under which a veteran alone or in conjunction with his spouse possesses a life estate or an estate for joint lives, or enjoys a continuing right of use or support; or (iii) held by a veteran alone or in conjunction with his spouse as tenant or tenants for life or joint lives. The bill also provides that the exemption for the surviving spouse of a disabled veteran includes property held in any of these ways. Finally, the bill establishes a formula for pro rating the amount of the exemption in the event there are owners in addition to the disabled veteran. This bill was incorporated into SB 540.

Patron - Marsden

SB616 Coalfield employment enhancement tax credit. Eliminates the sunset on the coalfield employment enhancement tax credit. Currently the credit is set to expire on January 1, 2015.

Patron - Puckett

SB618 Incentive payments for use of domestic tobacco by nonparticipating manufacturers. Extends through 2014 the incentive payments made to certain nonparticipating manufacturers using domestic tobacco to manufacture cigarettes. Incentive payments in 2013 and 2014 would equal the amount paid by the nonparticipating manufacturer for domestic tobacco that was used by the manufacturer in manufacturing cigarettes in the respective year, but not to exceed five percent of the amount that the manufacturer paid into a qualified escrow account in the preceding year to escrow funds for potential future claims against the manufacturer.

Current law provides that a manufacturer eligible for an incentive payment is a person or entity that (i) does not participate under the tobacco Master Settlement Agreement, (ii) is in compliance with all obligations imposed on nonparticipating manufacturers, and (iii) has made an irrevocable assignment to the Commonwealth of the moneys it paid into the qualified escrow account.

Patron - Puckett

SB620 Federal government contractor grant program. Establishes a federal government contractor grant fund and program beginning January 1, 2013, for federal contractors with at least 250 full-time employees that subcontract with small or minority-owned, veteran-owned, or women-owned businesses to perform federal government contract work. The grant would equal five percent of the amount paid by the federal contractor under the subcontract to the small or minority-owned, veteran-owned, or women-owned business. The small or minority-owned, veteran-owned, or women-owned business would be required to perform all subcontract work in a Historically Underutilized Business Zone or a state enterprise zone. The federal government contractor grant program is contingent upon an appropriation of general funds effectuating the provisions of the bill.

The aggregate amount of grants would be capped at \$10 million each fiscal year.

Patron - Petersen

SB631 Motor fuels tax; indexed. Requires that the motor fuels tax rate be indexed each year to the percentage change in the U.S. Department of Labor's Producer Price Index for Other Nonresidential Construction from January 1 through December 31 of the year immediately preceding the affected year. This bill incorporates SB 162.

Patron - Watkins

Carried Over

HB10 BPOL tax; maximum fee and tax rates established. Prohibits a locality from increasing its local license (BPOL) fees or taxes above the rates of its BPOL fees and taxes imposed for the 2011 license year. The prohibition on increasing BPOL fees and taxes expires beginning with the 2015 license year. The bill also authorizes a locality to impose the BPOL tax on (i) gross receipts or (ii) the Virginia taxable income of a corporation, the net income of a sole proprietorship, and the net income of a pass-through entity.

Patron - Cole

HB82 Real property tax; land use valuation. Provides that roll-back taxes shall not apply to real property that loses its designation as devoted to agricultural or horticultural use because of excavation of sand or gravel on it, provided that

such property returns to agricultural or horticultural use within two years after commencement of the extraction.

Patron - Orrock

HB111 Small business job creation tax credit. Creates an individual and corporate income tax credit beginning January 1, 2012, for small businesses creating new full-time jobs in the Commonwealth. The credit would equal \$1,000 for each new job created. A small business would be allowed the credit for an aggregate of 50 jobs. The provisions of the bill would expire on January 1, 2015.

Patron - Bell, Richard P.

HB130 Individual income tax; military retirement pay subtraction. Establishes an individual income tax subtraction for annual retirement compensation received for service as a member of the Armed Forces of the United States or the Virginia National Guard. The subtraction is effective beginning with the 2012 taxable year.

Patron - Kilgore

HB131 Individual income tax credit; disabled military veterans. Establishes an individual income tax credit beginning with the 2012 taxable year for veterans with a military service-connected disability. The credit would be computed by multiplying the veteran's disability rating for the taxable year by the amount of his Virginia individual income tax liability for the year. The veteran's disability rating would be determined using the disability ratings of the U.S. Department of Veterans Affairs.

Patron - Kilgore

HB149 Corporate income tax; lower rate for certain businesses. Reduces the corporate income tax rate from six percent to three percent for the first three years after a business located outside Virginia opens a satellite office in a Virginia locality with a population of 200,000 or fewer or after a business located in a Virginia locality with a population exceeding 200,000 opens a satellite office or operation in a Virginia locality with a population of 200,000 or fewer, for taxable years beginning on or after January 1, 2012. The capital investment made by the corporation must be \$250,000 or more and the tax reduction may not exceed the amount of that capital investment.

Patron - Ransone

HB191 Tax credit for small businesses hiring graduates of Virginia's colleges. Creates, beginning January 1, 2012, an individual and corporate income tax credit for certain small businesses creating new full-time jobs that are filled by persons holding associate's or bachelor's degrees from in-state institutions of higher education. The credit would equal \$2,500 for each such new full-time job. The credit would be claimed for the taxable year at which time the new full-time job was continuously filled for at least 12 months. Any unused credit would be allowed to be carried over for five taxable years. The tax credit would sunset in 2014.

Patron - Herring

HB207 Sales and use tax exemption; gold, silver, and platinum bullion. Exempts from sales and use tax gold, silver, or platinum bullion whose sales price exceeds \$1,000. The bill has a sunset date of June 30, 2015.

Patron - Miller

HB228 Tax credit for contracting with small or minority-owned, veteran-owned, or women-owned businesses. Establishes a corporate income tax credit beginning January 1, 2013, for federal contractors with at least 250 full-time employees that subcontract with small or minority-owned,

veteran-owned, or women-owned businesses to perform federal government contract work. The tax credit would equal five percent of the amount paid by the federal contractor under the subcontract to the small or minority-owned, veteran-owned, or women-owned business. The small or minority-owned, veteran-owned, or women-owned business would be required to perform all subcontract work in a Historically Underutilized Business Zone or a state enterprise zone.

Tax credits would be capped at \$10 million each fiscal year. The tax credit would sunset on December 31, 2017.

Patron - Habeeb

HB248 Corporate income tax. Eliminates Virginia's corporate income tax for taxable years beginning on and after January 1, 2013.

Patron - Cline

HB456 Riparian forest tax credit; refund. Makes the existing tax credit for riparian forest buffer protection for waterways refundable. Currently, the tax credit may be carried forward for five taxable years, but is not refundable.

Patron - Ware, R.L.

HB483 Real property tax; collection of certain taxes. Provides that the current authority to increase the assessment of real property taxes for three preceding tax years by increasing the amount of the valuation of the property applies only to errors related to (i) new construction or improvements to the property, (ii) a change in the use of the property, or (iii) fraud on the part of the taxpayer.

Patron - Iaquinto

HB505 Income tax; long-term care insurance credit. Increases the amount of the credit an individual may claim for long-term care insurance premiums from 15 percent to 30 percent of the amount of the premiums paid. The bill would be effective for taxable years beginning on or after January 1, 2012.

Patron - Garrett

HB514 Tax credits for costs to comply with excessive state regulations. Establishes a tax credit beginning January 1, 2012, for the direct costs of a business attributable to its location in the Commonwealth to comply with excessive state regulations. The bill defines direct costs to include lost profits from business in the Commonwealth. The bill defines excessive state regulations as regulations or mandatory rules or guidelines that are (i) imposed by the Commonwealth, (ii) not required by any federal law or other federal authority, (iii) in general, costly to comply with, and (iv) imposed on a business for conducting business in the Commonwealth that restrict, condition, or prohibit ordinarily harmless property conditions or the ordinarily harmless exercise or enjoyment by the business of its legal rights. The Secretary of Commerce and Trade would be charged with identifying excessive state regulations for which tax credits would be allowed. The bill provides for a five-year carryover period for unused tax credits.

Patron - Purkey

HB517 Individual income tax deductions; life, medical, and dental insurance premiums. Creates individual income tax deductions beginning January 1, 2012, for (i) life insurance premiums paid by the individual for a life insurance policy covering him and (ii) medical and dental insurance premiums paid by the individual for any person for which individual tax filers may claim a deduction for such premiums under federal income tax laws.

Patron - Purkey

HB518 Individual income tax deductions; life, medical, and dental insurance premiums. Provides that beginning January 1, 2012, an individual age 66 or older with earned income of at least \$20,000 for the year is allowed to deduct the amount he pays annually for (i) life insurance premiums under a policy that covers him and (ii) medical and dental insurance premiums for any person for which individual tax filers may claim a deduction for such premiums under federal income tax laws.

Patron - Purkey

HB720 Worker retraining tax credit; increase in credit amount. Increases the worker retraining tax credit for worker retraining courses taken by employees at private schools from a maximum of \$100 per year per employee to \$250 per year per employee or \$500 per year per employee if the worker retraining includes retraining in a STEM or STEAM (science, technology, engineering, mathematics, or applied mathematics) discipline, including but not limited to a health care-related discipline.

Patron - Yancey

HB787 Sales and use tax exemption; renewable energy equipment. Provides refunds of sales and use tax paid on the purchase of certain renewable energy equipment.

Patron - Lopez

HB832 Distribution of sales tax revenue to localities based on school-age population. Permits local school divisions that make the determination that the annual estimate of school-age population within the division provided by the Weldon Cooper Center for Public Service of the University of Virginia is substantially inaccurate, to present evidence of such inaccuracy to the Superintendent of Public Instruction and have the Superintendent correct the estimate if it is in agreement with the local school division.

Patron - Carr

HB862 Individual income tax deduction for tolls. Establishes an individual income tax deduction beginning with the 2013 taxable year for tolls paid for the use of a publicly owned and publicly operated highway located in the Commonwealth.

Patron - Rust

HB883 Income tax credit; solar energy equipment systems. Provides a personal and corporate income tax credit beginning January 1, 2012, for the purchase and installation of equipment that (i) generates electricity from solar energy or (ii) uses solar energy to heat or cool a structure or provide hot water. The amount of the credit would be 10 percent of the cost of purchasing and installing eligible solar energy equipment systems, capped at \$1,000 per year. Any unused tax credit could be carried over for five years until all the tax credit is taken. The solar energy equipment system must provide a minimum of 10 percent of the energy needs of the structure in which it is installed, and must be approved by the Department of Mines, Minerals and Energy.

Patron - Sickles

HB908 Land preservation tax credit; application for credits prior to any donation. Provides that beginning January 1, 2013, a donor would be given the option to apply to the Department of Taxation for land preservation tax credits prior to making any donation of land. The Tax Commissioner, in general, would be required to provide such donors with a determination letter conditionally allowing the land preservation tax credits, in whole or in part, or denying the application for tax credit within 120 days of a complete application. After the Tax Commissioner's determination letter, the donor could

complete the conveyance of the donation and in such case would provide the Department with certified copies of the recorded deeds and instruments conveying the donation. The Department then would provide the donor with a written certification issuing the tax credits that were previously conditionally allowed. If the Tax Commissioner issues land preservation tax credits to a donor who elected to apply for the credits prior to making any donation, the fair market value of the donation would thereafter not be subject to dispute, except upon a showing of fraud or the misrepresentation of a material fact.

Patron - Minchew

☐HB999 Tax credit for individual who teleworks.

Creates a \$500 credit for an individual who teleworks a minimum of 20 hours per week during at least 45 weeks of the year. The credit is available for taxable years beginning on or after January 1, 2012, but before January 1, 2017.

Patron - Ramadan

☐HB1000 Telework expenses tax credit. Raises the cap on the aggregate amount of tax credits available in calendar years 2012 and 2013 for telework expenses from \$1 million to \$1.5 million. The bill also raises the cap on the amount of credits that can be claimed by an employer from \$50,000 per employer to \$75,000 per employer.

Patron - Ramadan

☐HB1006 Home school instruction tax credit. Creates an individual income tax credit beginning January 1, 2012, for amounts paid by a parent or legal guardian for his child for home instruction-related materials and correspondence courses or distance learning programs used in the home instruction. The credit would equal the lesser of the amount actually paid during the year for such costs or \$1,000. The credit would be able to be carried over for four years.

Patron - Ramadan

☐HB1041 Tax credit for hiring military veterans.

Establishes beginning January 1, 2012, an individual and corporate income tax credit for taxpayers hiring returning or disabled military veterans into new jobs paying an annual salary of at least \$50,000. Returning military veterans are persons who served on active duty on or after September 1, 2001, but not including any person who first served on active duty on or after January 1, 2015. Disabled military veterans are persons who are rated by the U.S. Department of Veterans Affairs as having at least a 50 percent service-connected disability and who were unemployed for at least six months in the calendar year immediately preceding the date on which they were hired into the new job. The tax credit would equal \$500 each year for five years for returning military veterans holding the new job continuously throughout the year and \$1,000 each year for five years for disabled military veterans holding the new job continuously throughout the year. No credit would be allowed for any year in which the number of full-time employees of the taxpayer is less than the average annual number of full-time employees of the taxpayer in the immediately preceding three years.

Patron - Keam

☐HB1049 Income tax; STEM (science, technology, engineering, or mathematics) internship tax credit. Establishes an individual and corporate income tax credit for taxpayers employing persons in STEM internship positions in the Commonwealth. The bill requires the intern to have an associate's or bachelor's degree in a STEM discipline or to be a graduate of a STEM trade school. In addition, the person's STEM internship with the taxpayer must be for a definite period that does not exceed 12 months. Taxpayers hiring STEM interns would be eligible for a tax credit equal to 25 percent of the

wages or salary paid to the intern. Taxpayers would apply to the Department of Taxation for the tax credit. The Department would issue tax credits by providing a written certification to the taxpayer that reports the amount of tax credit that may be claimed. The Department would not be allowed to issue more than \$2 million in tax credits during any fiscal year. The Department would be allowed to issue tax credits only for fiscal years 2013 through 2017.

Patron - Anderson

☐HB1050 Income tax; tax credit for hiring military persons as STEM (science, technology, engineering, or mathematics) interns. Establishes an individual and corporate income tax credit for taxpayers employing military persons in STEM internship positions in the Commonwealth. The bill requires the military person to be a retiree of or honorably discharged from the Virginia National Guard, the national guard of another state or U.S. territory, the armed forces of the United States, or the armed forces reserves of the United States. In addition, the person's STEM internship with the taxpayer must be for a definite period that does not exceed 12 months. Taxpayers hiring military persons in STEM internships would be eligible for a tax credit equal to 25 percent of the wages or salary paid to the intern. Taxpayers would apply to the Department of Taxation for the tax credit. The Department would issue tax credits by providing a written certification to the taxpayer that reports the amount of tax credit that may be claimed. The Department would not be allowed to issue more than \$2 million in tax credits during any fiscal year. The Department would be allowed to issue tax credits only for fiscal years 2013 through 2017.

Patron - Anderson

☐HB1079 Local cigarette tax. Prohibits any locality from restricting the owner of a business from transferring stamped cigarettes he legally possesses from one of his business locations to another of his business locations. The bill contains technical amendments.

Patron - Hugo

☐HB1081 Local taxes on cigarettes; administration and enforcement. Repeals the statute authorizing localities to utilize specific methods in administering and enforcing local taxes on cigarettes.

Patron - Hugo

☐HB1155 Taxation of trusts established for disabled individuals. Establishes an individual income tax deduction not to exceed \$2,000 for the fair market value of contributions made during the taxable year to certain supplemental needs trusts established for disabled individuals. The bill also would exempt from taxation the income earned by such trusts. The bill would become effective for taxable years beginning on or after January 1, 2012.

Patron - Filler-Corn

☐HB1170 Income tax credits. Grants an income tax credit for taxable years beginning on or after January 1, 2012, to individuals for placing into service renewable energy property. Individuals placing into service solar panels would be allowed a tax credit as follows: \$1.25 per watt for the first 2,000 watts; \$0.75 per watt for 2,001 through 8,000 watts; and \$0.25 per watt for 8,001 through 20,000 watts, not to exceed \$10,000 per system. The bill would allow up to \$2,000 in tax credit for placing into service a solar hot water system and 10 percent of the installed cost of placing into service a geothermal heat pump, not to exceed \$3,000. Individuals would also be allowed tax credit equal to 50 percent of the cost of a residential energy audit performed on their primary residence, not to exceed \$250, provided the individual implemented all

energy efficiency improvements recommended in the auditor's report. Tax credits for individuals under the bill would be capped at \$3 million each fiscal year.

The bill also grants an income tax credit for taxable years beginning on or after January 1, 2012, to corporations for placing into service renewable energy property. Corporations placing into service solar panels would be allowed a tax credit as follows: \$1.25 per watt for the first 2,000 watts; \$0.75 per watt for 2,001 through 8,000 watts; and \$0.25 per watt for 8,001 through 20,000 watts, not to exceed \$2.5 million per system. The bill would allow a tax credit equal to 25 percent of the installed cost of placing into service a solar hot water system, not to exceed \$10,000, and 10 percent of the installed cost of placing into service a geothermal heat pump, not to exceed \$10,000. Corporations would also be allowed tax credit equal to 50 percent of the cost of a commercial property energy audit, not to exceed \$500, provided the corporation implemented all energy efficiency improvements recommended in the auditor's report. Tax credits for corporations under the bill would be capped at \$5 million each fiscal year.

Beginning January 1, 2012, the bill reduces from 85 percent to 75 percent the redemption percentage for unused coalfield employment enhancement tax credits that would be paid to taxpayers who earned the credit. The 10 percent difference would not be paid and would accrue to the benefit of the general fund of the state treasury to help offset any fiscal impact from the individual and corporate renewable energy property and energy audit income tax credits established under the bill.

Patron - Kory

[C]HB1194 Farm wineries and vineyards tax credit.

Raises the total annual amount of tax credits available under the farm wineries and vineyards tax credit to \$500,000 for tax years beginning on or after January 1, 2012.

Patron - Garrett

[C]HB1267 Corporate income tax; combined reporting requirements. Requires, for taxable years beginning on or after January 1, 2013, combined reporting for corporate income tax purposes.

Patron - Scott, J.M.

[C]HB1268 Land preservation tax credit. Reduces from \$100,000 to \$50,000 the amount of the land preservation tax credit that may be claimed for taxable years 2012 and 2013. Any taxpayer affected by the credit reduction would be allowed two additional taxable years in which to claim the land preservation tax credit.

Patron - Brink

[C]SB61 Corporate income tax; lower rate for certain businesses. Reduces the corporate income tax rate from six percent to three percent for the first three years after a business located outside Virginia opens a satellite office in a Virginia locality with a population of 200,000 or fewer or after a business located in a Virginia locality with a population exceeding 200,000 opens a satellite office or operation in a Virginia locality with a population of 200,000 or fewer, for taxable years beginning on or after January 1, 2012. The capital investment made by the corporation must be \$250,000 or more and the tax reduction may not exceed the amount of that capital investment.

Patron - Stanley

[C]SB68 Income tax; industrial building rehabilitation tax credit. Creates a tax credit, not to exceed \$100,000, for businesses that rehabilitate or retrofit older industrial buildings

in which a new business is located for taxable years beginning on and after January 1, 2013.

Patron - Stanley

[C]SB70 Sales tax exemption; construction materials.

Establishes a two-year sales tax moratorium for construction materials and supplies purchased by licensed contractors.

Patron - Stanley

[C]SB114 Exemptions for nonprofit entities; veterans organizations. Adds veterans organizations to those nonprofit entities that can qualify for sales and use tax exemption.

Patron - McDougale

[C]SB178 Satellite office expenses tax credit. Creates a \$250,000 tax credit for a business that opens a satellite office or operation in a Virginia locality that reduces the commute of at least 10 current employees to five miles or less. The capital investment made by the corporation to establish the satellite office or operation must be at least \$250,000.

Patron - Stuart

[C]SB181 Sales and use tax; remittance of use tax. Provides that use tax be reported annually rather than every three months.

Patron - Stuart

[C]SB341 Income tax; long-term care insurance credit.

Increases the amount of the credit an individual may claim for long-term care insurance premiums from 15 percent to 30 percent of the amount of the premiums paid. The bill would be effective for taxable years beginning on or after January 1, 2012.

Patron - Newman

[C]SB403 Land preservation tax credit; working farmers.

Increases the land preservation tax credit from 40 percent to 50 percent of the fair market value of the conveyance for working farmers, for tax years beginning on or after January 1, 2013.

Patron - Hanger

[C]SB567 Low-income and student toll tax credit.

Establishes a tax credit for students and low-income persons who have an E-ZPass or who pay tolls. The amount of the credit is capped at \$1,000 per qualified taxpayer.

Patron - Lucas

[C]SB642 Sales and use tax; lottery tickets. Amends the definition of "retail sale" to include lottery tickets, for purposes of the imposition of the sales and use tax.

Patron - Ruff

[C]SB671 Retail sales and transient occupancy taxes on room rentals.

Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill would require the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The effective date of the bill is January 1, 2013.

Patron - Hanger

[C]SB673 Income Tax. Deconforms Virginia income tax laws from two provisions of the Patient Protection and Afford-

able Care Act that otherwise would increase the state income tax.

Patron - Black

Trade and Commerce

Passed

[P]HB927 Purchasers of secondhand metal items.

Adds to the definition of proprietary articles any telecommunications cable that is one-half of one inch or greater in diameter and that contains 50 or more individual strands of solid, insulated, color-coded copper wire.

Patron - Lingamfelter

[P]HB943 Purchase of service handguns; certain law-enforcement officers. Reduces by five years the amount of time that certain law-enforcement officers must have served in order for the officer, or in some cases the officer's survivor, to purchase the officer's service handgun.

Patron - Lingamfelter

[P]HB1088 Reduced cigarette ignition propensity.

Eliminates an exemption that currently allows retailers to sell from their inventory cigarettes that do not comply with reduced ignition propensity standards if the cigarettes were stamped prior to January 1, 2010, which was the effective date of the legislation establishing the standards. This measure provides that retailers will not be subject to the requirements regarding the sale of reduced ignition propensity cigarettes only with respect to sales occurring prior to January 1, 2013. This bill is identical to SB 307.

Patron - O'Bannon

[P]SB307 Reduced cigarette ignition propensity. Eliminates an exemption that currently allows retailers to sell from their inventory cigarettes that do not comply with reduced ignition propensity standards if the cigarettes were stamped prior to January 1, 2010, which was the effective date of the legislation establishing the standards. This measure provides that retailers will not be subject to the requirements regarding the sale of reduced ignition propensity cigarettes only with respect to sales occurring prior to January 1, 2013. This bill is identical to HB 1088.

Patron - Blevins

[P]SB533 Petroleum Products Franchise Act; divorce-ment clause. Revises the divorce-ment requirement to provide that a refiner may operate a retail outlet only if it is not less than 1.5 miles from the nearest retail outlet operated by a dealer or jobber/distributor. A jobber/distributor is defined in this measure as a person who purchases motor fuel for sale, consignment, or distribution to another, or who receives motor fuel on consignment for consignment or distribution to his own motor fuel accounts or to accounts of his supplier. The measure also deletes requirements that the Commissioner of Agriculture and Consumer Services adopt certain regulations relating to the divorce-ment provisions.

Patron - Saslaw

Failed

[F]HB66 Incandescent light bulb manufacturing.

Establishes a procedure by which a manufacturer of incandescent light bulbs (ILBs) in Virginia may obtain a license from

the State Corporation Commission. Licensed manufacturers are required to distribute their light bulbs only within the Commonwealth. The license of any licensed manufacturer is subject to revocation or suspension if it violates such requirement or engages in other prohibited conduct. The Office of the Attorney General is authorized to represent, or assist in the representation of, any licensee in any action instituted by the federal government, or by any person acting pursuant to color of federal law, in which it is alleged that the licensee has violated any provision of federal law regulating the manufacture or sale of ILBs.

Patron - Marshall, R.G.

[F]HB169 State enterprise zone designations. Provides that an area for which state enterprise zone designation is sought would be required to meet one of the following: (i) have 25 percent or more of the population with incomes below 80 percent of the median income of the jurisdiction; (ii) have an unemployment rate 1.5 times the state average; or (iii) have a demonstrated floor area vacancy rate of industrial and/or commercial properties of 20 percent or more.

The criteria would replace the current criteria that considers locality-wide need as demonstrated by (a) the average unemployment rate for the locality over the most recent three-year period; (b) the average median adjusted gross income for the locality over the most recent three-year period; and (c) the average percentage of public school students within the locality receiving free or reduced price lunches over the most recent three-year period.

Patron - Cosgrove

[F]HB443 Debt collection practices; penalty. Prohibits debt collectors from engaging in certain types of conduct when attempting to collect personal, family, and household debts, and requires debt collectors to comply with certain requirements when contacting a debtor, as is currently prohibited or required by the federal Fair Debt Collection Practices Act. A violation constitutes a prohibited practice under the Virginia Consumer Protection Act. Provisions currently requiring persons to comply with the federal Fair Debt Collection Practices Act are amended to require compliance with this counterpart state law.

Patron - Brink

[F]HB678 Virginia Consumer Protection Act; local towing ordinances. Provides that violations of a local ordinance regulating the removal or immobilization of trespassing vehicles or setting towing fees constitute prohibited practices under the Virginia Consumer Protection Act.

Patron - Surovell

[F]HB912 Virginia Intrastate Commerce Act. Declares that all goods grown, manufactured, or made in the Commonwealth of Virginia and all services performed in the Commonwealth of Virginia, when such goods or services are sold, maintained, or retained in the Commonwealth of Virginia on or after July 1, 2012, shall not be subject to the authority of the Congress of the United States under its constitutional power to regulate commerce among the several states.

Patron - Minchew

[F]HB1276 Virginia Private Recreational Club Act. Establishes requirements for disclosure statements, initiation deposits, and related matters applicable to memberships in private recreational clubs.

Patron - Farrell

Carried Over

[C]HB643 Virginia Telephone Privacy Protection Act; telephone calls. Provides that the term "telephone call" for purposes of the Virginia Telephone Privacy Protection Act includes any text message sent via short message service (SMS), any message containing multimedia content sent via multimedia messaging service (MMS), or any message sent via Voice over Internet Protocol (VoIP). The Act regulates telephone calls made to any natural person's residence in the Commonwealth or to any wireless telephone with a Virginia area code for the purpose of offering or advertising any property, goods, or services for sale, lease, license, or investment, including offering or advertising an extension of credit.

Patron - Stolle

[C]HB679 Unlawful sale of criminal history information. Provides that the sale or offer for sale of the criminal history information of a person pertaining to a charge or conviction of a criminal offense after the arrest and charge history for that offense has been expunged pursuant to Title 16.1 or 19.2 by a seller or offeror who knows or has reason to know that the information has been expunged is a violation of the Virginia Consumer Protection Act.

Patron - Surovell

[C]SB268 Virginia Racing Commission; simulcast horse racing; allocations. Authorizes wagering on historical horse racing. The bill also allocates the proceeds from such racing with 50 percent of the proceeds distributed to the Commonwealth Transportation Trust Fund and the remaining 50 percent distributed to other entities. In addition, the bill (i) requires an existing racetrack to provide gambling educational programs including information on the availability of gambling addiction counseling and (ii) requires the promulgation of emergency regulations.

Patron - Norment

Unemployment Compensation

Passed

[P]HB452 Virginia Employment Commission; transcripts. Authorizes the Virginia Employment Commission, with the consent of all parties who participated in the hearing, to provide a digital or other electronic recording of the testimony taken at any hearing before a deputy, appeal tribunal, or the Commission. A recording would be an alternative to a transcript. The recording may be transmitted in any medium that provides protection by reasonable security measures from unauthorized interception.

Patron - Ware, R.L.

[P]HB1062 Virginia Employment Commission; representation of Commonwealth. Provides that the Office of the Attorney General may represent the interests of the Commonwealth in hearings conducted before the Virginia Employment Commission regarding an employer's tax liability. Currently, the Office of the Attorney General's representation in such hearings is mandatory. This bill is identical to SB 295.

Patron - Byron

[P]SB54 Unemployment benefits; minimum earnings requirement. Postpones the scheduled increase, from \$2,700 to \$3,000, in the minimum amount of wages an employee must

have earned in the two highest earnings quarters of his base period in order to be eligible for unemployment benefits. The increase will apply to claims filed on or after July 6, 2014; it is currently scheduled to apply to claims filed on or after July 1, 2012.

Patron - Watkins

[P]SB248 Reporting and paying unemployment insurance taxes; employers of domestic service individuals.

Allows all employers of domestic service individuals in the private home of the employer to pay unemployment taxes and file reports annually. Currently, such an employer must make such payments and filings quarterly if the quarterly payroll exceeds \$5,000. The measure becomes effective on January 1, 2013.

Patron - Obenshain

[P]SB295 Virginia Employment Commission; representation of Commonwealth. Provides that the Office of the Attorney General may represent the interests of the Commonwealth in hearings conducted before the Virginia Employment Commission regarding an employer's tax liability. Currently, the Office of the Attorney General's representation in such hearings is mandatory. This bill is identical to HB 1062.

Patron - Puckett

Failed

[F]HB148 Unemployment benefits; drug testing.

Requires each applicant for unemployment benefits, as a condition of eligibility, to provide the Virginia Employment Commission with the results of a drug test that is negative for the use of a nonprescribed controlled substance.

Patron - Ransone

[F]HB562 Substance abuse assessment and screening; unemployment benefits. Provides that an unemployed individual is not eligible to receive unemployment benefits until a representative of the Virginia Employment Commission has screened the individual to determine whether probable cause exists to believe the individual is engaged in the use of nonprescribed controlled substances. If a screening indicates reasonable cause to believe an individual is using illegal drugs, the Commission shall require a formal substance abuse assessment of the individual, which may include drug testing. An individual who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of a nonprescribed controlled substance shall be ineligible to receive unemployment benefits.

Patron - Marshall, D.W.

[F]SB69 Unemployment benefits; volunteer service requirement. Provides that eligibility for unemployment benefits is contingent upon the claimant's performance of at least 24 hours per week of volunteer service with a nonprofit charitable organization. This requirement does not apply during the first two weeks of eligibility. The Virginia Employment Commission may waive or alter the requirement in certain cases or situations.

Patron - Stanley

[F]SB319 Unemployment compensation; misconduct and qualification for benefits; tests for nonprescribed controlled substances. Provides that an unemployed individual is not available for work, and thus is ineligible to receive unemployment benefits, until a representative of the Virginia Employment Commission has screened the individual to determine whether probable cause exists to believe the individual is

engaged in the use of nonprescribed controlled substances. Probable cause to believe such individual is engaged in the use of a nonprescribed controlled substance will exist for any individual who, within the preceding 10 weeks, has been discharged from employment for misconduct consisting of use of a nonprescribed controlled substance. If a screening indicates probable cause to believe an individual is engaged in the use of a nonprescribed controlled substance, the Commission shall require a formal substance abuse assessment of the individual. An individual who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of a nonprescribed controlled substance shall be ineligible to receive unemployment benefits for six months. In addition, (i) an individual who has been discharged from employment for misconduct consisting of use of a nonprescribed controlled substance will also be barred, during the following 10 weeks, from receiving unemployment benefits otherwise payable as a result of other employment, (ii) the provision that currently permits the Commission to consider evidence of mitigating circumstances in determining whether misconduct occurred is repealed, (iii) any benefits paid to an employee who has been discharged from employment for misconduct consisting of use of a nonprescribed controlled substance shall not be charged to the account of the employer that discharged the employee, (iv) an individual who has been rejected for offered employment as the result of either failing to appear for such a drug screen that is a condition of a job offer or testing positive for a nonprescribed controlled substance is disqualified from receiving unemployment benefits, and (v) provisions allowing drug tests to comply with standards other than a United States Department of Transportation-qualified drug screen are repealed.

Patron - Carrico

Carried Over

[C]HB219 Unemployment benefits; volunteer service requirement; study; report. Provides that eligibility for unemployment benefits is contingent upon the claimant's performance of at least 24 hours per week of volunteer service with a nonprofit charitable organization. This requirement does not apply during the first eight weeks of eligibility. The Virginia Employment Commission may waive or alter the requirement in certain cases or situations. The measure also directs the Commission on Unemployment Compensation to conduct a study of changes to the existing unemployment compensation system that will ensure that claimants remain engaged in the workforce while receiving benefits and that unemployment benefits do not serve as a disincentive to finding employment. Possible changes to be studied include conditioning eligibility for benefits on performing community or volunteer service, enrolling in job training or educational programs, or relocating to areas with greater employment opportunities.

Patron - Head

[C]HB835 Unemployment compensation; shared work programs. Establishes a shared work program that provides employers with the option of reducing the hours worked by employees, while permitting the employees whose hours are reduced to receive partial compensation for lost wages. Program participation requires Virginia Employment Commission approval of a plan, which must provide that the reduction in hours of work is in lieu of a layoff of an equivalent percentage of employees and that employees' fringe benefits cannot be reduced or eliminated during the plan. Employees must be available to work and available for full-time work with a participating work sharing employer. The measure authorizes an affected employee to participate in a Commission-approved training program sponsored by his shared work employer or

any other employer on days that he is not directed to report to work by his shared work employer without reduction in shared work benefits. If the U.S. Department of Labor finds that any provision of this measure violates federal law, the finding shall not affect, impair, or invalidate the remaining provisions. Finally, the measure requires the Commission to submit reports on the program's implementation and accomplishments, with recommendations to improve its effectiveness.

Patron - Hope

[C]HB1254 Unemployment benefits for symphony orchestra performers. Provides that an individual is not eligible for unemployment benefits based on services consisting of performing or training with a symphony orchestra. The provision applies to weeks of unemployment commencing during periods between successive orchestra seasons when there is a reasonable assurance that the individual will perform in the ensuing orchestra season.

Patron - Loupassi

Uniform Commercial Code - General Provisions

Passed

[P]SB51 Uniform Commercial Code; secured transactions. Incorporates amendments to the secured transactions title of the Uniform Commercial Code that have been adopted by the National Conference of Commissioners on Uniform State Laws. The amended sections (i) update certain definitions; (ii) incorporate safe harbor provisions for electronic chattel paper under the Uniform Electronic Actions Act; (iii) amend the laws of perfection and priority to increase the likelihood that a security interest will be perfected under certain conditions; (iv) set out the sufficiency requirements for a financing statement to provide the name of the debtor; (v) delete prescribed forms for financing statements; and (vi) provide technical amendments and transition provisions. The measure takes effect on July 1, 2013.

Patron - Watkins

Virginia Energy Plan

Passed

[P]HB1177 Virginia Energy Plan; objectives. Adds to the list of the Commonwealth's energy objectives the following: (i) ensuring an adequate energy supply and a Virginia-based energy production capacity; and (ii) minimizing the Commonwealth's long-term exposure to volatility and increases in world energy prices through greater energy independence.

Patron - Watson

[P]SB627 Solar panels in community associations. Clarifies a community association's authority to prohibit or restrict the installation of solar power devices.

Patron - Petersen

Carried Over

SB505 Combined heat and power facilities; incentives. Provides that combined heat and power facilities that meet the output and efficiency qualifications for the federal combined heat and power tax credit are eligible for a performance incentive of 200 basis points for the first portion of service life. Such combined heat and power facilities are declared to be certified pollution control equipment and facilities, which are exempt from state and local taxation pursuant to Article X, Section 6 (d) of the Constitution of Virginia.

Patron - Wagner

Waters of the State, Ports and Harbors

Passed

HB687 Virginia Resources Authority. Allows designees of the State Treasurer and the State Health Commissioner to serve on the Board of the Virginia Resources Authority. This bill is identical to SB 370.

Patron - O'Quinn

HB1158 Virginia Water Protection Permit. Requires the State Water Control Board to give consideration to any relevant information contained in the state water supply plan when determining whether to issue a Virginia Water Protection Permit. There is a specific exemption for the cooling facilities on Lake Anna.

Patron - Bulova

HB1183 Virginia Port Authority. Amends several provisions relating to the Virginia Port Authority and the conduct of its business. The bill (i) extends until 2017 the international trade facility tax credit, the barge and rail usage tax credit, and the Virginia port volume increase tax credit; (ii) specifies that the members of the Authority have expertise in particular industries; (iii) authorizes the Board to form a Maritime Advisory Council to provide advice and counsel to the Board; and (iv) creates the Port Opportunity Fund for the development and implementation of marketing for the Port and to expand the use of the Virginia Port Authority facilities. The bill also requires the Governor make recommendations to General Assembly regarding the establishment of an economic development zone and incentives concerning the Port. This bill is identical to SB 578.

Patron - Cosgrove

HB1218 Stream mitigation banks. Combines the Tennessee River Basin and the Big Sandy River Basin into one river watershed for the purpose of establishing and operating a stream mitigation bank within the watershed.

Patron - Morefield

SB370 Virginia Resources Authority. Allows designees of the State Treasurer and the State Health Commissioner to serve on the Board of the Virginia Resources Authority. This bill is identical to HB 687.

Patron - Reeves

SB425 Interbasin transfer of water resources. Charges the State Water Control Board with the responsibility to establish procedures for obtaining a Virginia Water Protec-

tion Permit for the transfer of water resources between major river basins in Virginia that may impact water basins in another state. The bill requires the applicant for a permit for an interbasin transfer of water to provide certain information, including an analysis of alternatives to the transfer and a comprehensive analysis of the impacts that would occur in the source and receiving basins.

Patron - Ruff

SB578 Virginia Port Authority. Amends several provisions relating to the Virginia Port Authority and the conduct of its business. The bill (i) extends until 2017 the international trade facility tax credit, the barge and rail usage tax credit, and the Virginia port volume increase tax credit; (ii) specifies that the members of the Authority have expertise in particular industries; (iii) authorizes the Board to form a Maritime Advisory Council to provide advice and counsel to the Board; and (iv) creates the Port Opportunity Fund for the development and implementation of marketing for the Port and to expand the use of the Virginia Port Authority facilities. The bill also requires the Governor make recommendations to General Assembly regarding the establishment of an economic development zone and incentives concerning the Port. This bill is identical to HB 1183.

Patron - Wagner

Failed

HB67 Isolated state waters. Asserts that isolated bodies of water that are not fed by or replenished by perennial streams are to be considered nonnavigable waterways and, as such, are not subject to regulation by the U.S. Army Corps of Engineers or the U.S. Environmental Protection Agency under the federal Clean Water Act.

Patron - Marshall, R.G.

HB510 Virginia ports; change in ownership. Requires approval of both the Governor and the General Assembly before any change in ownership of any Virginia port is permitted.

Patron - Purkey

HB1281 Assumption of federal wetland and dredge and fill programs. Authorizes the State Water Control Board to assume full responsibility for regulating wetlands and dredge and fill programs that are currently also under the authority of the U.S. Army Corps of Engineers. The bill will eliminate dual permitting requirements. The U.S. Environmental Protection Agency would have to determine whether Virginia has the authority to administer the individual and general permit program under § 404 of the Clean Water Act.

Patron - Byron

SB509 State Water Control Board regulations. Requires that state water quality laws be no more restrictive than federal requirements. Currently, Virginia law allows more stringent regulations than those adopted by the federal government, so long as the reasons for the more restrictive provisions are disclosed to the committees having oversight responsibilities.

Patron - Wagner

Carried Over

HB186 Authority to prohibit land application of sewage sludge. Authorizes a locality, by ordinance, to prohibit

the land application of sewage sludge within its boundaries; makes clarifying amendments.

Patron - Gilbert

[C]HB799 Wetlands and streams; water protection permits; conditions for contribution to a Board-approved fund. Requires as a condition for contribution to a State Water Control Board-approved fund, in lieu of creating or restoring compensatory wetland or stream acreage, either a showing that sufficient compensatory mitigation bank credits are unavailable or that the Board has determined that unique circumstances exist.

Patron - Scott, E.T.

[C]SB402 Nutrient Offset Fund. Establishes as a priority for funding from the Nutrient Offset Fund those nutrient offsets that are produced from facilities that generate electrical or heat energy, steam, or hot water using animal waste as a fuel source. The initial priority for funding will be the oxygen-starved gasification of up to 75,000 tons of animal waste per year that has been generated on poultry or dairy farms in Augusta, Page, Rockingham, and Shenandoah Counties. The nutrient offsets purchased with moneys from the Fund will be available for sale to owners or operators of new or expanded facilities required to offset nutrient loads through the watershed general permit. The bill requires the Department of Environmental Quality and the Department of Conservation and Recreation to conduct a 12-month assessment of the success of the operation of the first gasification facility to receive initial priority.

Patron - Hanger

[C]SB410 Wetlands and streams; water protection permits; conditions for contribution to a Board-approved fund. Requires as a condition for contribution to a State Water Control Board-approved fund, in lieu of creating or restoring compensatory wetland or stream acreage, either a showing that sufficient compensatory mitigation bank credits are unavailable or that the Board has determined that unique circumstances exist.

Patron - Hanger

Welfare (Social Services)

Passed

[P]HB3 Requirement that certain injuries to children be reported. Adds athletic coaches, directors, or other persons aged 18 years or older employed by or volunteering with private sports organizations or teams and administrators or employees aged 18 years or older of public or private day camps, youth centers, and youth recreation programs to the list of persons required to report suspected child abuse or neglect to the Department of Social Services.

Patron - Marshall, R.G.

[P]HB74 Mandatory report of suspected child abuse; time limit. Reduces the time limit for reporting suspected child abuse or neglect by mandated reporters from 72 hours to as soon as possible but not longer than 24 hours after having reason to suspect a reportable offense of child abuse or neglect. In addition, the bill provides that in cases in which the initial report of suspected abuse or neglect is made by a mandated reporter to the person in charge of the institution or department in which the mandated reporter works, as provided in current law, the person who receives the report shall notify the person who made the initial report when the suspected child abuse or

neglect is reported to the local department or state hotline and of the name of the individual receiving the report and shall forward any communications or information about action taken regarding the report to the person who made the initial report.

Patron - Bell, Richard P.

[P]HB189 Child-placing agency; conscience clause. Provides that, to the extent allowed by federal law, no private child-placing agency shall be required to perform, assist, counsel, recommend, consent to, refer, or participate in any placement of a child for foster care or adoption when the proposed placement would violate the agency's written religious or moral convictions or policies. In addition, the bill provides that (i) the Commissioner of Social Services shall not deny an application for an initial license or renewal of a license, nor revoke a license, of any private child-placing agency and (ii) no state or local government entity shall deny a private child-placing agency any grant, contract, or participation in a government program because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a placement that violates the agency's written religious or moral convictions or policies. The bill provides that the refusal of a private child-placing agency to perform, assist, counsel, recommend, consent to, refer, or participate in a placement that violates its written moral or religious convictions or policies shall not form the basis of any claim for damages. This bill is identical to SB 349.

Patron - Gilbert

[P]HB285 Foreign adoption; procedure to obtain Virginia certificate of birth. Provides that in certain foreign adoptions, adoptive parents seeking to obtain a Virginia certificate of birth for the adopted child may provide either certified or notarized copies of the final order of adoption entered by the foreign court and a certified translation or a notarized copy of a certified translation of the final order of adoption in cases in which the original order is not in English. Under current law, the documents must be certified. The bill also provides that an affidavit indicating that the parents have received supervision from a licensed or approved child-placing agency in the United States and have satisfied all post-adoption requirements as required by the foreign country from which the child was adopted shall be sufficient to satisfy the requirement that parents receive supervision from a licensed or approved child-placing agency prior to receiving a Virginia certificate of birth for a child adopted from a foreign country. The bill also clarifies that only adoptive parents who are residents of the Commonwealth at the time of the adoption may obtain a Virginia birth certificate via this procedure.

Patron - Iaquinto

[P]HB445 Adoption procedures. Makes various changes to adoption procedures, including establishing a procedure for review of petitions filed for the purpose of obtaining a juvenile and domestic relations district court's assistance with the execution of consent to an adoption when the consent is executed pursuant to the laws of another state; expanding the venue for consent hearings in parental placement adoptions to include any city or county in the Commonwealth, provided that diligent efforts are made to conduct the hearing where the child was born, where the birth parents reside, or where the adoptive parents reside; eliminating the need for parental consent for an adoption in cases in which a birth parent has, without just cause, neither visited nor contacted the child for a period of six months immediately prior to the filing of a petition for adoption or a petition to accept consent to an adoption; adding language setting forth requirements for establishment of a date of birth for a child adopted from a foreign country; and clarifying the requirements for stepparent adoptions. The bill also makes

changes to the process of registering with the Putative Father Registry.

Patron - Toscano

[P]HB451 Adoption; appointment of counsel. Provides that a parent who does not consent to the adoption of the parent's child, but whose consent to the adoption is required, shall be appointed counsel upon the parent's request if such parent is determined to be indigent. The bill also provides that the court shall provide written notice to the birth parent withholding consent of the parent's right to counsel prior to any hearing or decision on a petition for adoption. As introduced, this bill was a recommendation of the Boyd-Graves Conference.

Patron - Toscano

[P]HB500 DSS; policies and procedures to protect personal identifying information of children in foster care; report. Requires local departments of social services to conduct annual credit checks on children aged 16 years and older who are in foster care to identify cases of identity theft or misuse of personal identifying information of such children and to resolve, to the greatest extent possible, cases of identity theft or misuse of personal identifying information of foster care children identified as a result of such credit checks. The bill also requires the Department to develop policies and procedures to protect personal identifying information of foster care children aged 16 years and older to prevent identity theft by foster care providers and others who may have access to such information, and to report on its activities to implement the provisions of the act and any recommendations for legislative or regulatory changes necessary to implement the provisions of the act no later than December 1, 2012.

Patron - Dance

[P]HB507 Suspected child abuse; substance exposed infants; reporting by physicians. Increases the period of time from seven days to six weeks during which a health care provider, not exclusively the attending physician as in current law, may make a finding that an infant is a substance exposed infant in cases in which the determination is based on a drug test of the infant or on a diagnosis that the child has an illness, disease, or condition that may be attributed to in utero exposure to controlled substances. A diagnosis that the infant has fetal alcohol spectrum disorder may be made at any time following a child's birth. The bill also allows a petition to be filed alleging suspected child abuse or neglect based on a finding by a health care provider that an infant is a substance exposed infant at any time. This bill is identical to SB 448.

Patron - Garrett

[P]HB579 Electronic application for public assistance. Provides that applications for public assistance may be made electronically.

Patron - Helsel

[P]HB744 Interstate Compact on the Placement of Children. Provides that regulations adopted by the Board of Social Services to implement the Interstate Compact on the Placement of Children shall not prohibit the placement of a nonresident child in a children's residential facility in the Commonwealth by a custodial parent who assumes full financial responsibility for the child prior to final approval of the placement pursuant to the Interstate Compact on the Placement of Children when the placement is made without the involvement of a public officer or agency. This bill is identical to SB 366.

Patron - Fariss

[P]HB775 Application for public assistance; accurate contact information. Requires local departments of social services to collect, to the extent required by federal law, accu-

rate contact information, including the best available address and telephone number, from applicants for public assistance and requires public assistance recipients to notify the local department of social services of any change in contact information within 30 days of such change.

Patron - Landes

[P]HB897 Virginia Child Protection Accountability System. Requires the Virginia Criminal Sentencing Commission to report information about sentences imposed in cases involving certain criminal violations and requires the Office of the Executive Secretary of the Supreme Court of Virginia to report information from the Juvenile and Domestic Relations District Courts' Case Management System on removal orders, protective orders, and protective orders alleging family abuse to the Virginia Child Protection Accountability System. This bill is identical to SB 363.

Patron - Albo

[P]HB970 Mandatory reporting of suspected child abuse; public and private college employees. Adds any person employed by a public or private institution of higher education other than an attorney who is employed by a public or private institution of higher education who obtains information about suspected abuse or neglect of a child in the course of providing legal representation to a client to the list of individuals required to report suspected abuse or neglect of a child.

Patron - Bell, Robert B.

[P]HB971 Barrier crimes. Adds the following crimes to various barrier crimes statutes: abduction, extortion, and felony violations of protective orders. People who have been convicted of or are the subject of pending charges of one of those crimes will not be able to work in a licensed nursing home, home care organization, or hospice and cannot work, volunteer, or provide services on a regular basis at a children's residential facility that is regulated or operated by the Department of Behavioral Health and Developmental Services, certain structured residential programs for juveniles, or children's residential facilities regulated or operated by the Department of Social Services, Education, or Military Affairs. Persons convicted of such crimes cannot be approved by a child-placing agency as adoptive or foster parents and cannot be adult foster care home providers or providers of home-based adult services. In addition, they cannot work at certain schools, assisted living facilities, adult day care centers, child welfare agencies, or family day homes.

Patron - Bell, Robert B.

[P]HB997 Application for public assistance; information to applicant. Requires local departments of social services to provide each applicant for public assistance other than energy assistance with electronic or written and oral information regarding all rights and responsibilities of the applicant related to eligibility for and continued receipt of public assistance and to require the applicant to acknowledge, in a format approved by the Board of Social Services, that such information has been provided.

Patron - Ransone

[P]HB1211 Auxiliary grants; third-party payments. Provides that assisted living facilities and adult foster care homes may accept payments from third parties for certain goods and services provided to auxiliary grant recipients provided certain requirements are met. The Department of Social Services shall not count such payments as income for the purpose of determining eligibility for or calculating the amount of an auxiliary grant. The bill also provides that assisted living facilities and adult foster care homes shall provide each auxiliary grant recipient with a written list of the goods and services

that are covered by the auxiliary grant. This bill is identical to SB 596.

Patron - O'Bannon

[P]HB1237 Mandatory reporting of child abuse; penalty. Adds individuals who are 18 years of age or older and who are associated with or employed by any public organization responsible for the care, custody, or control of children to the list of individuals required to report suspected child abuse or neglect; reduces the time limit for reporting suspected child abuse or neglect by mandated reporters from 72 hours to 24 hours and increases the penalty for a second or subsequent failure to report from not less than \$100 nor more than \$1,000 to a fine of not less than \$1,000; provides that, in cases evidencing acts of rape, sodomy, or object sexual penetration, a person who knowingly and intentionally fails to make the required report shall be guilty of a Class 1 misdemeanor; and provides that no mandatory reporter shall be required to make a report if the person has actual knowledge that the same matter has already been reported to the local department or the Department's toll-free child abuse and neglect hotline.

Patron - Scott, E.T.

[P]SB204 School placement; children in foster care. Clarifies that the agreement as to where a child placed in foster care will attend school does not need to be made before placing the child in foster care.

Patron - Barker

[P]SB239 Suspected child abuse and neglect; mandatory reporting; penalties. Adds individuals associated with or employed by any public organization responsible for the care, custody, or control of children and any person employed by a public or private institution of higher education, other than an attorney employed by a public or private institution of higher education who gains information indicating reason to suspect a child is abused or neglected in the course of providing legal representation to a client, to the list of individuals required to report suspected child abuse or neglect; reduces the time limit for reporting suspected child abuse or neglect by mandated reporters from 72 hours to 24 hours; increases the penalty for a second or subsequent failure to report from not less than \$100 nor more than \$1,000 to a fine of not less than \$1,000; provides that, in cases evidencing acts of rape, sodomy, or object sexual penetration, a person who knowingly and intentionally fails to make the required report shall be guilty of a Class 1 misdemeanor; and provides that no mandatory reporter shall be required to make a report if the person has actual knowledge that the same matter has already been reported to the local department or via the Department's toll-free child abuse and neglect hotline. This bill incorporates SB 265, SB 296, SB 303, and SB 622.

Patron - Stuart

[P]SB299 Kinship foster care placements. Provides that the Commissioner of Social Services may grant a variance from requirements governing approval of foster care placements and may approve a kinship foster care provider when he determines (i) the requirement would impose a hardship on the kinship foster care provider and (ii) the variance will not adversely affect the safety and well-being of the child. The bill also provides that a local board of social services or child-placing agency may approve an application for approval as a kinship foster care provider when the applicant has been convicted of a felony related to the possession of drugs other than felony offenses related to possession with the intent to distribute drugs, a misdemeanor conviction for arson, or an equivalent offense in another state, provided 10 years have elapsed since the date of the conviction and the local board or child-placing

agency makes a specific finding that the placement would not endanger the safety or well-being of the child.

Patron - Howell

[P]SB349 Child-placing agency; conscience clause. Provides that, to the extent allowed by federal law, no private child-placing agency shall be required to perform, assist, counsel, recommend, consent to, refer, or participate in any placement of a child for foster care or adoption when the proposed placement would violate the agency's written religious or moral convictions or policies. In addition, the bill provides that (i) the Commissioner of Social Services shall not deny an application for an initial license or renewal of a license, nor revoke a license, of any private child-placing agency and (ii) no state or local government entity shall deny a private child-placing agency any grant, contract, or participation in a government program because of the agency's objection to performing, assisting, counseling, recommending, consenting to, referring, or participating in a placement that violates the agency's written religious or moral convictions or policies. The bill provides that the refusal of a private child-placing agency to perform, assist, counsel, recommend, consent to, refer, or participate in a placement that violates its written moral or religious convictions or policies shall not form the basis of any claim for damages. This bill is identical to HB 189.

Patron - McWaters

[P]SB363 Virginia Child Protection Accountability System. Requires the Virginia Criminal Sentencing Commission to report information about sentences imposed in cases involving certain criminal violations and requires the Office of the Executive Secretary of the Supreme Court of Virginia to report information from the Juvenile and Domestic Relations District Courts' Case Management System on removal orders, protective orders, and protective orders alleging family abuse to the Virginia Child Protection Accountability System. This bill is identical to HB 897.

Patron - Deeds

[P]SB366 Interstate placement of children. Provides that regulations adopted by the State Board of Social Services cannot prohibit the placement of a nonresident child in a children's residential facility in the Commonwealth by a custodial parent who assumes full financial responsibility for the child prior to final approval of the placement pursuant to the Interstate Compact on the Placement of Children when the placement is made without the involvement of a public officer or agency. This bill is identical to HB 744.

Patron - Deeds

[P]SB448 Suspected child abuse; substance exposed infants; reporting by physicians. Increases the period of time from seven days to six weeks during which a health care provider, not exclusively the attending physician as in current law, may make a finding that an infant is a substance exposed infant in cases in which the determination is based on a drug test of the infant or on a diagnosis that the child has an illness, disease, or condition that may be attributed to in utero exposure to controlled substances. A diagnosis that the infant has fetal alcohol spectrum disorder may be made at any time following a child's birth. The bill also allows a petition to be filed alleging suspected child abuse or neglect based on a finding by a health care provider that an infant is a substance exposed infant at any time. This bill is identical to HB 507.

Patron - Vogel

[P]SB596 Auxiliary grants; third-party payments. Provides that assisted living facilities and adult foster care homes may accept payments from third parties for certain goods and services provided to auxiliary grant recipients provided certain

requirements are met. The Department of Social Services shall not count such payments as income for the purpose of determining eligibility for or calculating the amount of an auxiliary grant. The bill also provides that assisted living facilities and adult foster care homes shall provide each auxiliary grant recipient with a written list of the goods and services that are covered by the auxiliary grant. This bill is identical to HB 1211.

Patron - Howell

Failed

HB4 Requirement that certain injuries to children be reported. Adds athletic coaches and directors in public or private schools or in institutions of higher education to the list of persons required to report child abuse or neglect to the Department of Social Services.

Patron - Marshall, R.G.

HB147 Statewide fraud control program; medical assistance. Provides that all overpayment moneys collected or recovered from recipients of medical assistance by local departments of social services shall be paid into the Fraud Recovery Special Fund and made available to local departments for fraud control activities. Currently, only overpayment moneys collected or recovered from recipients of food stamp, Temporary Assistance for Needy Families, and other federal programs administered by the Department of Social Services must be paid into the Fraud Recovery Special Fund.

Patron - Toscano

HB215 Suspected child abuse and neglect; mandatory reporting; penalties. Reduces the time allowed for reporting suspected child abuse or neglect by a mandated reporter from 72 hours to 24 hours and provides that failure to report is punishable as a Class 1 misdemeanor for the first failure and a Class 6 felony for a second or subsequent offense. Current law imposes a fine of not more than \$500 for a first offense and not less than \$100 nor more than \$1,000 for a second or subsequent offense.

Patron - Miller

HB221 Substance abuse screening and assessment of public assistance recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. This bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program. This bill was incorporated into HB 73.

Patron - Head

HB249 Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who

fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year. This bill was incorporated into HB 73.

Patron - Cline

HB420 Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance provided he complies with all obligations imposed by the court and the Department of Social Services, is actively engaged in or has completed substance abuse treatment, and participates in drug screenings.

Patron - Watts

HB598 Substance abuse screening and assessment of public assistance recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. This bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program. This bill was incorporated into HB 73.

Patron - Crockett-Stark

HB663 Child care subsidies; time limits. Provides that fee child care program subsidies and services made available to families that meet financial and other eligibility criteria established by the Board of Social Services shall not be subject to time limits on the receipt of such subsidies and services.

Patron - Surovell

HB676 Support; interest on arrearage. Provides that payments collected by the state Department of Social Services on any support arrearage pursuant to an order being enforced by the Department shall be applied first to the interest on the arrearage and then to the arrearage.

Patron - Surovell

HB955 Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. This bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year. This bill was incorporated into HB 73.

Patron - Bell, Robert B.

HB976 Department of Social Services to annually review the amount of payments made to TANF recipients and index such payments to the Consumer Price Index. Directs the Department of Social Services to develop and implement a process for annually reviewing the amount of assistance paid to eligible recipients through the Temporary Assistance for Needy Families program and indexing the

amount of such payments in an amount equal to the percentage change in the Consumer Price Index for the year immediately preceding the year in which the review occurs. The bill requires the Department to report to the Governor and the General Assembly on its progress in implementing the provisions of this act no later than December 1, 2012.

Patron - Scott, J.M.

[F]HB1266 Mandatory reporting of child abuse; penalty; damages. Adds persons associated with or employed by a public organization responsible for the care, custody, or control of children to the list of mandatory reporters of suspected child abuse or neglect and increases the penalty for failure to make a mandatory report of suspected child abuse or neglect from \$500 for the first failure and not less than \$100 nor more than \$1,000 for any subsequent failures to a Class 1 misdemeanor, except that in cases involving sexual abuse or that result in serious bodily injury to or death of a child, the individual is guilty of a Class 6 felony. The bill also provides that any individual who suffers a loss as a result of the failure of a person required to make a mandatory report to make the required report shall be entitled to a civil action to recover damages, attorney fees, and court costs.

Patron - Watts

[F]SB83 Substance abuse screening and assessment of public assistance recipients. Requires local departments of social services to screen each participant in the Virginia Initiative for Employment Not Welfare (VIEW) to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The bill provides that when a screening indicates cause to believe a participant is using illegal substances, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. In cases in which drug testing is required, the participant shall pay the cost of such testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program; however, an individual has one opportunity during the subsequent 12-month period to comply with the screening, assessment, or treatment requirements and be reinstated to eligibility for TANF benefits. This bill was incorporated into SB 6.

Patron - McWaters

[F]SB84 Foster care; independent living services.

Extends the time during which a person who was in foster care on his eighteenth birthday and who has not reached the age of 21 years may request restoration of independent living services from 60 days to 180 days after the date on which independent living services were previously terminated. This bill is contingent upon an appropriation of General Funds effectuating the provisions of the bill.

Patron - Favola

[F]SB156 Adoption assistance. Increases the age at which adoption assistance for children with special needs terminates from 18 years to 21 years.

Patron - Favola

[F]SB191 Intellectual disability 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." This bill has technical amendments and was incorporated into SB 387.

Patron - Miller, J.C.

[F]SB265 Requirement that certain injuries to children be reported. Adds athletic coaches and directors in public or private schools or in institutions of higher education to the list of persons required to report child abuse or neglect to the Department of Social Services. This bill was incorporated into SB 239.

Patron - Ebbin

[F]SB296 Suspected child abuse and neglect; mandatory reporting; penalties. Reduces the time allowed for reporting suspected child abuse or neglect by a mandated reporter from 72 hours to 24 hours and provides that failure to report is punishable as a Class 1 misdemeanor for the first failure and a Class 6 felony for a second or subsequent offense. Current law imposes a fine of not more than \$500 for a first offense and not less than \$100 nor more than \$1,000 for a second or subsequent offense. This bill was incorporated into SB 239.

Patron - Puller

[F]SB303 Mandatory reporting of suspected child abuse; public and private college employees. Adds any person employed by a public or private institution of higher education to the list of individuals required to report suspected abuse or neglect of a child. This bill was incorporated into SB 239.

Patron - Howell

[F]SB318 Substance abuse screening and assessment of public assistance recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive TANF payments for a period of one year. This bill was incorporated into SB 6.

Patron - Carrico

[F]SB552 Eligibility for TANF; drug-related felonies.

Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance, provided he is not engaged in the use of illegal drugs and he complies with all obligations imposed by the court and the Department of Social Services, is actively engaged in or has completed substance abuse treatment, and participates in drug screenings conducted at least once every three months or more frequently if there is reason to believe the individual may be engaged in the use of illegal drugs. The bill is contingent upon an appropriation of General Funds effectuating the provisions of the bill.

Patron - Favola

[F]SB569 Contracts with child-placing agencies. Prohibits the Department of Social Services from contracting with or funding child-placing agencies that discriminate in providing placement services to children or prospective parents.

Patron - Ebbin

[F]SB622 Mandatory reporting of child abuse; penalty; damages. Adds individuals associated with or employed by any public organization responsible for the care, custody, or control of children, any person employed by a public or private institution of higher education, and any other person with responsibility for the care, control, or custody of children to the list of individuals required to report suspected child abuse or neglect. The bill increases the penalty for failure of a person required to make a mandatory report of suspected child abuse or neglect from \$500 for the first failure and not less than \$100 nor more than \$1,000 for any subsequent failures to a Class 1 misdemeanor, except that in cases involving sexual abuse or that result in serious bodily injury to or death of a child, the individual is guilty of a Class 6 felony. The bill also provides that any individual who suffers a loss as a result of the failure of a person required to make a mandatory report to make the required report shall be entitled to a civil action to recover damages, attorney fees, and court costs. This bill was incorporated into SB 239.

Patron - Petersen

[F]SB647 Contracts with child-placing agencies. Prohibits the Department of Social Services from contracting with or funding child-placing agencies that discriminate in providing placement services to children or prospective parents.

Patron - McEachin

Carried Over

[C]HB73 Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program; however, an individual has one opportunity during the subsequent 12-month period to comply with the screening, assessment, or treatment requirements and be reinstated to eligibility for TANF benefits. This bill incorporates HB 221, HB 249, HB 598, and HB 955.

Patron - Bell, Richard P.

[C]HB549 Child support arrearages; publication of names. Requires the Division of Child Support Enforcement of the Department of Social Services to publish a list of parents who are delinquent in the payment of child support in order to facilitate locating such parents and to enhance enforcement of child support obligations. Currently, the law only requires that the Division publish a list of the "most wanted delinquent parents."

Patron - Comstock

[C]SB6 Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services shall require

a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program; however, an individual has one opportunity during the subsequent 12-month period to comply with the screening, assessment, or treatment requirements and be reinstated to eligibility for TANF benefits. This bill is contingent upon an appropriation of General Funds effectuating the provisions of the bill. This bill incorporates SB 83 and SB 318.

Patron - Martin

[C]SB97 Barrier crimes; listing of crimes. Clarifies the individual crimes included in the background check and barrier crime statutes affecting the Department of Behavioral Health and Developmental Services, certain licensees of the Department of Behavioral Health and Developmental Services, the Department of Social Services, and certain licensees of the Department of Social Services.

Patron - Edwards

Wills and Decedents' Estates

Passed

[P]HB763 Conveyance of real estate; nonresident executor and testamentary trustee. Provides that nonresident executors or testamentary trustees under a will probated according to the laws of another state may convey real property located in the Commonwealth under the terms of such will without qualifying as an executor or testamentary trustee in Virginia, provided that they have duly qualified under the laws of the state where the will was probated.

Patron - Lewis

[P]SB115 Revision of Title 64.1. Creates proposed Title 64.2 (Wills, Trusts, and Fiduciaries) as a revision of existing Titles 26 (Fiduciaries Generally), 31 (Guardian and Ward), and 64.1 (Wills and Decedents' Estates), as well as portions of Titles 37.2 (Behavioral Health and Developmental Services) and 55 (Property and Conveyances). Proposed Title 64.2 consists of 27 chapters divided into five subtitles: Subtitle I (General Provisions); Subtitle II (Wills and Decedents' Estates); Subtitle III (Trusts); Subtitle IV (Fiduciaries and Guardians); and Subtitle V (Provisions Applicable to Probate and Nonprobate Transfers). Subtitle I consists of title-wide definitions and provisions that are broadly applicable to wills, trusts, and fiduciaries. Subtitle II addresses the descent of property either through intestate succession or by will, including nonprobate transfers. Subtitle III contains various uniform acts enacted in Virginia dealing with the creation and management of trusts. Subtitle IV deals with various fiduciary relationships, including powers of attorney, guardianships of minors and incapacitated adults, and the commissioners of accounts. Subtitle V contains provisions that are applicable to both probate and nonprobate transfers. This bill is a recommendation of the Virginia Code Commission.

Patron - McDougle

Workers' Compensation

Passed

[P]HB137 Workers' compensation; injuries presumed to be in course of employment. Revises the provision enacted in 2011 that created a presumption, in the absence of a preponderance of evidence to the contrary, that an injury is work related if an employee is physically or mentally unable to testify and there is un rebutted prima facie evidence that the injury was work related. This measure substitutes the phrase "arose out of and were in the course of employment" for "were work related."

Patron - Habeeb

[P]HB153 Workers' Compensation; exclusion of certain employees. Excludes a person who suffers an injury on or after July 1, 2012, from coverage under the Virginia Workers' Compensation Act if there is jurisdiction under either the Longshore and Harbor Workers' Compensation Act or the Merchant Marine Act of 1920. The measure provides that the Workers' Compensation Act will not be construed to eliminate or diminish any right that a person or his personal representative may have under either of such federal acts.

Patron - Ware, R.L.

[P]HB453 Workers' compensation; penalty for failure to pay. Updates the provision that excuses the Commonwealth from assessment of a penalty for failing to pay workers' compensation benefits when the Commonwealth has issued a regular payroll payment to the employee in lieu of compensation covering the period of disability. The measure allows the payment to be made in any form, and not only by check. The measure also clarifies that a regular payroll payment issued by the Commonwealth includes payments issued net of deductions for elected and mandatory benefits and other standard deductions.

Patron - Ware, R.L.

[P]HB1169 Workers' compensation; medical fees. Provides that the Workers' Compensation Commission shall retain jurisdiction for employees to pursue payment of charges for medical services notwithstanding that bills or parts of bills for health care services may have been paid by a source other than an employer, workers' compensation carrier, guaranty fund, or uninsured employer's fund.

Patron - Habeeb

[P]SB576 Workers' compensation; uninsured employer's fund financing tax. Extends until July 1, 2015, the existing 0.5 percent maximum tax rate that may be assessed on uninsured or self-insured employers. The maximum rate is scheduled to revert to 0.25 percent on July 1, 2012. The revenues from the tax fund workers' compensation benefits that are awarded against such employers from the uninsured employer's fund.

Patron - Wagner

[P]SB577 Workers' Compensation Commission. Provides that a majority of the members of the Workers' Compensation Commission constitutes a quorum for purposes of exercising the judicial, legislative, and discretionary functions of the Commission, regardless of whether there is a vacancy on the Commission. The measure also provides that a quorum is not necessary for the exercise of the Commission's administrative functions. The existing requirement that the chairman of the Commission appoint a deputy commissioner to participate

in a review when all Commissioners are unable to hear the review is revised to make such appointment optional.

Patron - Wagner

Failed

[F]HB44 Workers' compensation; interest on expenses. Authorizes the Workers' Compensation Commission to award interest at no more than the legal rate on expenses incurred by the claimant's attorney.

Patron - Habeeb

[F]HB128 Workers' compensation; records. Requires the Workers' Compensation Commission to make its records referring to accidents, injuries, and settlements available to an organization that conducts a computerized file match program that permits an electronic comparison of its members' records to the Commission's records.

Patron - Kilgore

[F]HB226 Workers' Compensation Commission; terms of deputy commissioners. Prohibits any deputy commissioner of the Virginia Workers' Compensation Commission from serving a term longer than five years unless he is reappointed by the General Assembly. Deputy commissioners who have served longer than five years at the start of the 2013 session will be ineligible to continue to serve unless reappointed during such session.

Patron - Habeeb

[F]HB454 Workers' compensation; penalty for failure to pay. Updates the provision that excuses the Commonwealth from assessment of a penalty for failing to pay workers' compensation benefits when the Commonwealth has issued a regular payroll payment to the employee in lieu of compensation covering the period of disability. The measure allows the payment to be made in any form, and not only by check. The measure also clarifies that a regular payroll payment issued by the Commonwealth includes payments issued net of deductions for elected and mandatory benefits and other standard deductions.

Patron - Ware, R.L.

[F]HB661 Workers' compensation. Provides that workers' compensation benefits shall not be reduced for a disabled employee who refuses employment, if he is receiving benefits under the Line of Duty Act and such acceptance would cause the cessation of his Line of Duty benefits.

Patron - Surovell

[F]SB328 Workers' compensation; occupational disease presumption; officers processing clandestine drug laboratories. Establishes a presumption that any respiratory disease or pancreatic, prostate, rectal, throat, ovarian, or breast cancer causing the death of, or any health condition or impairment resulting in total or partial disability of, a sworn law-enforcement officer who was certified to process clandestine drug laboratories is an occupational disease suffered in the line of duty. The presumption (i) may be overcome by a preponderance of competent evidence to the contrary and (ii) applies if the affected officer underwent a physical examination in accordance with his employer's mandated written safety and health program.

Patron - Carrico

Carried Over

[C]HB1190 Workers' compensation; pharmacy providers. Provides that neither an employer nor his agent shall restrict an injured employee's choice of pharmacy providers pursuant to a workers' compensation claim.

Patron - Alexander

[C]SB327 Workers' Compensation; presumptions; members of the enforcement division of the Department of Motor Vehicles. Adds full-time sworn members of the enforcement division of the Department of Motor Vehicles to those public safety employees who are entitled to presumptions that hypertension, heart disease, and certain infectious diseases are occupational diseases compensable under the Workers' Compensation Act.

Patron - Carrico

[C]SB376 Unemployment compensation; shared work programs. Establishes a shared work program that provides employers with the option of reducing the hours worked by employees, while permitting the employees whose hours are reduced to receive partial compensation for lost wages. Program participation requires Virginia Employment Commission approval of a plan, which must provide that the reduction in hours of work is in lieu of a layoff of an equivalent percentage of employees and that employees' fringe benefits cannot be reduced or eliminated during the plan. Employees must be available to work and available for full-time work with a participating work sharing employer. The measure authorizes an affected employee to participate in a Commission-approved training program sponsored by his shared work employer or any other employer on days that he is not directed to report to work by his shared work employer without reduction in shared work benefits. If the U.S. Department of Labor finds that any provision of this measure violates federal law, the finding shall not affect, impair, or invalidate the remaining provisions. Finally, the measure requires the Commission to submit reports on the program's implementation and accomplishments, with recommendations to improve its effectiveness.

Patron - Barker

Constitutional Amendments

Passed

[P]HB5 Constitutional amendment (voter referendum); taking or damaging of private property; public use. Provides for a referendum at the November 6, 2012, election to approve or reject an amendment that revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged without just compensation. The bill is identical to SB 240.

Patron - Bell, Robert B.

[P]HB1021 Constitutional amendment (voter referendum); legislative sessions. Provides for a referendum at the November 6, 2012, election to approve or reject an amendment authorizing the General Assembly to delay the reconvened session for a period of up to one week. The Constitution now provides that the reconvened session will be held on the sixth Wednesday after adjournment of a regular or special session. The proposed amendment would allow the General Assembly

to postpone the reconvened session for a brief period; for example, to avoid convening on a religious holiday.

Patron - Englin

[P]HJ3 Constitutional amendment (second resolution); taking or damaging of private property; public use.

Revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The proposed amendment provides that private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much taken as is necessary for the public use. Just compensation must equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is public, without a presumption that it is.

Patron - Bell, Robert B.

[P]HJ138 Constitutional amendment (second resolution); legislative sessions. Provides that the General Assembly may agree to delay the reconvened session for a period of up to one week. The Constitution now provides that the reconvened session be held on the sixth Wednesday after adjournment of a regular or special session. The proposed amendment would allow the General Assembly to postpone the reconvened session for a brief period; for example, to avoid convening on a religious holiday.

Patron - Englin

[P]SB240 Constitutional amendment (voter referendum); taking or damaging of private property; public use. Provides for a referendum at the November 6, 2012, election to approve or reject an amendment that revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged without just compensation. The bill is identical to HB 5.

Patron - Obenshain

[P]SJ3 Constitutional amendment (second resolution); taking or damaging of private property; public use.

Revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The proposed amendment provides that private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much taken as is necessary for the public use. Just compensation must equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is pub-

lic, without a presumption that it is. The Resolution incorporates SJ 67 and SJ 117.

Patron - Obenshain

Failed

[F]HJ7 Constitutional amendment (first resolution); right to work. Provides that any agreement or combination between any employer and any labor union or labor organization whereby persons not members of such union or organization shall be denied the right to work for the employer, or whereby such membership is made a condition of employment or continuation of employment by such employer, or whereby any such union or organization acquires an employment monopoly in any enterprise, is against public policy and an illegal combination or conspiracy. The proposed amendment is identical to the SJ 25 amendment.

Patron - Bell, Richard P.

[F]HJ9 Constitutional amendment (first resolution); aid for nonpublic higher education; religious or theological education for military chaplains. Allows the General Assembly to provide for loans to, and grants to or on behalf of, students attending nonprofit institutions of higher education in the Commonwealth whose primary purpose is to provide religious training or theological education, provided the students are approved candidates for the chaplaincy of any active duty or reserve component of the United States Armed Forces, including the Virginia National Guard.

Patron - Greason

[F]HJ17 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The proposed amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law. The resolution is identical to HJ 125.

Patron - Morrissey

[F]HJ71 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and Priority Transportation Fund. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment requires Funds be appropriated only for transportation systems and projects. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within three years. The amendment also limits the use of general and other nontransportation funds for transportation purposes except for obligations authorized or entered into before January 1, 2013.

Patron - Watts

[F]HJ86 Constitutional amendment (first resolution); Governor's term of office. Permits a Governor elected in 2017 and thereafter to succeed himself in office. The amendment allows two four-year terms (either in succession or not in

succession) but prohibits election to a third term. Service for more than two years of a partial term counts as service for one term. The resolution is identical to HJ 231.

Patron - Purkey

[F]HJ90 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. The proposed amendment is identical to the SJ 2 and SJ 6 amendments.

Patron - Comstock

[F]HJ116 Constitutional amendment (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission to redraw congressional and General Assembly district boundaries after each decennial census. Appointments to the 13-member Commission are to be made in the census year as follows: two each by the President pro tempore of the Senate, the Speaker of the House of Delegates, the minority leader in each house, and the state chairman of each of the two political parties receiving the most votes in the prior gubernatorial election. The 12 partisan members then select the thirteenth member by a majority vote, or, if they cannot agree on a selection, they certify the two names receiving the most votes to the Supreme Court of Virginia, which will name the thirteenth member. The Commission is directed to certify district plans for the General Assembly within one month of receipt of the new census data or by March 1 of the year following the census, whichever is later, and for the House of Representatives within three months of receipt of the census data or by June 1 of the year following the census, whichever is later. The standards to govern redistricting plans include the current constitutional standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data.

Patron - Plum

[F]HJ125 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. Currently the Constitution provides for restoration of rights by the Governor. The proposed amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law. The resolution is identical to HJ 17.

Patron - Carr

[F]HJ231 Constitutional amendment (first resolution); Governor's term of office. Permits a Governor elected in 2017 and thereafter to succeed himself in office. The amendment allows two four-year terms (either in succession or not in succession) but prohibits election to a third term. Service for

more than two years of a partial term counts as service for one term. The resolution is identical to HJ 86.

Patron - Brink

[F]SJ67 Constitutional amendment (second resolution); taking or damaging of private property; public use. Revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The proposed amendment provides that private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much taken as is necessary for the public use. Just compensation must equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is public, without a presumption that it is. This resolution was incorporated into SJ 3.

Patron - McDougle

[F]SJ117 Constitutional amendment (second resolution); taking or damaging of private property; public use. Revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The proposed amendment provides that private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much taken as is necessary for the public use. Just compensation must equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is public, without a presumption that it is. This resolution was incorporated into SJ 3.

Patron - Deeds

Carried Over

[C]SJ2 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from

the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. This resolution is identical to SJ 6. The proposed amendment is identical to the HJ 90 amendment.

Patron - Obenshain

[C]SJ5 Constitutional amendment (first resolution); contributions to defined benefit retirement plans maintained for employees. Requires that contributions to defined benefit retirement plans that are maintained for state employees and employees of participating political subdivisions and school divisions be made in strict adherence with contribution rates and times for the payment of the contributions as recommended by the Board of Trustees of the Virginia Retirement System (VRS).

Under the resolution, for the six fiscal years beginning on and after July 1, 2014, the General Assembly could make contributions at a rate that is less than the VRS recommended contribution rate without any deferred contributions being recognized so long as the contributions are at least equal to certain minimum amounts. In addition, for fiscal years beginning on or after July 1, 2020, the General Assembly could provide for the deferral of all or any portion of such contributions for any fiscal year in which the maximum amount is appropriated from the Revenue Stabilization Fund by a separate vote of a majority of all the members voting in each house. All contributions deferred would be required to be repaid within 10 years at an annual interest rate equal to the current actuarially calculated long-term rate of return as determined by VRS. The resolution also requires that retirement contributions deferred in 2010 be repaid by June 30, 2022.

The resolution also specifies how certain other factors and variables used in setting contribution rates are to be determined.

Patron - Howell

[C]SJ6 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. This resolution is identical to SJ 2. The proposed amendment is identical to the HJ 90 amendment.

Patron - Black

[C]SJ17 Constitutional amendment (first resolution); charter schools. Grants the Board of Education authority to establish charter schools within the school divisions of the Commonwealth.

Patron - Obenshain

[C]SJ25 Constitutional amendment (first resolution); right to work. Provides that any agreement or combination between any employer and any labor union or labor organization whereby persons not members of such union or organization shall be denied the right to work for the employer, or

whereby such membership is made a condition of employment or continuation of employment by such employer, or whereby any such union or organization acquires an employment monopoly in any enterprise, is against public policy and an illegal combination or conspiracy. The proposed amendment is identical to the HJ 7 amendment.

Patron - McDougale

[C]SJ35 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to law.

Patron - Miller, Y.B.

[C]SJ44 Constitutional amendment (first resolution); maximum lawful rate of interest. Caps the maximum lawful rate of interest on any contract for the loan or forbearance of any money, if the money is for use primarily for personal, family, or household purposes, at 36 percent per year. The provisions do not apply to loans made by a depository institution that is subject to licensure by the Commonwealth or another state or by the federal government.

Patron - Miller, J.C.

[C]SJ70 Constitutional amendment (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission to redraw congressional and General Assembly district boundaries after each decennial census. Appointments to the 13-member Commission are to be made in the census year as follows: two each by the President pro tempore of the Senate, the Speaker of the House of Delegates, the minority leader in each house, and the state chairman of each of the two political parties receiving the most votes in the prior gubernatorial election. The 12 partisan members then select the thirteenth member by a majority vote, or, if they cannot agree on a selection, they certify the two names receiving the most votes to the Supreme Court of Virginia, which will name the thirteenth member. The Commission is directed to certify district plans for the General Assembly within one month of receipt of the new census data or by March 1 of the year following the census, whichever is later, and for the House of Representatives within three months of receipt of the census data or by June 1 of the year following the census, whichever is later. The standards to govern redistricting plans include the current constitutional standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data.

Patron - Deeds

[C]SJ74 Constitutional amendment (first resolution); real property tax exemption for certain surviving spouses of disabled veterans. Expands the real property tax exemption for the primary residence of a surviving spouse of a disabled veteran, to include the situation in which the disabled veteran died prior to January 1, 2011.

Patron - Barker

[C]SJ88 Constitutional amendment (first resolution); the right to a secret ballot. Adds a provision to the Bill of Rights to preserve and protect the right to a secret ballot in elections for office, votes on ballot measures, and votes to designate or authorize employee representation.

Patron - Reeves

Other Resolutions

Passed

[P]HJ49 Governor's Executive Reorganization Plan. Sets out the Governor's executive reorganization plan dated November 25, 2011, for approval by each house of the General Assembly and subject to the enactment of a bill by the 2012 Session of the General Assembly. The resolution sets out the pertinent details of the plan.

Patron - Gilbert

[P]HJ65 Recognizing the African American representatives to the Virginia Constitutional Convention of 1867-1868 and members elected to the Virginia General Assembly during Reconstruction. Recognizes and celebrates the outstanding service of the African American men elected to the Virginia Constitutional Convention of 1867-1868 and to the House of Delegates and Senate of Virginia on the occasion of the Sesquicentennial of the Emancipation Proclamation on January 1, 2013. The resolution requires that a proposal for a commemorative plaque be developed by the Clerk of the House of Delegates, the Clerk of the Senate, the Capitol Square Preservation Council, and the Library of Virginia and submitted to the Joint Rules Committee for consideration by September 1, 2012. This resolution incorporates HJ 64 and is identical to the Senate conference substitute for SJ 13. This resolution is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission.

Patron - McClellan

[P]HJ93 Local Government Education Week. Designates the first week in April, in 2012 and in each succeeding year, as Local Government Education Week in Virginia.

Patron - Marshall, D.W.

[P]HJ98 First Lady Edith Bolling Wilson Day. Designates October 15, in 2012 and in each succeeding year, as First Lady Edith Bolling Wilson Day in Virginia.

Patron - Crockett-Stark

[P]HJ105 Virginia Cider Week. Designates the full week before Thanksgiving, in 2012 and in each succeeding year, as Virginia Cider Week in Virginia.

Patron - Englin

[P]HJ107 Hold Out for Hunger Day. Designates April 14, in 2012 and in each succeeding year, as Hold Out for Hunger Day in Virginia.

Patron - Filler-Corn

[P]HJ120 Designating Mesothelioma Awareness Day. Designates September 26, in 2012 and in each succeeding year, as Mesothelioma Awareness Day in Virginia.

Patron - Sickles

[P]HJ128 Shaken Baby Syndrome Awareness Week. Designates the third week in April, in 2013 and in each succeeding year, as Shaken Baby Syndrome Awareness Week in Virginia.

Patron - Brink

[P]HJ142 Asian Lunar New Year Day. Designates the day designated as new year on the Asian lunar calendar, in 2012 and in each succeeding year, as Asian Lunar New Year Day in Virginia.

Patron - Hugo

[P]HJ143 Spay Day. Designates February 28, in 2012 and in each succeeding year, as Spay Day in Virginia.

Patron - Englin

[P]HJ144 Small Business Day. Designates September 21, in 2012 and in each succeeding year, as Small Business Day in Virginia.

Patron - Hugo

[P]HJ145 Preeclampsia Awareness Month in Virginia. Designates May, in 2012 and in each succeeding year, as Preeclampsia Awareness Month in Virginia.

Patron - Hugo

[P]HJ216 X & Y Chromosomal Variation Awareness Month. Designates May, in 2012 and in each succeeding year, as X & Y Chromosomal Variation Awareness Month in Virginia.

Patron - Rust

[P]HJ230 Birthplace and Childhood Home of Edith Bolling Wilson. Recognizes the Town of Wytheville and Wythe County as the birthplace and childhood home of Edith Bolling Wilson, 35th First Lady of the United States and wife of President Woodrow Wilson.

Patron - Crockett-Stark

[P]HJ390 Virginia National Guard Day. Designates the third Monday in January, in 2013 and in each succeeding year, as Virginia National Guard Day in Virginia.

Patron - Cosgrove

[P]HR10 Supporting the Governor's § 287(g) request. Urges the President of the United States and the Secretary of Homeland Security to honor Virginia's request to enter into a § 287(g) memorandum of agreement extending specific, limited federal immigration training and enforcement authority to the Virginia Department of State Police.

Patron - Miller

[P]HR35 Encourage the Government of Turkey to grant certain rights to the Ecumenical Patriarch. Encourages the Government of Turkey to grant the Ecumenical Patriarch appropriate international recognition, ecclesiastical succession, and the right to train clergy of all nationalities and to respect the property rights and human rights of the Ecumenical Patriarchate.

Patron - Joannou

[P]SJ13 Recognizing the African American representatives to the Virginia Constitutional Convention of 1867-1868 and members elected to the Virginia General Assembly during Reconstruction. Recognizes and celebrates the outstanding service of the African American men elected to the Virginia Constitutional Convention of 1867-1868 and to the House of Delegates and Senate of Virginia on the occasion of the Sesquicentennial of the Emancipation Proclamation on January 1, 2013. The resolution requires that a proposal for a commemorative plaque be developed by the Clerk of the House of Delegates, the Clerk of the Senate, the Capitol Square Preservation Council, and the Library of Virginia and submitted to the Joint Rules Committee for consideration by September 1, 2012. This resolution incorporates SJ 89 and is identical to the House conference substitute for HJ 65. This resolution is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission.

Patron - Marsh

[P]SJ58 Shaken Baby Syndrome Awareness Week. Designates the third week in April, in 2013 and in each succeeding year, as Shaken Baby Syndrome Awareness Week in Virginia.

Patron - Locke

[P]SJ66 Governor's Executive Reorganization Plan. Sets out the Governor's executive reorganization plan dated November 25, 2011, for approval by each house of the General Assembly. The resolution sets out the pertinent details of the plan.

Patron - McDougle

[P]SJ127 Employment First initiatives. Encourages the Secretary of Health and Human Resources and the Superintendent of Public Instruction to adopt and implement Employment First practices in providing and coordinating services to Virginians with disabilities.

Patron - Hanger

[P]SJ129 Designating February 14, 2012, as Breast Cancer Awareness Day.

Patron - Obenshain

Failed

[F]HJ23 Employment First initiative; report. Requests the Secretary of Health and Human Resources to develop and implement an Employment First initiative for the Commonwealth to increase opportunities for meaningful employment in integrated community settings for persons with intellectual and developmental disabilities.

Patron - Morrissey

[F]HJ64 Recognizing the African American members elected to the Virginia General Assembly during Reconstruction. Recognizes and celebrates the outstanding service of the African American men elected to the Virginia General Assembly during Reconstruction, on the occasion of the Sesquicentennial of the Emancipation Proclamation on January 1, 2013. This resolution is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission. This resolution was incorporated into HJ 65.

Patron - McClellan

[F]HJ87 Prostate cancer screening; report. Requests the State Health Commissioner to promote and emphasize prostate cancer screening as an effective tool in prostate cancer prevention. The State Health Commissioner shall submit a report of his progress in meeting this request to the 2013 Regular Session of the General Assembly.

Patron - McQuinn

[F]HJ88 Resolution; food deserts; report. Requests the Secretary of Health and Human Resources to explore and recommend strategies to eliminate food deserts to make healthy and affordable food products available and accessible to low-income and poor citizens and impoverished communities throughout the Commonwealth. The Secretary must report his progress in meeting the objectives of the resolution to the Governor and the 2013 Session of the General Assembly.

Patron - McQuinn

[F]HJ100 United States Constitution; amendment. Makes application to the United States Congress to call a constitutional convention for the purpose of proposing a constitutional amendment that requires a balanced federal budget and

prohibits unfunded federal mandates to the states. The resolution is virtually identical to SJ 91.

Patron - LeMunyon

[F]HJ102 United States Constitution; amendment.

Makes application to the United States Congress to call an amendment convention for the purpose of proposing an amendment that provides limits on terms of service in the Congress.

Patron - LeMunyon

[F]HJ106 National Women's History Museum on the National Mall in Washington, D.C. Supports the creation of a National Women's History Museum on the National Mall in Washington, D.C., to recognize and honor the contributions and achievements of women in the United States. The Clerk of the House of Delegates is requested to send a copy of the resolution to the members of the Virginia Congressional Delegation, requesting their support for the museum.

Patron - Filler-Corn

[F]HJ109 Memorializing Congress to propose an amendment to the United States Constitution to impose a balanced budget requirement.

Expresses the General Assembly's support for a balanced budget amendment and urges Congress to submit such an amendment to the states for ratification in order to promote fiscal integrity at the federal level.

Patron - Landes

[F]HJ112 Early childhood education. Recognizes the inestimable value of early childhood education to children and sets a goal of extending the availability of early childhood education so that the Virginia Preschool Initiative and Head Start together serve 50,000 children in the Commonwealth by 2017.

Patron - Kory

[F]HJ115 United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. This joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress. The resolution is virtually identical to SJ 130.

Patron - Surovell

[F]HJ117 Resolution; unfunded mandates. Recognizes the difficulties caused by unfunded mandates upon Virginia localities.

Patron - Dudenhefer

[F]HJ121 Designating Horse Month in Virginia. Designates the month of May, in 2012 and in each succeeding year, as Horse Month in Virginia.

Patron - Sickles

[F]HJ129 Resolution; requesting the Attorney General to explore a challenge to the constitutionality of federal TMDL regulations; report. Requests the Attorney General of Virginia to explore a challenge to the constitutionality of certain Total Maximum Daily Load (TMDL) regulations adopted by the U.S. Environmental Protection Agency regarding the Chesapeake Bay. The resolution asserts that the TMDL regulations, which are binding upon Virginia localities releasing storm waters and treated waste waters into tributaries of the Bay, essentially constitute an unfunded mandate in violation of the 10th Amendment to the United States Constitution.

Patron - Minchew

[F]HJ130 State sovereignty; Tenth Amendment of the United States Constitution. Urges Congress to honor state sovereignty under the Tenth Amendment of the Constitution of the United States and claims sovereignty for the Commonwealth under the Tenth Amendment over all powers not otherwise enumerated and granted to the federal government by the United States Constitution.

Patron - Minchew

[F]HJ135 United States Constitution; amendment.

Makes application to the United States Congress to call a constitutional convention for the purpose of proposing an amendment that permits the repeal of any federal law or regulation that requires the appropriation of money by any state by vote of two-thirds of the state legislatures. The resolution states that the application would be revoked and withdrawn if the convention acts to amend the Constitution for any purpose other than consideration of the proposed amendment.

Patron - Anderson

[F]HJ139 Resolution; requesting the Governor to petition the DEA for rescheduling of marijuana; report.

Requests that the Governor petition the Administrator of the Drug Enforcement Administration to amend regulations governing the scheduling of drugs to move marijuana from Schedule I to Schedule II, and provides that the Governor shall report on his progress in doing so no later than the first day of the 2013 Regular Session of the General Assembly.

Patron - Englin

[F]HJ146 High capacity transit. Requests the Commonwealth Transportation Board to make high capacity transit a priority for funding by the Commonwealth.

Patron - Herring

[F]HJ185 Memorializing Congress; support of hybrid systems of combined highway and monorail transportation methods. Expresses the sense of the General Assembly that the Congress of the United States should support a federal funding grant for development of new technology, hybrid systems of combined highway and monorail transportation methods, and an amendment to 23 U.S.C. § 111(a), Agreements Relating to Use of and Access to Rights-of-Way, Interstate System.

Patron - Albo

[F]HJ228 Memorializing the Congress of the United States. Expresses the sense of the General Assembly that the Congress be requested to report to the states on all pending applications submitted by the states to call a convention to amend the United States Constitution pursuant to Article V.

Patron - LeMunyon

[F]HJ229 Memorializing the Virginia Congressional Delegation. Expresses the sense of the General Assembly in urging the Virginia Congressional Delegation to oppose the enactment of a 401(k)-style defined contribution pension for the members of the United States Armed Forces.

Patron - Surovell

[F]HR4 House of Delegates; recording of standing committee and subcommittee meetings. Directs the Clerk of the House of Delegates to provide for the digital recording of meetings of the standing committees and subcommittees of the House of Delegates and make the recordings available for download on the legislative electronic information system. The Clerk must make publication of this information available on the LIS and report his progress in meeting the objectives of this

resolution to the House Rules Committee by the first day of the 2013 Regular Session.

Patron - Surovell

[F]HR9 Political robocalls. Expresses the sense of the members of the House of Delegates that they will refrain from knowingly making robocalls during the course of their political campaigns to individuals who have registered with political "do not contact" listings.

Patron - LeMunyon

[F]SJ52 High capacity transit. Requests the Commonwealth Transportation Board to make high capacity transit a priority for funding by the Commonwealth.

Patron - Ebbin

[F]SJ89 Recognizing the African American members elected to the Virginia General Assembly during Reconstruction. Recognizes and celebrates the outstanding service of the African American men elected to the Virginia General Assembly during Reconstruction, on the occasion of the Sesquicentennial of the Emancipation Proclamation on January 1, 2013. This resolution was incorporated into SJ 13.

Patron - Marsh

[F]SJ91 United States Constitution; amendment. Makes application to the United States Congress to call a constitutional convention for the purpose of proposing a constitutional amendment that requires a balanced federal budget and prohibits unfunded federal mandates to the states. The resolution is virtually identical to HJ 100.

Patron - Carrico

[F]SJ130 United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. This joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress. The resolution is virtually identical to HJ 115.

Patron - Barker

Carried Over

[C]HJ91 Memorializing Congress. Memorializes Congress to support the establishment of a National Women's History Museum in Washington, D.C.

Patron - Comstock

[C]HJ92 Memorializing the members of the Virginia Delegation of the Congress of the United States; value-added tax. Urges the Virginia Delegation of Congress to oppose any legislation that would levy a value-added tax (VAT) on the consumption of goods.

Patron - Comstock

[C]HJ94 Memorializing Congress; voluntary school prayer and prayer in public meetings. Memorializes the United States Congress to propose an amendment to the Constitution of the United States to allow for voluntary public school prayer and public prayer.

Patron - Marshall, D.W.

[C]HJ124 Governor; Virginia's Public Safety Memorial. Requests the Governor to include in the Commonwealth

Public Safety Memorial the names of state and local probation and parole officers who have lost their lives in the line of duty.

Patron - Carr

[C]HJ148 Encourage the Government of Turkey to grant certain rights to the Ecumenical Patriarch. Encourages the Government of Turkey to grant the Ecumenical Patriarch appropriate international recognition, ecclesiastical succession, and the right to train clergy of all nationalities and to respect the property rights and human rights of the Ecumenical Patriarchate.

Patron - Joannou

[C]HJ226 Town of Chincoteague. Memorializes the U.S. Department of the Interior to oppose the federal purchase of land within the Town of Chincoteague.

Patron - Lewis

[C]HJ227 Memorializing the President of the United States and the Congress of the United States to adopt a national energy policy. Expresses the sense of the General Assembly that the President and the Congress adopt a national energy policy that supports the responsible exploration for and development of all of this nation's diverse energy resources in order to secure abundant supplies of affordable, reliable energy for our economic recovery and future prosperity.

Patron - Poindexter

[C]SJ73 Recognition of the Appalachian Cherokee Nation. Recognizes the existence of Appalachian Cherokee Nation within the Commonwealth and grants the Appalachian Cherokee Nation, Incorporated, representation on the Virginia Council on Indians.

Patron - Vogel

[C]SJ131 Designating Abraham Lincoln Day in Virginia. Designates February 12, in 2012 and in each succeeding year, as Abraham Lincoln Day in Virginia. This resolution is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission.

Patron - Marsh

[C]SR17 Religious freedom. Memorializes the Secretary of State of the United States of America to support those suffering religious persecution and discrimination in countries that do not recognize religious freedom.

Patron - Petersen

Budgets and Bonds

Passed

[P]HB54 Bonds; capital projects at institutions of higher learning. Authorizes the issuance of bonds in an amount not to exceed \$125,594,000 plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring certain revenue-producing capital projects at institutions of higher learning. The bill contains an emergency clause and is identical to SB 31.

Patron - Putney

[P]SB2 Claims; Melissa Scianna. Provides relief to pay the cost to Melissa Scianna to repair the failed sewage system for her property. The amount of the relief shall be paid from the Onsite Sewage Indemnification Fund.

Patron - Martin

[P]SB31 Bonds; capital projects at institutions of higher learning. Authorizes the issuance of bonds in an amount not to exceed \$124,594,000, plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring certain revenue-producing capital projects at institutions of higher learning. The bill contains an emergency clause and is identical to HB 54.

Patron - Colgan

[P]SB41 Claims; Thomas Edward Haynesworth. Provides relief in the amount of \$1,075,178 to Thomas Edward Haynesworth, who was incarcerated for 27 years from 1984 until 2011 after being convicted of crimes of rape, sodomy, abduction with intent to defile, attempted robbery, and use of a firearm in the commission of a felony. The convictions were for crimes in three different cases. Mr. Haynesworth has been issued a writ of actual innocence for all convictions in all of the cases. The relief would be paid as follows: (i) an initial lump sum of \$215,036 to be paid within the 60 business days immediately following the execution of a release by Mr. Haynesworth from any present or future claims he may have; (ii) the sum of \$759,232 to purchase an annuity before October 1, 2012, for the primary benefit of Mr. Haynesworth with the terms of such annuity structured in Mr. Haynesworth's best interests based on consultation between Mr. Haynesworth or his representatives, the State Treasurer, and other necessary parties; and (iii) the sum of \$100,910 to purchase an additional annuity that will provide a monthly income of \$1,516 to Mr. Haynesworth upon the later of his reaching age 60 or retiring under the Virginia Retirement System. In addition, the bill entitles Mr. Haynesworth to receive up to \$10,000 for tuition for career and technical training within the Virginia Community College System. This bill incorporates SB 649.

Patron - Marsh

Failed

[F]HB11 Transportation; bonds for specific project. Authorizes the Commonwealth Transportation Board to issue bonds in the principal amount of \$550 million to finance the cost of adding an additional lane on both the northbound and southbound lanes of Interstate 95 from Dumfries to Massaponax in Spotsylvania County to expand the regular travel lanes (not the HOV lanes).

Patron - Cole

[F]HB29 Budget Bill. Amending Chapter 890, 2011 Acts of Assembly.

Patron - Putney

[F]HB30 Budget Bill. Appropriations of the Budget submitted by the Governor of Virginia providing a portion of revenues for the two years ending respectively on the thirtieth day of June, 2013, and the thirtieth day of June, 2014.

Patron - Putney

[F]SB5 Claims; Kenneth and Leslie VanAuken. Provides relief in the amount of \$6,476 to Kenneth and Leslie VanAuken, who incurred rent, utility, and other expenses on behalf of a member of their household who was wrongly accused of abusing another member of the household. Under a safety plan devised by the Chesterfield-Colonial Heights Department of Social Services, the wrongly accused family member was required to move out of the VanAukens' home to be separated from the member of the household who was allegedly being abused. The wrongly accused family member did not have the financial means to support himself. The accusation was determined to be unfounded after completion of an

investigation by the Chesterfield-Colonial Heights Department of Social Services. The investigation took approximately 162 days to complete while state law allows only a total of 60 days to complete the investigation. Certain expenses relating to the investigation incurred by the VanAukens could have been altogether avoided or mitigated had the investigation been completed within the 60-day statutory period.

Patron - Martin

[F]SB29 Budget Bill. Amending Chapter 890, 2011 Acts of Assembly.

Patron - Colgan

[F]SB30 Budget Bill. Appropriations of the Budget submitted by the Governor of Virginia providing a portion of revenues for the two years ending respectively on the thirtieth day of June, 2013, and the thirtieth day of June, 2014.

Patron - Colgan

[F]SB649 Retirement service credit; Thomas Edward Haynesworth. Awards Thomas Edward Haynesworth 27 years of creditable service in the Virginia Retirement System for time spent wrongfully incarcerated in the Commonwealth. This bill was incorporated into SB 41.

Patron - McEachin

Carried Over

[C]HB1300 Budget Bill. Amending Chapter 890, 2011 Acts of Assembly.

Patron - Putney

[C]HB1301 Budget Bill. Appropriations of the Budget providing a portion of revenues for the two years ending respectively on the thirtieth day of June, 2013, and the thirtieth day of June, 2014.

Patron - Putney

Charters

Passed

[P]HB32 Charter; Town of Brodnax. Changes the town council quorum from five to four. The council consists of seven councilmen and a mayor. The mayor votes only in the case of a tie vote. This bill is identical to SB 7.

Patron - Wright

[P]HB296 Charter; Town of Gordonsville. Reduces the size of the town council from seven to five members and makes clarifying amendments.

Patron - Scott, E.T.

[P]HB431 Charter; City of Fairfax. Provides that council vacancies shall be filled in accordance with general law. This bill is identical to SB 170.

Patron - Bulova

[P]HB457 Charter; City of Newport News. Amends provisions related to the city's boundary by adding references to bodies of water located within the city or located between its territory and any other jurisdiction. The bill also removes a provision that requires certain procedural matters of council to

take place on July 1. This bill incorporates HB 722 and is identical to SB 287.

Patron - BaCote

HB632 Charter; Town of Windsor. Provides for a transition to November elections and makes a technical correction.

Patron - Morris

HB803 Charter; Town of Hillsboro in Loudoun County. Changes the election date for council members in even-numbered years to November, clarifies the voting authority of members who are appointed to fill unexpired terms, and updates a reference to Title 15.1 to Title 15.2.

Patron - May

HB804 Charter; Town of Purcellville. Distinguishes the authority of the town council to adopt all architectural design standards and review processes from the responsibility of the Board of Architectural Review to apply such duly adopted standards.

Patron - May

HB840 Charter; City of Portsmouth. Provides that the city council shall adopt a balanced budget. The bill also creates the position of city auditor to be appointed by the city council. This bill is identical to SB 478.

Patron - James

HB847 Charter; Town of Coeburn. Establishes the duties of officers appointed by the town council, including the town manager, the town clerk, and the town attorney; authorizes the town council to appoint other officers deemed necessary.

Patron - Johnson

HB904 Charter; Town of Middleburg. Empowers the town council to designate architectural control districts, specifying the issues of importance that the council must address through the design standards it adopts for each district. The amendments would require the town attorney to be licensed to practice in Virginia and omit the requirement that the attorney be in active practice in Loudoun County.

Patron - Minchew

HB906 Charter; Town of Leesburg. Changes the town's municipal elections from May to November and provides that all municipal elections for mayor and town council are nonpartisan. This bill contains an emergency clause. This bill is identical to SB 234.

Patron - Minchew

HB978 Charter; City of Falls Church. Shifts elections for city council from May to November. Council members shall have their four-year terms shortened by six months during the transition. The bill also provides that candidates shall be nominated only by petition in the manner prescribed by law for nonparty candidates and not by caucus, primary, convention, or other party-affiliated proceeding. This bill is identical to SB 87.

Patron - Scott, J.M.

HB1019 Charter; City of Chesapeake. Expands the board of zoning appeals from five to seven members. This bill is identical to SB 292.

Patron - Spruill

HB1127 Charter; Town of Virgilina. Moves the date of the elections for mayor and councilmen from May to

November of each even-numbered year. The bill contains an emergency clause.

Patron - Edmunds

HB1142 Charter; Town of Glen Lyn. Shifts the town's elections from May to November and provides for four-year terms. The bill also removes the requirement of voter approval prior to borrowing money and moves the town council's biennial organizational meeting from September to January.

Patron - Yost

HB1146 Charter; Town of Stephens City. Shifts the town's local elections from May to November. The bill contains an emergency clause.

Patron - Sherwood

HB1205 Charter; Town of South Hill. Repeals provisions related to the town treasurer and makes other technical changes to accurately reflect current town practices.

Patron - Wright

HB1243 Charter; Town of Middletown. Shifts town elections from May to November and makes other technical amendments. The bill contains an emergency clause.

Patron - May

HB1251 Charter; Town of Cedar Bluff. Shifts the town's elections from May to November and extends the mayor's term from two to four years. The bill contains an emergency clause.

Patron - Morefield

HB1288 Charter; Town of Boyce. Moves election years for members of the Common Council from even-numbered years to odd-numbered years and sets election dates according to town ordinances.

Patron - Minchew

SB7 Charter; Town of Brodnax. Changes the town council quorum from five to four. The council consists of seven councilmen and a mayor. The mayor votes only in the case of a tie vote. This bill is identical to HB 32.

Patron - Ruff

SB87 Charter; City of Falls Church. Shifts elections for city council from May to November. Council members shall have their four-year terms shortened by six months during the transition. The bill also provides that candidates shall be nominated only by petition in the manner prescribed by law for nonparty candidates and not by caucus, primary, convention, or other party-affiliated proceeding. This bill is identical to HB 978.

Patron - Saslaw

SB142 Charter; Town of Pocahontas. Shifts the town's elections from May to November, shifts the date that elected officials enter into their duties from July 1 to January 1, and extends the terms of the mayor and councilmen serving at the time of the date change until December 31, 2012. The bill contains an emergency clause.

Patron - Puckett

SB149 Charter; Town of Bluefield. Shifts town elections from May to November and grants the mayor full voting privileges. The bill contains an emergency clause.

Patron - Puckett

[P]SB170 Charter; City of Fairfax. Provides that council vacancies shall be filled in accordance with general law. This bill is identical to HB 431.

Patron - Petersen

[P]SB234 Charter; Town of Leesburg. Changes the town's municipal elections from May to November and provides that all municipal elections for mayor and town council are nonpartisan. This bill contains an emergency clause. This bill is identical to HB 906.

Patron - Herring

[P]SB287 Charter; City of Newport News. Amends provisions related to the city's boundary by adding references to bodies of water located within the city or located between its territory and any other jurisdiction. The bill also removes a provision that requires certain procedural matters of council to take place on July 1. This bill is identical to HB 457.

Patron - Locke

[P]SB292 Charter; City of Chesapeake. Expands the board of zoning appeals from five to seven members. This bill is identical to HB 1019.

Patron - Lucas

[P]SB332 Charter; Town of Troutdale. Provides for four-year terms for council members.

Patron - Carrico

[P]SB447 Charter; Town of Middleburg. Empowers the town council to designate architectural control districts, specifying the issues of importance that the council must address through the design standards it adopts for each district. The amendments would require the town attorney to be licensed to practice in Virginia and omit the requirement that the attorney be in active practice in Loudoun County.

Patron - Vogel

[P]SB453 Charter; City of Winchester. Provides for the appointment by the Common Council of a city manager, city attorney, and city clerk; eliminates the outdated offices of treasurer, civil and police justice, and judge of the corporation court; and makes clarifying amendments.

Patron - Vogel

[P]SB478 Charter; City of Portsmouth. Provides that the city council shall adopt a balanced budget. The bill also creates the position of city auditor to be appointed by the city council. This bill is identical to HB 840.

Patron - Lucas

[P]SB545 Charter; Town of Glen Lyn. Shifts the town's elections from May to November and provides for four-year terms. The bill also removes the requirement of voter approval prior to borrowing money.

Patron - Edwards

[P]SB602 Charter; Town of West Point. Shifts town elections from May to November and provides that vacancies on the town council shall be filled in accordance with state law. The bill also grants the mayor veto power over any action of the council; the current law gives the mayor veto power over ordinances and resolutions. The bill also removes the requirements that the council meet once a month and keep a journal of its official proceedings. The bill contains an emergency clause.

Patron - Norment

[P]SB608 Charter; Town of Gate City. Extends council terms from two to four years and staggers elections. The bill contains an emergency clause.

Patron - Carrico

Failed

[F]HB204 Charter; City of Franklin. Provides that neither the city council nor any of its members shall direct or request the appointment of any person to or the removal of any person from any office or employment by the city manager. The bill also sets forth a number of ways in which a council member may forfeit office. Furthermore, a procedure is outlined for recall of council members and the mayor. Finally, council members will be required to resign their seats in order to run for mayor.

Patron - Tyler

[F]HB634 Charter; City of Franklin. Provides that neither the city council nor any of its members shall direct or request the appointment of any person to or the removal of any person from any office or employment by the city manager. The bill also sets forth a number of ways in which a council member may forfeit office. Furthermore, a procedure is outlined for recall of council members and the mayor. Finally, council members will be required to resign their seats in order to run for mayor.

Patron - Morris

[F]HB722 Charter; City of Newport News. Amends provisions related to the city's boundary by adding references to bodies of water located within the city or located between its territory and any other jurisdiction. The bill also removes a provision that requires certain procedural matters of council to take place on July 1. This bill was incorporated into HB 457.

Patron - Yancey

Carried Over

[C]SB311 Charter; City of Franklin. Provides that neither the city council nor any of its members shall direct or request the appointment of any person to or the removal of any person from any office or employment by the city manager. The bill also sets forth a number of ways in which a council member may forfeit office. Furthermore, a procedure is outlined for recall of council members and the mayor. Finally, council members will be required to resign their seats in order to run for mayor.

Patron - Blevins

Study Resolutions

Passed

[P]HJ50 Study; adaption to prevent flooding in Tidewater Virginia localities; report. Requests the Virginia Institute of Marine Science to study strategies for adaptation to prevent recurrent flooding in Tidewater and Eastern Shore Virginia localities.

Patron - Stolle

[P]HJ85 Study; Joint Legislative Audit and Review Commission; multipliers for current economic develop-

ment programs; report. Directs a joint committee of the House Committee on Finance and the Senate Committee on Finance to study and determine the multiplier effects of various types of income tax credits, public-private partnerships, and other public-private investment programs.

Patron - Purkey

[P]HJ108 Study; JLARC to study cost efficiency in higher education; report. Directs the Joint Legislative Audit and Review Commission to study the cost efficiency of the Commonwealth's institutions of higher education and to identify opportunities to reduce the cost of public higher education in Virginia. This study ends in November 2014.

Patron - Landes

[P]HJ111 Study; jurisdictional capacity of Court of Appeals; report. Requests the Judicial Council of Virginia to study the jurisdictional capacity of the Court of Appeals and whether such capacity should be expanded.

Patron - Iaquinto

[P]HJ132 Study; JLARC to study homeland security planning and preparedness; report. Directs the Joint Legislative Audit and Review Commission to study the ongoing planning and preparedness efforts throughout the Commonwealth with regard to homeland security and emergency management. The Joint Legislative Audit and Review Commission must report its final findings and recommendations to the 2013 Session of the General Assembly.

Patron - Lingamfelter

[P]HJ243 Study; state regulation of wetlands; report. Requests the Department of Environmental Quality to study the benefits and costs of seeking authority from the U.S. Environmental Protection Agency to administer the § 404 permitting program under the federal Clean Water Act.

Patron - Byron

[P]SJ15 Study; JCOTS to study electronic security credentials; report. Directs the Joint Commission on Technology and Science to study electronic identity credentials and any possible liability concerns therewith. In conducting its study, the Joint Commission on Technology and Science shall (i) coordinate with stakeholders in both the public and private realm to identify opportunities, challenges, and strategies for the issuance of electronic security credentials; (ii) identify potential uses of electronic security credentials in transactions involving the Commonwealth; (iii) identify the role the Commonwealth should play in the issuance of identification documentation used by private electronic security credentialing services; (iv) identify policies and craft legislation that would facilitate the use and issuance of electronic security credentials; (v) identify and address through policies and legislation any liability considerations that may arise through the issuance of electronic security credentials by private entities; and (vi) consider such other related issues as the joint commission deems appropriate. JCOTS must report its final findings and recommendations to the 2013 Session of the General Assembly.

Patron - Watkins

[P]SJ16 Study; conforming Virginia Unemployment Compensation Act to federal law; report. Directs the Commission on Unemployment Compensation to study conforming provisions of the Virginia Unemployment Compensation Act to requirements of the Trade Adjustment Assistance Extension Act of 2011.

Patron - Watkins

[P]SJ21 Study; Virginia State Crime Commission to study the practice of illegal cigarette trafficking; report. Directs the Virginia State Crime Commission, among other things, to determine why illegal cigarette trafficking occurs; identify the methods of illegal cigarette trafficking and the strategies used by smugglers; and document the affects and financial impact on the Commonwealth, local governments, and cigarette manufacturers, retailers, and wholesalers. The Commission must submit its report to the 2014 Session of the General Assembly.

Patron - Howell

[P]SJ76 Study; prevent recurrent flooding in Tidewater and Eastern Shore Virginia localities; report. Requests the Virginia Institute of Marine Science to study strategies for adaptation to recurrent flooding in Tidewater and Eastern Shore Virginia localities. The resolution is contingent upon an appropriation of General Funds effectuating the provisions of the resolution. HJ 50 also provides for a study of strategies to prevent recurrent flooding in Tidewater and Eastern Shore Virginia.

Patron - Northam

[P]SJ92 Study; Joint Legislative Audit and Review Commission to study the effect of Medicaid payment policies for hospitals, nursing homes, and physicians on access to health care services for Virginians; report. Directs the Joint Legislative Audit and Review Commission to study the effect of Medicaid payment policies for hospitals, nursing homes, and physicians on Virginia Medicaid recipients' access to health care services.

Patron - Stosch

Failed

[F]HJ2 Study; Joint Legislative Audit and Review Commission; taxation of local government property that is physically located in a different county, city, or town; report. Directs the Joint Legislative Audit and Review Commission to study the local fiscal impact and taxation of property owned by counties, cities, towns, and local authorities that is physically located in a different county, city, or town.

Patron - Wright

[F]HJ4 Study; local license tax business classifications and tax rates; report. Directs the Department of Taxation to study the local license tax business classifications and tax rates. The Department is to complete its work by November 30, 2012.

Patron - Landes

[F]HJ12 Study; whether to establish a bank operated by the Commonwealth; report. Establishes a joint subcommittee to study whether to establish a bank operated by the Commonwealth. The study shall consider recommendations for legislation to establish a public bank that is owned, controlled, and operated by the state.

Patron - Marshall, R.G.

[F]HJ13 Study; Crime Commission; ignition interlock for DUI first offender; report. Requires the Virginia State Crime Commission to study the feasibility of requiring installation of an ignition interlock for a DUI first offender along with the issuance of an unrestricted operator's license by investigating, to the extent possible across Virginia jurisdictions, the disparity in the purposes for which restricted operator's licenses are issued by the courts, and the potential efficacy of

the ignition interlock as a public safety measure as an alternative to the restricted license for a DUI first offender.

Patron - Loupassi

[F]HJ27 Study; mandatory renewable energy portfolio standard program; report. Directs the Commission on Electric Utility Regulation to study the establishment of a mandatory renewable energy portfolio standard program for the Commonwealth. The study will (i) address issues associated with transitioning from the existing voluntary renewable energy portfolio standard program to a mandatory program, (ii) determine the costs and benefits that would be associated with requiring electric utilities to meet varying levels of renewable energy portfolio standard goals, (iii) recommend measures to address electric utilities that do not meet the program's goals, and (iv) determine if it is feasible and advisable to require that all electric utilities in Virginia participate in a mandatory renewable energy portfolio standard program.

Patron - Herring

[F]HJ51 Study; options for accepting military training and experience as satisfying requirements for licensure, certification, or registration as a health care provider; report. Requests the Department of Health Professions to study options for accepting military training and experience as satisfying requirements for licensure, certification, or registration as a health care provider. In conducting its study, the Department of Health Professions shall review existing state laws governing licensure, certification, and registration of health care providers, compare these requirements to similar Military Occupational Specialties in health care, and develop recommendations for statutory and regulatory changes to allow the Department of Health Professions to accept evidence of military training and experience as satisfying educational and experiential requirements for licensure, certification, or registration as a health care provider in cases in which such training and experience is not currently accepted as satisfying the educational and experiential requirement for licensure, certification, or registration. The Department of Health Professions shall also develop recommendations related to options for increasing awareness among veterans and citizens of the Commonwealth for submitting evidence of military training and experience to satisfy educational and experiential requirements for licensure or certification to practice the arts.

Patron - Stolle

[F]HJ52 Study; reforming Virginia's state and local tax structure; report. Establishes a joint subcommittee to study reforming Virginia's tax structure, including the feasibility of adopting a flat tax or a fair tax.

Patron - Cole

[F]HJ62 Study; Virginia State Crime Commission to study regulation of sale of methamphetamine precursors; report. Directs the Virginia State Crime Commission to study the effectiveness of the current regulatory scheme for the sale of the methamphetamine precursors ephedrine and pseudoephedrine.

Patron - McClellan

[F]HJ63 Study; Joint Legislative Audit and Review Commission to study Composite Index of Local Ability to Pay; report. Directs the Joint Legislative Audit and Review Commission to study the efficiency and effectiveness of the Composite Index of Local Ability to Pay. In conducting its study, the Commission shall (i) review current statutory, constitutional, and budgetary provisions governing the calculation of Standards of Quality costs and funding; (ii) examine the components of the Composite Index and how they interact; (iii) evaluate other states' public school funding formulas; (iv) hear

local concerns and seek input from various Virginia and national experts, as available; and (v) evaluate the need to adjust the current basic school aid formula.

The Joint Legislative Audit and Review Commission must submit its findings and recommendations to the 2013 Session of the General Assembly.

Patron - McClellan

[F]HJ66 Study; JLARC to study suspension and expulsion practices in public schools; report. Directs the Joint Legislative Audit and Review Commission to review and consider school discipline practices and effective alternatives to suspension and expulsion and make recommendations concerning the minimization of disruption to regular education programs. The study shall include the perspectives of public school stakeholders and shall also review local school disciplinary policies and practices; laws concerning the discipline of students; and the available data on the use of suspension, expulsion, alternative education, and juvenile court.

Patron - McClellan

[F]HJ84 Study; severe shortage of medical doctors; report. Establishes a joint subcommittee to study the current and impending severe shortage of medical doctors in Virginia. In conducting its study, the joint subcommittee shall (i) determine whether a shortage of medical doctors exists in the Commonwealth, by specialty and by geographical region; (ii) identify and assess factors that contribute to the shortage of medical doctors, including medical school admissions, the costs of medical education, and the effect of excessive malpractice insurance premiums, malpractice laws and caps, the shortage of nurses, and ancillary regulations such as the Certificate of Public Need; and (iii) identify the medical specialty fields primarily affected by the shortage of doctors and recommend ways to alleviate such problems. The joint subcommittee must submit its preliminary findings and recommendations to the 2013 Session of the General Assembly and its final findings and recommendations to the 2014 Session.

Patron - Purkey

[F]HJ89 Study; JLARC to study suspension and expulsion practices in public schools; report. Directs the Joint Legislative Audit and Review Commission to review and consider school discipline practices and effective alternatives to suspension and expulsion and make recommendations concerning the minimization of disruption to regular education programs. The study shall include the perspectives of public school stakeholders and shall also review local school disciplinary policies and practices; laws concerning the discipline of students; and the available data on the use of suspension, expulsion, alternative education, and juvenile court.

Patron - Robinson

[F]HJ95 Study; joint subcommittee to study feasibility for community colleges to offer selected baccalaureate degrees; report. Establishes a joint subcommittee to study the feasibility and implications of the option for community colleges to offer selected baccalaureate degrees in high-demand fields at limited geographic locations for needs that are currently unmet by other institutions of higher education in the Commonwealth.

Patron - Marshall, D.W.

[F]HJ104 Study; feasibility of creating a museum honoring great Americans; report. Requests that the Department of Historic Resources study and report on the feasibility and impact of establishing a museum in Northern Virginia honoring great Americans.

Patron - Minchew

FHJ110 Study; efficiency of the regionalization of school divisions and the consolidation of administrative personnel between school divisions and local governing bodies; report. Requests the Joint Legislative Audit and Review Commission to study the efficiency of the use of public education funds and the possible gains from regionalizing school divisions. The Commission shall analyze the scale of administrative cost to pupils served across school divisions; the feasibility of consolidating certain programs, services, and school division functions; whether and to what extent the instructional, supervisory and administrative staff levels exceed need, particularly given the number of students enrolled in the public schools of the division; the organizations, planning, and budgetary structures of the school divisions to determine the need and ways in which such structures may be improved to maximize the utilization of personnel and funds between the school division and the governing body; and recommend such statutory, regulatory and policy changes as may be necessary to facilitate the efficient use of public education funds in accordance with the findings of the report.

Patron - Morris

FHJ113 Study; joint subcommittee to study Virginia's withdrawal from ICPRB; report. Establishes a joint subcommittee to study Virginia's withdrawal from the Interstate Commission on the Potomac River Basin and its effects upon the viability of the Potomac as a source of drinking water, recreation, and other benefits.

Patron - Kory

FHJ114 Study; state renewable energy utility; report. Establishes a joint subcommittee to study the feasibility of establishing a state renewable energy utility. The joint subcommittee is directed to examine the report of Delaware's Sustainable Energy Task Force, examine the feasibility of authorizing a state renewable energy utility to issue tax-exempt bonds to fund renewable energy improvements at state buildings, and determine what lessons can be learned from Delaware's experience in establishing and operating its sustainable energy utility.

Patron - Surovell

FHJ118 Study; joint subcommittee to study alternative medium of commerce or currency; report. Establishes a joint subcommittee to study whether the Commonwealth should adopt an alternate medium of commerce or currency to serve as an alternative to the currency distributed by the Federal Reserve System in the event of a major breakdown of the Federal Reserve System.

Patron - Marshall, R.G.

FHJ119 Study; reducing Medicaid costs; report. Establishes a joint subcommittee to study reducing Medicaid costs by increasing efficiencies and reducing fraud. In conducting its study, the joint subcommittee shall (i) examine the success of the Medicaid Fraud Control Unit; (ii) research methods of controlling Medicaid fraud that are used in other states; (iii) investigate additional solutions to controlling fraud in the Commonwealth; (iv) consider new technological advances used in other states to reduce costs within the Medicaid program; and (v) explore other ways of increasing efficiency within the system, including the use of telemedicine.

Patron - Marshall, R.G.

FHJ122 Study; parole; report. Establishes a joint subcommittee to study reinstituting parole in the Commonwealth.

Patron - Sickles

FHJ123 Study; chronic school absenteeism; report. Requests the Board of Education to study the causes of chronic

school absenteeism and the efficacy of establishing uniform requirements for maximum absences from school attendance. In conducting its study, the Board of Education shall (i) determine the causes of and the extent to which chronic school absenteeism is a problem in Virginia, providing an analysis by grade and school division; (ii) determine whether and how the state's compulsory school attendance and school attendance laws and Board policies governing unexcused absences and truancy and dropout prevention address the problem of chronic school absenteeism; (iii) assess the impact of suspensions, expulsions, and other disciplinary actions on chronic school absenteeism; (iv) review and consider the best practices of local school divisions and other states to address chronic school absenteeism; (v) evaluate the need for conformity in statutory and policy requirements pertaining to chronic school absenteeism, including requirements for "make-up" classes or class work for both excused and unexcused absences; and (vi) recommend to the General Assembly such changes to state law and public policies, including funding and sound research-based innovations, as the Board may deem appropriate and necessary to effect a comprehensive approach to chronic school absenteeism. The Board must submit its findings and recommendations to the Governor and 2014 Session of the General Assembly.

Patron - Alexander

FHJ126 Study; solitary confinement; JLARC; report. Directs the Joint Legislative Audit and Review Commission to study the use of solitary confinement by the Department of Corrections.

Patron - Hope

FHJ127 Study; Crime Commission; determining best use of resources for helping released nonviolent offenders; report. Directs the Virginia State Crime Commission to study the creation of a rating mechanism to determine which nonviolent felony offenders would be best served by receiving aid in obtaining employment post-release.

Patron - James

FHJ131 Study; Route 28 extension across Potomac River; report. Requests the Virginia Department of Transportation to study the desirability and feasibility of extension of Virginia Route 28 across the Potomac River into Maryland and the inclusion of Virginia Route 28 in the Interstate Highway System.

Patron - Minchew

FHJ133 Study; operation and performance of the Commonwealth's system of child protective services; report. Directs the Joint Legislative Audit and Review Commission to study the operation and performance of the Commonwealth's system of child protective services and evaluate the provision of child protective services by local departments of social services and the oversight of child protective services by the Department of Social Services.

Patron - Lingamfelter

FHJ134 Study; JLARC to study economic impact of proposed Bi-County Parkway and Tri-County Parkway; report. Directs the Joint Legislative Audit and Review Commission to study the potential economic impact of the proposed Bi-County Parkway and Tri-County Parkway transportation infrastructure projects.

Patron - Anderson

FHJ136 Study; JLARC; determination eligibility for disability claims under the Virginia Retirement System; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the system for determining eligibil-

ity for disability claims under the Virginia Sickness and Disability Program administered by the Virginia Retirement System. In conducting the study, JLARC shall (i) examine and compare the system operating when determinations of eligibility were made by Virginia physicians and health care professionals to the current system where the determinations are made by a contractor, (ii) review the differences in the rates of approval and denial under the two systems, and (iii) review and compare the rate of appeals under the two systems and the decisions of hearing officers regarding such appeals.

Patron - Anderson

[F]HJ137 Study; land-disturbing activities; report.

Requests the Secretary of Natural Resources to study the possibility that regulatory requirements may be modified to alleviate the cost and time required to pursue land-disturbing activities in Virginia, such as by eliminating, modifying, or delaying the applicable regulations, permitting requirements, and licensing requirements.

Patron - Poindexter

[F]HJ140 Study; revenue impact to Virginia of legalizing the sale of marijuana under conditions and restrictions; report.

Establishes a joint subcommittee to study the potential revenue impact on the Commonwealth of legalizing the sale and use of marijuana, with certain restrictions and conditions, and selling it through Virginia's ABC stores.

Patron - Englin

[F]HJ141 Study; JLARC; unfunded federal mandates; report.

Directs the Joint Legislative Audit and Review Commission to study the impact of unfunded federal mandates in the Commonwealth. The Joint Legislative Audit and Review Commission shall report its findings by July 1, 2012.

Patron - Byron

[F]HJ147 Study; expedited partner therapy; report.

Directs the Joint Commission on Health Care to study options and develop recommendations for implementing expedited partner therapy in the Commonwealth.

Patron - Herring

[F]HJ171 Study; reduce Medicaid costs using telemedicine; report.

Establishes a joint subcommittee to study reducing Medicaid costs by using telemedicine. In conducting its study, the joint subcommittee shall (i) examine the current use of telemedicine in the Commonwealth and in other states; (ii) research methods of reducing Medicaid costs using telemedicine; and (iii) consider other new technological advances used in other states to reduce costs within the Medicaid program.

Patron - Marshall, R.G.

[F]HJ172 Study; joint subcommittee to study the horse racing industry in the Commonwealth; report.

Creates a joint subcommittee to study the horse racing industry in the Commonwealth and report its findings by November 30, 2012.

Patron - Scott, E.T.

[F]SJ19 Study; State Council of Higher Education for Virginia; feasibility for community colleges to offer selected baccalaureate degrees; report.

Requests the State Council of Higher Education to study the feasibility for community colleges to offer selected baccalaureate degrees in high-demand fields, particularly in geographic areas underserved by other public institutions of higher education.

Patron - Favola

[F]SJ49 Study; Virginia Housing Commission; continuing care retirement communities; report.

Directs the Virginia Housing Commission to study continuing care retirement

communities, including the fiduciary responsibility of the community to protect residents in contractual obligations and the role residents play in managing the continuing care retirement community.

Patron - Barker

[F]SJ50 Study; untreated dental disease; report. Directs the Joint Commission on Health Care to study the fiscal impact to the Commonwealth of Virginia that results from untreated dental disease. In conducting its study, the Joint Commission on Health Care shall estimate (i) the payments made by Virginia's Medicaid program to hospital emergency departments for dental-related diagnoses, (ii) the amount of uncompensated care provided by hospital emergency departments for dental-related diagnoses, and (iii) the number of dental patients treated and the overall value of the dental-related services provided by Virginia's safety net providers, including but not limited to Free Clinics, Community Health Centers, and local health departments. The Commission must submit its report to the 2014 Session of the General Assembly.

Patron - Barker

[F]SJ53 Study; financial exploitation of elderly and incapacitated adults; report. Directs the Virginia State Crime Commission to study ways to prevent, deter, and punish financial exploitation of elderly and incapacitated adults, including determining whether existing laws on larceny, embezzlement, and fraud are adequate or whether there should be specific crimes geared towards the financial exploitation of elderly and incapacitated adults; roadblocks to identifying and prosecuting these crimes and what can be done to increase the possibility of obtaining restitution for victims shall also be studied.

Patron - Ebbin

[F]SJ64 Study; Virginia Criminal Sentencing Commission to study offender classification; report. Requests the Virginia Criminal Sentencing Commission to study rating non-violent felony offenses to aid certain classes of offenders in obtaining gainful employment.

Patron - Lucas

[F]SJ65 Study; JLARC; automation indexing of vital records; report. Directs the Joint Legislative Audit and Review Commission to study the feasibility of vital records automation indexing. In conducting its study, JLARC shall (i) examine alternatives available for the automation indexing of vital records in the Commonwealth; (ii) consider costs, accessibility, privacy implications, and other practical implications for each option; and (iii) make recommendations to the General Assembly for any necessary changes to state law to implement the most feasible option.

Patron - Blevins

[F]SJ68 Study; JLARC to study Virginia Department of Transportation; report. Directs the Joint Legislative Audit and Review Commission to study and report on the efficiency of the Virginia Department of Transportation.

Patron - McWaters

[F]SJ75 Study; Atlantic menhaden management plan requirements; report. Requests the Virginia Marine Resources Commission to study strategies for implementing new requirements under the amended Interstate Fishery Management Plan for Atlantic Menhaden. The Atlantic States Marine Fisheries Commission is in the process of developing an amendment to the plan that will require states to meet a new fishing mortality threshold.

Patron - Northam

[E]SJ86 Study; impact of a state income tax credit for local machinery and tools taxes paid by manufacturers; report. Requests the Department of Taxation to study the impact of a state income tax credit for local machinery and tools taxes paid by manufacturers.

Patron - Wagner

[E]SJ87 Study; JLARC; tax burden on the manufacturing sector; report. Directs the Joint Legislative Audit and Review Commission to study measures to eliminate the disparity in the share of state tax burden borne by the Commonwealth's manufacturing sector. This measure is a recommendation of the Manufacturing Development Commission.

Patron - Wagner

[E]SJ93 Study; solitary confinement; report. Directs the Virginia State Crime Commission to study the use of solitary confinement by the Department of Corrections.

Patron - Ebbin

Carried Over

[C]HJ97 Study; State Council of Higher Education for Virginia; management and structure of higher education centers; report. Requests the State Council of Higher Education for Virginia to study the management and structure of the Commonwealth's four regional higher education centers. The study will review best practices in the administration of higher education centers; opportunities for efficiency in the operation of higher education centers; and strategies that would ensure higher education centers meet statewide and regional goals.

Patron - Merricks

[C]HJ173 Study; merging Eastern Virginia Medical School with Old Dominion University; report. Requests the State Council of Higher Education for Virginia to study merging Eastern Virginia Medical School with Old Dominion University. In conducting its study, the Council shall examine the impact of having a state-supported medical school in the Hampton Roads region; consider the fiscal implications merging Eastern Virginia Medical School into Old Dominion University; and accept input from interested stakeholders, including the boards of visitors of both institutions.

Patron - Joannou

[C]SJ14 Study; Joint Legislative Audit and Review Commission to study Composite Index of Local Ability to Pay; report. Directs the Joint Legislative Audit and Review Commission to study the efficiency and effectiveness of the Composite Index of Local Ability to Pay. In conducting its study, the Commission shall (i) review current statutory, constitutional, and budgetary provisions governing the calculation of Standards of Quality costs and funding; (ii) examine the components of the Composite Index and how they interact; (iii) evaluate other states' public school funding formulas; (iv) hear local concerns and seek input from various Virginia and national experts, as available; and (v) evaluate the need to adjust the current basic school aid formula.

The Joint Legislative Audit and Review Commission must submit its findings and recommendations to the 2013 Session of the General Assembly.

Patron - Marsh

[C]SJ45 Study; JLARC; property tax relief for low-income property owners; report. Requires the Joint Legisla-

tive Audit and Review Commission to study issues relating to property tax relief for low-income property owners.

Patron - Miller, J.C.

[C]SJ48 Study; JLARC; determination eligibility for disability claims under the Virginia Retirement System; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the system for determining eligibility for disability claims under the Virginia Sickness and Disability Program administered by the Virginia Retirement System. In conducting the study, JLARC shall (i) examine and compare the system operating when determinations of eligibility were made by Virginia physicians and health care professionals to the current system where the determinations are made by a contractor, (ii) review the differences in the rates of approval and denial under the two systems, and (iii) review and compare the rate of appeals under the two systems and the decisions of hearing officers regarding such appeals.

Patron - Barker

[C]SJ57 Study; JLARC; property tax relief for low-income property owners; report. Requires the Joint Legislative Audit and Review Commission to study issues relating to property tax relief for low-income property owners.

Patron - Locke

[C]SJ69 Study; Virginia State Crime Commission; mandatory retirement of judges; report. Directs the State Crime Commission to study mandatory retirement of judges.

Patron - McWaters

[C]SJ71 Study; Virginia Housing Commission; foreclosure procedures; report. Directs the Virginia Housing Commission to study the foreclosure procedures of the Commonwealth.

Patron - Deeds

[C]SJ85 Study; JLARC to study phase-out of the corporate income tax; report. Directs the Joint Legislative Audit and Review Commission to study and make recommendations as to how best to phase out the corporate income tax over a period of eight years.

Patron - McWaters

[C]SJ90 Study; JLARC to study excess capacity at secure juvenile facilities; report. Directs the Joint Legislative and Audit Review Commission to study excess capacity at secure juvenile facilities.

Patron - Marsden

[C]SJ96 Study; joint subcommittee to study Virginia's withdrawal from ICPRB; report. Establishes a joint subcommittee to study Virginia's withdrawal from the Interstate Commission on the Potomac River Basin and its effects upon the viability of the Potomac as a source of drinking water, recreation, and other benefits.

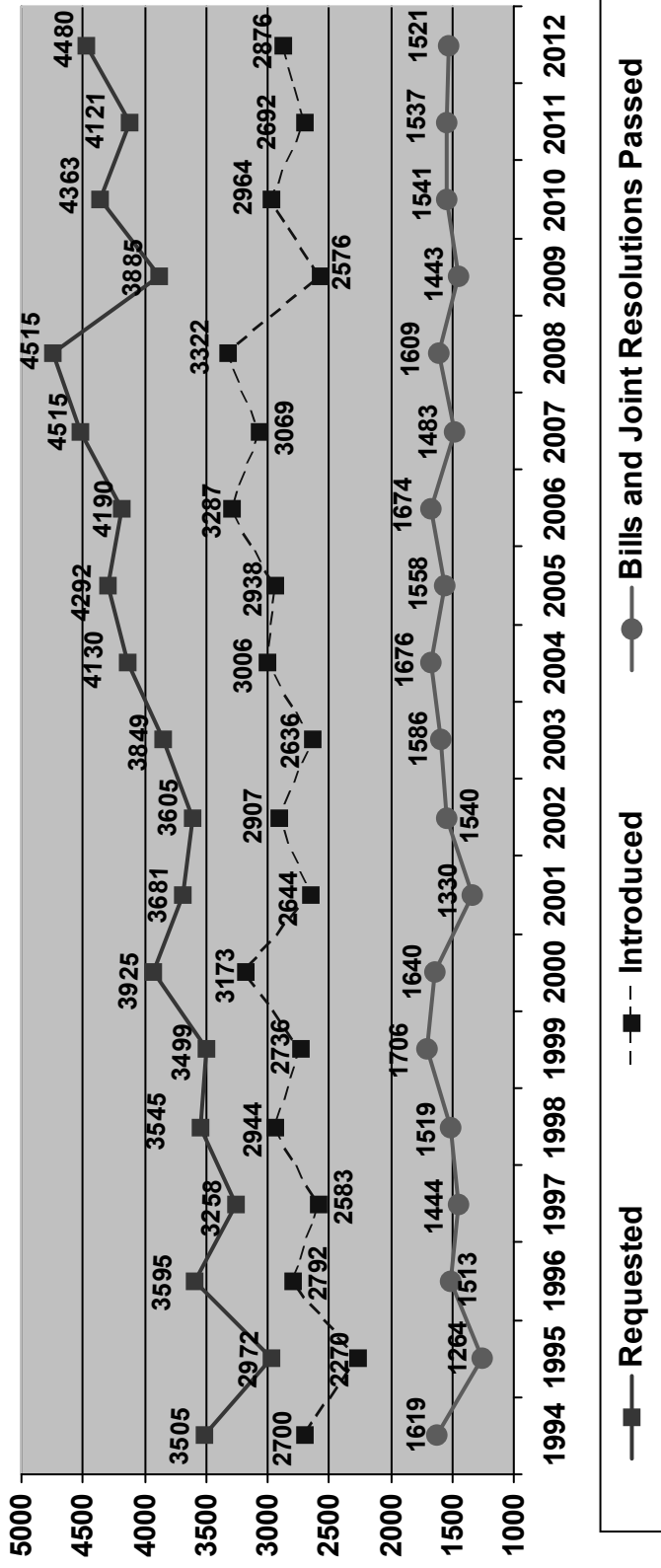
Patron - Marsden

Appendix A: 2012 Session Statistics

	Introduced	Passed	Failed	Continued
House Bills	1301	545	588	168
House Joint Resolutions	534	454	70	10
House Resolutions	82	80	2	0
House Total	1917	1079	660	178
Senate Bills	686	310	250	126
Senate Joint Resolutions	253	212	20	21
Senate Resolutions	20	15	4	1
Senate Total	959	537	274	148
General Assembly Total	2876	1616	934	326

Two of the continued house bills are the budget bills, HB 1300 and HB 1301, which were carried over to the 2012 Special Session.

Legislation Requested*, Introduced and Passed
 *before Deadline
 1994-2012



Appendix B: 2012 Session Highlights

The 2012 *Session Highlights* summarizes significant legislation considered by the 2012 Session of the Virginia General Assembly as selected by the staff of the Division of Legislative Services. The brief overview of the General Assembly Session covers legislative actions through sine die, March 10, 2012.

ABC

Passed

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.

Business

Passed

Workers' Compensation. Excludes a person who suffers an injury on or after July 1, 2012, from coverage under the Virginia Workers' Compensation Act if there is jurisdiction under either the Longshore and Harbor Workers' Compensation Act or the Merchant Marine Act of 1920.

Cable television systems and telecommunications service provider attachments to poles of electric cooperatives. Authorizes the State Corporation Commission to determine just and reasonable rates, and certain terms and conditions of service, for attachments to electric cooperative poles by telecommunications service providers and cable television systems.

Renewable energy portfolio standard program; credits for investments. Allows any investor-owned electric utility that participates in the renewable energy portfolio standard program to meet up to 20 percent of an RPS Goal through certificates evidencing the utility's expenses in conducting research and development activities in Virginia related to renewable or alternative energy sources if certain conditions are met.

Fire insurance; coverage for costs of services by volunteer fire departments. Requires fire insurance policies to provide coverage, with limits not less than \$250, for the cost charged by a volunteer fire department that is not fully funded by real estate or

property taxes for service charges when the fire department is called in to save or protect property insured under the policy.

Carried Over

Electric utilities; retail competition; purchases from net metering sellers. Authorizes individual retail customers who are eligible customer-generators under Virginia's net energy metering program to purchase electricity provided 100 percent from renewable energy exclusively for their own consumption from a net metering seller.

Virginia Health Benefit Exchange. Creates the Virginia Health Benefit Exchange, which will be established and operated by a new division within the State Corporation Commission.

Constitutional Amendments

Passed

Constitutional amendment (voter referendum); taking or damaging of private property; public use. Provides for a referendum at the November 6, 2012, election to approve or reject an amendment that revises the prohibition on the enactment by the General Assembly of eminent domain laws whereby private property may be taken or damaged without just compensation.

Courts & Civil Law

Passed

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.

Use of affidavits in no-fault divorce cases. Allows parties to submit evidence supporting the grounds for a no-fault divorce by affidavit or deposition, without leave of court, in lieu of oral testimony in certain conditions.

Adoption procedures. Makes various changes to adoption procedures. The measure also makes changes to the process of registering with the Putative Father Registry.

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.

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. No cause of action for the death of the fetus may be brought against the natural mother of the fetus.

Failed

Foreclosure; use of false records, documents, or statements. Provides that any person who knowingly makes, uses, or causes to be made or used a false or fraudulent record, document, or statement in support of any foreclosure shall be liable to the injured party.

Criminal Justice

Passed

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.

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 recordkeeping and monitoring system for the nonprescription sale of ephedrine or related compounds. The measure is effective January 1, 2013.

Sex crimes; penalties. Imposes upon an adult offender a mandatory minimum life sentence for rape, forcible sodomy, or object sexual penetration of a child under the age of 13.

Penalty for subsequent offenses of drug trafficking. Provides that any person convicted of a second offense of drug trafficking who has also been previously convicted shall be fined not more than \$500,000 and imprisoned for five to 40 years, with a mandatory minimum term of incarceration of three years. The three-year mandatory term is a new penalty. The bill also increases the mandatory minimum term of incarceration for a third such offense from five to 10 years.

Failed

Arresting officer to ascertain citizenship of arrestee. Requires that an arresting officer ask an arrestee whether he is in the country legally. The measure also provides that when a law-enforcement officer has reason to believe 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.

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 are adjudicated delinquent on or after July 1, 2012, (a House version set July 1, 2005, as the date of adjudication) of rape, forcible sodomy, or object sexual penetration.

Carried Over

Castle doctrine. Encodes a version of the "castle doctrine," which allows a person in his dwelling to use physical force, including deadly force, against an intruder in the dwelling who has committed an overt act against him or another person who is lawfully in the dwelling.

Education

Passed

Public schools; possession and administration of epinephrine. Requires local school boards to adopt and implement policies for the possession and administration of epinephrine in every school.

Online courses; teacher licensure. Requires the Board of Education to develop licensure criteria for teachers who teach only online courses.

Public schools; residency of children in kinship care. Allows a child receiving kinship care from an adult relative to enroll in the school division where the kinship care provider resides. The measure also allows local school divisions to require one legal parent and the kinship care provider to sign affidavits detailing the kinship care arrangement as well as a power of

attorney authorizing the close relative to make educational decisions regarding the child.

Failed

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

Nonpublic school students; participation in interscholastic programs. Prohibits public schools from joining an organization governing interscholastic programs that does not allow certain students to participate.

Public schools; virtual education. Provides that any student who enrolls full time in a virtual school program served by a multidivision online provider outside his school division of residence shall have his state share of Standards of Quality per pupil funding, as well as 76 percent of his local share, transferred from the school division of residence to the enrolling school division.

Carried Over

Public schools; teacher contract and evaluation policies. Makes several changes to the processes by which teachers and certain administrators are evaluated and retained.

Elections

Passed

Voter identification requirements; provisional ballots. Eliminates the provision that allows a voter to sign a sworn statement that he is the named registered voter he claims to be in lieu of showing identification. A voter without identification will be offered a provisional ballot and be told that he may submit a copy of one of the required forms of identification to the electoral board in person or by facsimile, electronic mail, or other means. The bill expands the list of acceptable forms of identification to include a valid student identification card issued by a Virginia four-year institution of higher education and certain other documents that show his name and address.

Failed

Absentee voting; application by electronic mail or other electronic means. Provides that the State Board of Elections shall implement a system to accept absentee ballot applications electronically.

General Laws

Passed

Virginia Personnel Act. Provides a preference in state government hiring for members of the Virginia National Guard.

Virginia Personnel Act. Provides a preference in state government hiring for the spouses and children of veterans who were killed in the line of duty.

Failed

Virginia Public Procurement Act. 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.

Virginia Public Procurement Act. 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.

Virginia Public Procurement Act. Authorizes localities to apply a preference for bidders or offerors located in the locality of up to 10 percent, provided certain conditions are met.

Pawnbrokers. Requires pawnbrokers to take a digital image of (i) the person involved in the transaction, (ii) the form of identification used by the person involved in the transaction, and (iii) the article or thing pawned or pledged or received on account of money loaned.

Carried Over

Virginia Public Procurement Act. Provides a bid match preference for Virginia business. Under the measure, 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.

Health

Passed

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 heartbeat. 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.

Health insurance; parity of coverage for oral chemotherapy medications. Requires health insurers, health care subscription plans, and health maintenance organizations whose policies provide coverage for cancer chemotherapy treatment to provide the same coverage without a higher copayment, deductible, or coinsurance amount for prescribed, orally administered anticancer medication as it does intravenously administered or injected anticancer medications. The mandate will apply to the state employees' health insurance plan and to the local choice health program.

Virginia All-Payer Claims Database; creation. Establishes the Virginia All-Payer Claims Database system. The measure also creates the Advisory Board on Health Care Data Reporting to assist the Board of Health in developing regulations implementing the All-Payer Claims Database.

Practice of nurse practitioners; patient care teams. Provides that nurse practitioners will only practice as part of a patient care team and makes other amendments governing the practice of nurse practitioners.

Carried Over

Licensure of dietitians. Requires the Board of Medicine to promulgate regulations for the licensure of dietitians in the Commonwealth.

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.

Human papillomavirus vaccination. Eliminates the requirement for vaccination against human papillomavirus for female children.

Local Government

Passed

Urban development areas. Makes designation of urban development areas optional for all localities. Currently urban development areas are mandatory for many higher growth localities.

Militia and Police

Passed

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.

Purchase of handguns; eliminate limitation on handgun purchases. Eliminates the prohibition on purchasing more than one handgun in a 30-day period.

Failed

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 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.

Transfer of firearms; criminal records check. 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.

Natural Resources

Passed

Nutrient Trading Act. Directs the Virginia Soil and Water Conservation Board to adopt regulations governing the certification of certain nutrient credits.

Integration of agencies' programs. Integrates elements of the Erosion and Sediment Control Act, the Stormwater Act, and 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 measure also eliminates the Chesapeake Bay Local Assistance Board and places its responsibilities with the Virginia Soil and Water Conservation Board.

Development Fund. Creates the Governor's Agriculture and Forestry Industries Development

Fund. The measure establishes an economic development grant and loan program targeted specifically at agricultural and forestry operations.

Use of mine voids. Provides that any coal remaining and any void left by the removal of coal remain the property of the owner or lessee of the mineral estate.

Failed

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.

Hunting on Sundays. Allows the hunting of wild birds or wild animals including nuisance species Sundays in certain instances. However, a person is prohibited from hunting on Sunday within 250 yards of a place of worship or hunting deer on Sunday with the assistance of dogs.

Carried Over

Dangerous wild animals. Makes it a Class 1 misdemeanor to privately possess, sell, transfer, or breed dangerous wild animals. The measure would grandfather in the ownership of any existing lawful dangerous wild animals if certain conditions are met.

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.

Penning of fox and coyote; penalty. Makes it a Class 1 misdemeanor for any person to pen a fox or coyote with dogs. The bill also makes it a Class 1 misdemeanor to pursue, hunt, or kill or attempt to pursue, hunt, or kill a fox or coyote with dogs within a pen.

Retirement

Passed

Virginia Retirement System; hybrid defined contribution and defined benefit retirement program. Creates a new hybrid retirement program, administered by the Virginia Retirement System, that contains a defined contribution and a defined benefit component. All new state employees, local employees, and judges commencing employment on or after January 1, 2014, would be required to participate in the hybrid plan. Employees in service on December 31, 2013, would be given the opportunity to make a

one-time, irrevocable election to participate in the new hybrid program. The bill also creates a disability program for local employees participating in the hybrid plan. The bill also makes adjustments to the existing defined benefit plan for nonvested employees, including lowering the retirement benefit multiplier from 1.7 to 1.65, and capping the cost-of-living adjustment at three percent. Any person with less than 20 years service who takes early retirement would not receive a cost-of-living adjustment until one year after he reaches normal retirement age.

Failed

Virginia Retirement System; fiscal impact analysis of employer contribution rates. Requires the Board of the Virginia Retirement System to conduct a fiscal impact analysis whenever the appropriation for employer contribution rates included in the budget bill submitted by the Governor to the General Assembly is less than the Board-certified contribution rate, or when either house of the General Assembly adopts an amendment to the budget appropriating less than the Board-certified contribution rate.

Social Services

Passed

Suspected child abuse and neglect; mandatory reporting; penalties. Adds certain individuals to the list of those required to report suspected child abuse or neglect and reduces the time limit for reporting suspected child abuse or neglect by mandated reporters from 72 hours to 24 hours.

Child-placing agency; conscience clause. Provides that, to the extent allowed by federal law, no private child-placing agency shall be required to perform, assist, counsel, recommend, consent to, refer, or participate in any placement of a child for foster care or adoption when the proposed placement would violate the agency's written religious or moral convictions or policies.

Vital records; records becoming public. Makes changes to when birth, death, marriage, or divorce records become public information. The measure also provides for the redaction of social security numbers from publicly available records.

Failed

Contracts with child-placing agencies. Prohibits the Department of Social Services from contracting with or funding child-placing agencies that discriminate in providing placement services to children or prospective parents.

Carried Over

Substance abuse screening and assessment of public assistance applicants and recipients.

Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. If a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services will require a formal substance abuse assessment of the participant, which may include drug testing.

Taxation

Passed

Transportation construction, operation and maintenance, and funding. Provides for the construction, maintenance, and funding of transportation by (i) transportation's share of year-end surpluses to 67 percent, and (ii) authorizing the Commonwealth Transportation Board (CTB) to name highways, bridges, interchanges, and other transportation facilities for private entities if an annual naming rights fee is paid, with the revenue dedicated to highway maintenance and operation. The bill also charges the CTB with greater responsibilities involving integration of land use and transportation planning and authorizes the CTB to withhold federal and state funds for certain local or regional capital improvement projects if those projects are inconsistent with the Statewide Transportation Plan or the Six-Year Improvement Program. Provision is made for use of "revenue-sharing" funds for secondary highway system maintenance projects carried out by local governments. The bill provides for special allocations by the CTB for bridge reconstruction, high priority highway projects, and reconstruction of highways with particularly deteriorated pavements. Finally, the bill establishes an annual \$50 license tax for electric motor vehicles registered in the Commonwealth.

Retail sales and use tax; presumption for registration for collection of the tax. Creates a legal presumption to require certain out-of-state dealers who are connected to certain activities in the Commonwealth, to collect and remit sales and use tax to the Commonwealth on sales to Virginians.

Real property tax exemption for disabled veterans. Provides that the tax exemption for the primary residence of a disabled veteran, a disabled veteran and his spouse, or a surviving spouse of a disabled veteran includes real property held in certain trusts.

Tax credits; assistance to low-income families, scholarships for K through 12 students attending private schools. Establishes a credit beginning in taxable year 2013 for those donating to nonprofit organizations that provided education improvement scholarships to certain students. The measure also expands the current Neighborhood Assistance Act Tax Credit program.

Roll-your-own cigarette machines. Declares that any person who maintains, operates, or rents a roll-your-own cigarette machine at a retail establishment for consumer use is a manufacturer of cigarettes, and resulting products from the machine are cigarettes.

Failed

Intangible personal property tax; machinery and tools. Classifies as intangible personal property, and therefore subject solely to state taxation, machinery and tools purchased on or after July 1, 2012, that have not been in service for more than three years.

Transportation

Passed

Overweight vehicle permits and fees. Provides a uniform method of assigning cost-based fees based on the amount that a vehicle is overweight. The measure has a delayed effective date of January 1, 2013.

Emissions inspections. Privatizes services now provided by the Department of Environmental Quality related to vehicle emissions inspections. The measure also updates authorized testing equipment, and allows use of wireless systems and on-road emissions testing. The measure also has a delayed effective date.

Driving two abreast in a single lane. Allows two-wheeled motorcycles to drive two abreast in a single lane.

HOV lanes; use by vehicle with clean special fuel license plates. Requires the Commissioner of Highways to report annually to the Chairmen of the House and Senate Transportation Committees on those HOV facilities whose high traffic volume has resulted in a degraded condition as identified by federal law.

Offenders required to register prohibited from operating certain charter buses. Provides that no person required to register on the Sex Offender and Crimes Against Minors Registry shall be permitted to operate a charter bus used to transport children to and from day care and certain children's activities.

Failed

Uninsured motor vehicles; fees. Raises the uninsured motor vehicle fee from \$500 to \$600.

Commonwealth Tolling Assistance Program.

Establishes a program that would allow certain low-income students receive an electronic tolling transponder without paying a deposit.

Carried Over

Commonwealth Transportation Board (CTB);

composition. Changes the composition of the CTB so that one member will be appointed from each of Virginia's congressional districts and three more will be at-large appointees.

DIVISION OF LEGISLATIVE SERVICES

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Index of House Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
House Bills							
HB1	27	HB51	55	HB103	130	HB155	92
HB2	12	HB52	130	HB104	58	HB156	94
HB3	150	HB53	137	HB105	137	HB157	73
HB4	153	HB54	163	HB106	106	HB158	119
HB5	157	HB55	77	HB107	39	HB159	90
HB6	45	HB56	71	HB108	36	HB160	137
HB7	106	HB57	71	HB109	127	HB161	12
HB8	83	HB58	32	HB110	62	HB162	129
HB9	71	HB59	77	HB111	142	HB163	111
HB10	142	HB60	71	HB112	12	HB164	36
HB11	164	HB61	73	HB113	62	HB165	113
HB12	82	HB62	88	HB114	92	HB166	32
HB13	71	HB63	71	HB115	106	HB167	101
HB14	26	HB64	73	HB116	68	HB168	78
HB15	62	HB65	89	HB117	137	HB169	146
HB16	113	HB66	146	HB118	82	HB170	32
HB17	54	HB67	149	HB119	103	HB171	103
HB18	136	HB68	85	HB120	32	HB172	83
HB19	136	HB69	127	HB121	94	HB173	58
HB20	102	HB70	127	HB122	106	HB174	28
HB21	71	HB71	92	HB123	55	HB175	82
HB22	32	HB72	103	HB124	137	HB176	29
HB23	136	HB73	155	HB125	79	HB177	87
HB24	137	HB74	150	HB126	58	HB178	97
HB25	45	HB75	55	HB127	95	HB179	106
HB26	43	HB76	59	HB128	156	HB180	66
HB27	30	HB77	54	HB129	129	HB181	114
HB28	122	HB78	62	HB130	142	HB182	108
HB29	164	HB79	84	HB131	142	HB183	87
HB30	164	HB80	130	HB132	55	HB184	87
HB31	137	HB81	130	HB133	95	HB185	54
HB32	164	HB82	142	HB134	24	HB186	149
HB33	3	HB83	87	HB135	3	HB187	103
HB34	91	HB84	58	HB136	45	HB188	92
HB35	130	HB85	91	HB137	156	HB189	150
HB36	73	HB86	62	HB138	62	HB190	130
HB37	71	HB87	22	HB139	45	HB191	142
HB38	71	HB88	81	HB140	110	HB192	22
HB39	43	HB89	55	HB141	3	HB193	12
HB40	81	HB90	113	HB142	36	HB194	103
HB41	130	HB91	45	HB143	62	HB195	66
HB42	27	HB92	36	HB144	62	HB196	81
HB43	62	HB93	59	HB145	137	HB197	33
HB44	156	HB94	62	HB146	85	HB198	73
HB45	84	HB95	82	HB147	153	HB199	33
HB46	19	HB96	59	HB148	147	HB200	45
HB47	26	HB97	103	HB149	142	HB201	137
HB48	52	HB98	114	HB150	82	HB202	130
HB49	45	HB99	103	HB151	68	HB203	33
HB50	45	HB100	118	HB152	81	HB204	166
		HB101	24	HB153	156	HB205	28
		HB102	24	HB154	130	HB206	114

Index of House Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
HB207	142	HB259	78	HB311	83	HB363	40
HB208	112	HB260	118	HB312	127	HB364	46
HB209	95	HB261	45	HB313	95	HB365	65
HB210	114	HB262	92	HB314	131	HB366	65
HB211	3	HB263	113	HB315	80	HB367	59
HB212	55	HB264	90	HB316	33	HB368	131
HB213	98	HB265	115	HB317	102	HB369	83
HB214	79	HB266	115	HB318	111	HB370	92
HB215	153	HB267	119	HB319	71	HB371	33
HB216	130	HB268	115	HB320	56	HB372	118
HB217	3	HB269	87	HB321	131	HB373	118
HB218	65	HB270	3	HB322	137	HB374	74
HB219	148	HB271	22	HB323	137	HB375	33
HB220	87	HB272	87	HB324	3	HB376	106
HB221	153	HB273	27	HB325	59	HB377	120
HB222	36	HB274	43	HB326	33	HB378	115
HB223	56	HB275	115	HB327	94	HB379	118
HB224	62	HB276	137	HB328	94	HB380	89
HB225	62	HB277	130	HB329	3	HB381	82
HB226	156	HB278	54	HB330	87	HB382	59
HB227	56	HB279	43	HB331	46	HB383	36
HB228	142	HB280	123	HB332	72	HB384	4
HB229	120	HB281	26	HB333	91	HB385	33
HB230	22	HB282	58	HB334	17	HB386	111
HB231	129	HB283	58	HB335	137	HB387	41
HB232	124	HB284	40	HB336	131	HB388	106
HB233	120	HB285	150	HB337	115	HB389	46
HB234	120	HB286	25	HB338	83	HB390	85
HB235	103	HB287	45	HB339	13	HB391	39
HB236	137	HB288	43	HB340	138	HB392	113
HB237	52	HB289	103	HB341	85	HB393	138
HB238	81	HB290	137	HB342	83	HB394	106
HB239	29	HB291	122	HB343	87	HB395	27
HB240	120	HB292	3	HB344	115	HB396	20
HB241	30	HB293	29	HB345	119	HB397	113
HB242	68	HB294	101	HB346	115	HB398	100
HB243	3	HB295	73	HB347	115	HB399	87
HB244	12	HB296	164	HB348	54	HB400	62
HB245	12	HB297	122	HB349	84	HB401	122
HB246	84	HB298	130	HB350	110	HB402	98
HB247	137	HB299	130	HB351	73	HB403	13
HB248	143	HB300	19	HB352	59	HB404	106
HB249	153	HB301	19	HB353	103	HB405	36
HB250	59	HB302	3	HB354	32	HB406	131
HB251	71	HB303	106	HB355	98	HB407	93
HB252	22	HB304	106	HB356	80	HB408	131
HB253	3	HB305	66	HB357	98	HB409	46
HB254	62	HB306	129	HB358	33	HB410	120
HB255	130	HB307	82	HB359	20	HB411	122
HB256	92	HB308	106	HB360	46	HB412	122
HB257	111	HB309	73	HB361	46	HB413	28
HB258	81	HB310	106	HB362	25	HB414	80

Index of House Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
HB415	106	HB467	46	HB519	31	HB571	33
HB416	28	HB468	63	HB520	13	HB572	79
HB417	72	HB469	65	HB521	25	HB573	43
HB418	122	HB470	21	HB522	29	HB574	74
HB419	138	HB471	20	HB523	95	HB575	92
HB420	153	HB472	56	HB524	106	HB576	65
HB421	62	HB473	46	HB525	28	HB577	59
HB422	138	HB474	68	HB526	33	HB578	59
HB423	120	HB475	22	HB527	85	HB579	151
HB424	25	HB476	23	HB528	47	HB580	4
HB425	127	HB477	92	HB529	13	HB581	132
HB426	39	HB478	68	HB530	13	HB582	13
HB427	92	HB479	131	HB531	131	HB583	107
HB428	112	HB480	4	HB532	107	HB584	92
HB429	129	HB481	4	HB533	107	HB585	4
HB430	33	HB482	42	HB534	90	HB586	114
HB431	164	HB483	143	HB535	88	HB587	125
HB432	98	HB484	41	HB536	131	HB588	107
HB433	115	HB485	56	HB537	19	HB589	47
HB434	63	HB486	112	HB538	82	HB590	127
HB435	113	HB487	114	HB539	36	HB591	63
HB436	113	HB488	63	HB540	13	HB592	52
HB437	68	HB489	47	HB541	104	HB593	17
HB438	110	HB490	4	HB542	92	HB594	111
HB439	115	HB491	33	HB543	116	HB595	4
HB440	92	HB492	33	HB544	65	HB596	47
HB441	67	HB493	33	HB545	104	HB597	79
HB442	110	HB494	47	HB546	43	HB598	153
HB443	146	HB495	19	HB547	63	HB599	91
HB444	13	HB496	23	HB548	67	HB600	92
HB445	150	HB497	106	HB549	155	HB601	34
HB446	138	HB498	104	HB550	4	HB602	63
HB447	85	HB499	36	HB551	132	HB603	59
HB448	127	HB500	151	HB552	23	HB604	109
HB449	13	HB501	13	HB553	22	HB605	122
HB450	41	HB502	120	HB554	22	HB606	58
HB451	151	HB503	26	HB555	20	HB607	47
HB452	147	HB504	27	HB556	43	HB608	47
HB453	156	HB505	143	HB557	94	HB609	116
HB454	156	HB506	118	HB558	33	HB610	32
HB455	124	HB507	151	HB559	124	HB611	13
HB456	143	HB508	43	HB560	107	HB612	86
HB457	164	HB509	131	HB561	33	HB613	13
HB458	36	HB510	149	HB562	147	HB614	37
HB459	119	HB511	111	HB563	47	HB615	37
HB460	131	HB512	138	HB564	124	HB616	92
HB461	138	HB513	131	HB565	138	HB617	37
HB462	43	HB514	143	HB566	94	HB618	30
HB463	41	HB515	74	HB567	33	HB619	74
HB464	98	HB516	131	HB568	107	HB620	4
HB465	4	HB517	143	HB569	74	HB621	94
HB466	20	HB518	143	HB570	79	HB622	74

Index of House Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
HB623	72	HB675	47	HB727	66	HB779	69
HB624	28	HB676	153	HB728	37	HB780	104
HB625	34	HB677	79	HB729	37	HB781	17
HB626	91	HB678	146	HB730	5	HB782	89
HB627	92	HB679	147	HB731	37	HB783	138
HB628	74	HB680	26	HB732	34	HB784	107
HB629	67	HB681	25	HB733	116	HB785	107
HB630	44	HB682	40	HB734	132	HB786	74
HB631	27	HB683	114	HB735	96	HB787	143
HB632	165	HB684	102	HB736	72	HB788	14
HB633	74	HB685	107	HB737	5	HB789	128
HB634	166	HB686	104	HB738	5	HB790	95
HB635	58	HB687	149	HB739	85	HB791	110
HB636	111	HB688	107	HB740	28	HB792	110
HB637	4	HB689	107	HB741	86	HB793	48
HB638	23	HB690	47	HB742	107	HB794	37
HB639	67	HB691	86	HB743	132	HB795	139
HB640	60	HB692	13	HB744	151	HB796	88
HB641	101	HB693	92	HB745	42	HB797	48
HB642	60	HB694	14	HB746	104	HB798	109
HB643	147	HB695	83	HB747	40	HB799	150
HB644	68	HB696	63	HB748	56	HB800	104
HB645	127	HB697	70	HB749	47	HB801	139
HB646	91	HB698	86	HB750	56	HB802	139
HB647	104	HB699	92	HB751	47	HB803	165
HB648	25	HB700	47	HB752	44	HB804	165
HB649	104	HB701	68	HB753	27	HB805	104
HB650	19	HB702	111	HB754	44	HB806	104
HB651	109	HB703	67	HB755	26	HB807	52
HB652	107	HB704	47	HB756	60	HB808	74
HB653	63	HB705	100	HB757	34	HB809	34
HB654	37	HB706	107	HB758	93	HB810	85
HB655	68	HB707	52	HB759	102	HB811	139
HB656	63	HB708	79	HB760	37	HB812	31
HB657	128	HB709	100	HB761	42	HB813	5
HB658	5	HB710	102	HB762	107	HB814	17
HB659	92	HB711	118	HB763	155	HB815	70
HB660	93	HB712	138	HB764	5	HB816	70
HB661	156	HB713	79	HB765	67	HB817	70
HB662	68	HB714	132	HB766	19	HB818	70
HB663	153	HB715	5	HB767	5	HB819	17
HB664	138	HB716	37	HB768	5	HB820	102
HB665	74	HB717	47	HB769	74	HB821	123
HB666	86	HB718	39	HB770	54	HB822	123
HB667	13	HB719	82	HB771	27	HB823	37
HB668	122	HB720	143	HB772	28	HB824	89
HB669	74	HB721	107	HB773	37	HB825	27
HB670	74	HB722	166	HB774	104	HB826	48
HB671	138	HB723	37	HB775	151	HB827	93
HB672	128	HB724	119	HB776	86	HB828	75
HB673	56	HB725	80	HB777	85	HB829	88
HB674	40	HB726	34	HB778	93	HB830	34

Index of House Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
HB831	75	HB883	143	HB935	69	HB987	49
HB832	143	HB884	107	HB936	86	HB988	89
HB833	87	HB885	116	HB937	116	HB989	83
HB834	40	HB886	60	HB938	116	HB990	82
HB835	148	HB887	66	HB939	5	HB991	63
HB836	114	HB888	20	HB940	44	HB992	52
HB837	39	HB889	93	HB941	80	HB993	94
HB838	75	HB890	123	HB942	38	HB994	6
HB839	94	HB891	109	HB943	146	HB995	29
HB840	165	HB892	139	HB944	23	HB996	6
HB841	132	HB893	125	HB945	6	HB997	151
HB842	132	HB894	125	HB946	72	HB998	20
HB843	109	HB895	75	HB947	63	HB999	144
HB844	93	HB896	20	HB948	54	HB1000	144
HB845	31	HB897	151	HB949	111	HB1001	113
HB846	107	HB898	139	HB950	56	HB1002	83
HB847	165	HB899	139	HB951	48	HB1003	14
HB848	34	HB900	67	HB952	48	HB1004	69
HB849	39	HB901	123	HB953	48	HB1005	64
HB850	78	HB902	120	HB954	48	HB1006	144
HB851	69	HB903	38	HB955	153	HB1007	72
HB852	67	HB904	165	HB956	56	HB1008	123
HB853	67	HB905	63	HB957	48	HB1009	29
HB854	48	HB906	165	HB958	56	HB1010	24
HB855	82	HB907	75	HB959	132	HB1011	56
HB856	54	HB908	143	HB960	99	HB1012	52
HB857	107	HB909	93	HB961	25	HB1013	132
HB858	118	HB910	34	HB962	49	HB1014	14
HB859	52	HB911	128	HB963	44	HB1015	14
HB860	104	HB912	146	HB964	44	HB1016	6
HB861	104	HB913	31	HB965	67	HB1017	128
HB862	143	HB914	91	HB966	41	HB1018	14
HB863	38	HB915	27	HB967	28	HB1019	165
HB864	93	HB916	48	HB968	44	HB1020	116
HB865	104	HB917	5	HB969	34	HB1021	157
HB866	66	HB918	90	HB970	151	HB1022	29
HB867	96	HB919	132	HB971	151	HB1023	139
HB868	107	HB920	89	HB972	23	HB1024	14
HB869	34	HB921	83	HB973	44	HB1025	108
HB870	104	HB922	132	HB974	72	HB1026	21
HB871	96	HB923	52	HB975	87	HB1027	139
HB872	96	HB924	48	HB976	153	HB1028	128
HB873	63	HB925	48	HB977	14	HB1029	38
HB874	107	HB926	42	HB978	165	HB1030	140
HB875	104	HB927	146	HB979	123	HB1031	69
HB876	132	HB928	102	HB980	100	HB1032	86
HB877	14	HB929	48	HB981	49	HB1033	42
HB878	34	HB930	78	HB982	49	HB1034	6
HB879	132	HB931	75	HB983	139	HB1035	78
HB880	82	HB932	29	HB984	113	HB1036	78
HB881	72	HB933	132	HB985	118	HB1037	44
HB882	48	HB934	81	HB986	49	HB1038	108

Index of House Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
HB1039	93	HB1091	20	HB1143	43	HB1195	109
HB1040	109	HB1092	60	HB1144	116	HB1196	38
HB1041	144	HB1093	27	HB1145	15	HB1197	49
HB1042	104	HB1094	27	HB1146	165	HB1198	41
HB1043	104	HB1095	58	HB1147	25	HB1199	6
HB1044	17	HB1096	40	HB1148	133	HB1200	101
HB1045	14	HB1097	111	HB1149	15	HB1201	25
HB1046	140	HB1098	114	HB1150	39	HB1202	96
HB1047	75	HB1099	14	HB1151	72	HB1203	6
HB1048	57	HB1100	15	HB1152	54	HB1204	140
HB1049	144	HB1101	57	HB1153	133	HB1205	165
HB1050	144	HB1102	125	HB1154	112	HB1206	119
HB1051	75	HB1103	49	HB1155	144	HB1207	70
HB1052	52	HB1104	40	HB1156	64	HB1208	61
HB1053	108	HB1105	15	HB1157	140	HB1209	124
HB1054	42	HB1106	116	HB1158	149	HB1210	19
HB1055	78	HB1107	60	HB1159	81	HB1211	151
HB1056	118	HB1108	60	HB1160	102	HB1212	116
HB1057	78	HB1109	24	HB1161	44	HB1213	123
HB1058	93	HB1110	121	HB1162	89	HB1214	108
HB1059	34	HB1111	80	HB1163	21	HB1215	61
HB1060	49	HB1112	90	HB1164	91	HB1216	34
HB1061	60	HB1113	30	HB1165	39	HB1217	91
HB1062	147	HB1114	38	HB1166	125	HB1218	149
HB1063	64	HB1115	58	HB1167	6	HB1219	121
HB1064	114	HB1116	133	HB1168	79	HB1220	34
HB1065	30	HB1117	34	HB1169	156	HB1221	24
HB1066	75	HB1118	72	HB1170	144	HB1222	6
HB1067	14	HB1119	82	HB1171	75	HB1223	49
HB1068	132	HB1120	43	HB1172	17	HB1224	121
HB1069	75	HB1121	6	HB1173	60	HB1225	31
HB1070	109	HB1122	38	HB1174	99	HB1226	69
HB1071	38	HB1123	54	HB1175	15	HB1227	76
HB1072	108	HB1124	15	HB1176	41	HB1228	15
HB1073	133	HB1125	90	HB1177	148	HB1229	86
HB1074	49	HB1126	57	HB1178	105	HB1230	6
HB1075	88	HB1127	165	HB1179	60	HB1231	88
HB1076	34	HB1128	133	HB1180	31	HB1232	15
HB1077	101	HB1129	111	HB1181	61	HB1233	133
HB1078	112	HB1130	110	HB1182	19	HB1234	17
HB1079	144	HB1131	75	HB1183	149	HB1235	15
HB1080	66	HB1132	78	HB1184	61	HB1236	109
HB1081	144	HB1133	72	HB1185	91	HB1237	152
HB1082	140	HB1134	28	HB1186	125	HB1238	54
HB1083	69	HB1135	52	HB1187	101	HB1239	140
HB1084	75	HB1136	101	HB1188	61	HB1240	89
HB1085	75	HB1137	34	HB1189	61	HB1241	140
HB1086	57	HB1138	27	HB1190	157	HB1242	84
HB1087	90	HB1139	96	HB1191	128	HB1243	165
HB1088	146	HB1140	116	HB1192	133	HB1244	40
HB1089	60	HB1141	116	HB1193	15	HB1245	22
HB1090	89	HB1142	165	HB1194	145	HB1246	129

Index of House Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
HB1247	69	HB1299	57	HJ112	162	House Resolutions	
HB1248	133	HB1300	164	HJ113	169	HR4	162
HB1249	84	HB1301	164	HJ114	169	HR9	163
HB1250	42	House Joint Resolutions		HJ115	162	HR10	161
HB1251	165	HJ2	167	HJ116	158	HR35	161
HB1252	22	HJ3	157	HJ117	162		
HB1253	35	HJ4	167	HJ118	169		
HB1254	148	HJ7	158	HJ119	169		
HB1255	39	HJ9	158	HJ120	160		
HB1256	124	HJ12	167	HJ121	162		
HB1257	49	HJ13	167	HJ122	169		
HB1258	49	HJ17	158	HJ123	169		
HB1259	38	HJ23	161	HJ124	163		
HB1260	86	HJ27	168	HJ125	158		
HB1261	121	HJ49	160	HJ126	169		
HB1262	116	HJ50	166	HJ127	169		
HB1263	91	HJ51	168	HJ128	160		
HB1264	140	HJ52	168	HJ129	162		
HB1265	102	HJ62	168	HJ130	162		
HB1266	154	HJ63	168	HJ131	169		
HB1267	145	HJ64	161	HJ132	167		
HB1268	145	HJ65	160	HJ133	169		
HB1269	35	HJ66	168	HJ134	169		
HB1270	121	HJ71	158	HJ135	162		
HB1271	54	HJ84	168	HJ136	169		
HB1272	64	HJ85	166	HJ137	170		
HB1273	96	HJ86	158	HJ138	157		
HB1274	88	HJ87	161	HJ139	162		
HB1275	49	HJ88	161	HJ140	170		
HB1276	146	HJ89	168	HJ141	170		
HB1277	117	HJ90	158	HJ142	160		
HB1278	57	HJ91	163	HJ143	161		
HB1279	114	HJ92	163	HJ144	161		
HB1280	55	HJ93	160	HJ145	161		
HB1281	149	HJ94	163	HJ146	162		
HB1282	69	HJ95	168	HJ147	170		
HB1283	41	HJ96	81	HJ148	163		
HB1284	42	HJ97	171	HJ171	170		
HB1285	52	HJ98	160	HJ172	170		
HB1286	35	HJ100	161	HJ173	171		
HB1287	35	HJ102	162	HJ185	162		
HB1288	165	HJ104	168	HJ216	161		
HB1289	120	HJ105	160	HJ226	163		
HB1290	105	HJ106	162	HJ227	163		
HB1291	6	HJ107	160	HJ228	162		
HB1292	15	HJ108	167	HJ229	162		
HB1293	81	HJ109	162	HJ230	161		
HB1294	35	HJ110	169	HJ231	158		
HB1295	8	HJ111	167	HJ243	167		
HB1296	108			HJ390	161		
HB1297	93						
HB1298	55						

Index of Senate Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
Senate Bills							
SB1	72	SB51	148	SB103	134	SB155	105
SB2	163	SB52	8	SB104	69	SB156	154
SB3	16	SB53	67	SB105	67	SB157	119
SB4	50	SB54	147	SB106	117	SB158	55
SB5	164	SB55	76	SB107	16	SB159	44
SB6	155	SB56	76	SB108	79	SB160	8
SB7	165	SB57	73	SB109	121	SB161	93
SB8	23	SB58	50	SB110	121	SB162	140
SB9	24	SB59	25	SB111	57	SB163	123
SB10	28	SB60	58	SB112	134	SB164	121
SB11	121	SB61	145	SB113	105	SB165	32
SB12	76	SB62	76	SB114	145	SB166	94
SB13	89	SB63	76	SB115	155	SB167	64
SB14	50	SB64	50	SB116	55	SB168	66
SB15	35	SB65	89	SB117	16	SB169	69
SB16	50	SB66	50	SB118	66	SB170	166
SB17	83	SB67	44	SB119	64	SB171	110
SB18	81	SB68	145	SB120	97	SB172	53
SB19	38	SB69	147	SB121	80	SB173	83
SB20	50	SB70	145	SB122	35	SB174	31
SB21	52	SB71	53	SB123	30	SB175	53
SB22	133	SB72	50	SB124	80	SB176	84
SB23	50	SB73	134	SB125	28	SB177	38
SB24	53	SB74	134	SB126	30	SB178	145
SB25	84	SB75	79	SB127	29	SB179	35
SB26	83	SB76	80	SB128	19	SB180	121
SB27	109	SB77	30	SB129	17	SB181	145
SB28	80	SB78	140	SB130	95	SB182	50
SB29	164	SB79	16	SB131	134	SB183	42
SB30	164	SB80	35	SB132	80	SB184	58
SB31	164	SB81	99	SB133	81	SB185	64
SB32	35	SB82	78	SB134	76	SB186	80
SB33	133	SB83	154	SB135	88	SB187	76
SB34	121	SB84	154	SB136	111	SB188	76
SB35	121	SB85	69	SB137	70	SB189	76
SB36	35	SB86	129	SB138	140	SB190	61
SB37	134	SB87	165	SB139	78	SB191	154
SB38	100	SB88	109	SB140	97	SB192	119
SB39	99	SB89	25	SB141	38	SB193	8
SB40	134	SB90	29	SB142	165	SB194	18
SB41	164	SB91	24	SB143	103	SB195	105
SB42	35	SB92	90	SB144	103	SB196	93
SB43	16	SB93	109	SB145	103	SB197	9
SB44	119	SB94	25	SB146	117	SB198	112
SB45	8	SB95	111	SB147	82	SB199	109
SB46	108	SB96	53	SB148	35	SB200	64
SB47	96	SB97	155	SB149	165	SB201	88
SB48	140	SB98	80	SB150	123	SB202	84
SB49	134	SB99	28	SB151	83	SB203	41
SB50	32	SB100	69	SB152	103	SB204	152
		SB101	108	SB153	103	SB205	119
		SB102	38	SB154	140	SB206	108

Index of Senate Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
SB207	78	SB259	61	SB311	166	SB363	152
SB208	108	SB260	16	SB312	109	SB364	105
SB209	91	SB261	64	SB313	120	SB365	108
SB210	108	SB262	141	SB314	23	SB366	152
SB211	18	SB263	16	SB315	105	SB367	9
SB212	93	SB264	108	SB316	129	SB368	134
SB213	93	SB265	154	SB317	51	SB369	97
SB214	90	SB266	97	SB318	154	SB370	149
SB215	38	SB267	86	SB319	147	SB371	23
SB216	112	SB268	147	SB320	120	SB372	71
SB217	61	SB269	66	SB321	117	SB373	65
SB218	41	SB270	110	SB322	105	SB374	67
SB219	50	SB271	28	SB323	45	SB375	68
SB220	18	SB272	86	SB324	18	SB376	157
SB221	20	SB273	44	SB325	55	SB377	18
SB222	50	SB274	35	SB326	57	SB378	45
SB223	50	SB275	77	SB327	157	SB379	51
SB224	53	SB276	77	SB328	156	SB380	119
SB225	109	SB277	53	SB329	64	SB381	129
SB226	134	SB278	61	SB330	103	SB382	125
SB227	35	SB279	50	SB331	112	SB383	99
SB228	105	SB280	105	SB332	166	SB384	117
SB229	38	SB281	78	SB333	109	SB385	73
SB230	91	SB282	77	SB334	109	SB386	51
SB231	105	SB283	73	SB335	105	SB387	24
SB232	141	SB284	9	SB336	109	SB388	109
SB233	38	SB285	50	SB337	105	SB389	51
SB234	166	SB286	35	SB338	9	SB390	41
SB235	35	SB287	166	SB339	93	SB391	65
SB236	16	SB288	21	SB340	117	SB392	93
SB237	22	SB289	108	SB341	145	SB393	135
SB238	134	SB290	114	SB342	120	SB394	135
SB239	152	SB291	39	SB343	105	SB395	85
SB240	157	SB292	166	SB344	9	SB396	9
SB241	141	SB293	28	SB345	51	SB397	108
SB242	9	SB294	44	SB346	67	SB398	21
SB243	64	SB295	147	SB347	134	SB399	66
SB244	76	SB296	154	SB348	86	SB400	70
SB245	102	SB297	9	SB349	152	SB401	141
SB246	25	SB298	112	SB350	99	SB402	150
SB247	114	SB299	152	SB351	32	SB403	145
SB248	147	SB300	40	SB352	141	SB404	141
SB249	58	SB301	35	SB353	21	SB405	9
SB250	16	SB302	67	SB354	19	SB406	21
SB251	42	SB303	154	SB355	141	SB407	30
SB252	76	SB304	109	SB356	39	SB408	21
SB253	30	SB305	19	SB357	112	SB409	135
SB254	9	SB306	141	SB358	109	SB410	150
SB255	70	SB307	146	SB359	20	SB411	40
SB256	64	SB308	134	SB360	43	SB412	29
SB257	64	SB309	89	SB361	31	SB413	125
SB258	18	SB310	89	SB362	55	SB414	135

Index of Senate Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
SB415	117	SB467	39	SB519	135	SB571	31
SB416	26	SB468	39	SB520	97	SB572	17
SB417	9	SB469	129	SB521	21	SB573	85
SB418	126	SB470	81	SB522	99	SB574	57
SB419	41	SB471	68	SB523	10	SB575	21
SB420	29	SB472	121	SB524	89	SB576	156
SB421	105	SB473	10	SB525	16	SB577	156
SB422	79	SB474	16	SB526	16	SB578	149
SB423	110	SB475	68	SB527	10	SB579	17
SB424	28	SB476	40	SB528	82	SB580	65
SB425	149	SB477	84	SB529	141	SB581	66
SB426	90	SB478	166	SB530	91	SB582	129
SB427	9	SB479	110	SB531	91	SB583	41
SB428	30	SB480	77	SB532	97	SB584	119
SB429	53	SB481	105	SB533	146	SB585	57
SB430	36	SB482	119	SB534	135	SB586	114
SB431	51	SB483	101	SB535	17	SB587	108
SB432	121	SB484	51	SB536	73	SB588	36
SB433	117	SB485	10	SB537	73	SB589	17
SB434	53	SB486	51	SB538	77	SB590	39
SB435	53	SB487	88	SB539	10	SB591	97
SB436	45	SB488	99	SB540	135	SB592	119
SB437	78	SB489	61	SB541	36	SB593	91
SB438	65	SB490	77	SB542	100	SB594	36
SB439	90	SB491	77	SB543	118	SB595	105
SB440	61	SB492	126	SB544	88	SB596	152
SB441	28	SB493	126	SB545	166	SB597	135
SB442	89	SB494	31	SB546	36	SB598	65
SB443	51	SB495	126	SB547	53	SB599	85
SB444	135	SB496	100	SB548	123	SB600	77
SB445	42	SB497	110	SB549	17	SB601	18
SB446	77	SB498	111	SB550	81	SB602	166
SB447	166	SB499	10	SB551	36	SB603	106
SB448	152	SB500	108	SB552	154	SB604	21
SB449	16	SB501	29	SB553	66	SB605	71
SB450	97	SB502	105	SB554	53	SB606	20
SB451	26	SB503	135	SB555	41	SB607	135
SB452	53	SB504	30	SB556	118	SB608	166
SB453	166	SB505	149	SB557	112	SB609	136
SB454	105	SB506	112	SB558	55	SB610	20
SB455	77	SB507	117	SB559	30	SB611	85
SB456	65	SB508	70	SB560	59	SB612	54
SB457	65	SB509	149	SB561	26	SB613	73
SB458	68	SB510	77	SB562	135	SB614	136
SB459	45	SB511	126	SB563	45	SB615	100
SB460	57	SB512	83	SB564	61	SB616	141
SB461	24	SB513	65	SB565	73	SB617	70
SB462	135	SB514	61	SB566	73	SB618	142
SB463	135	SB515	21	SB567	145	SB619	93
SB464	83	SB516	101	SB568	88	SB620	142
SB465	78	SB517	117	SB569	154	SB621	18
SB466	81	SB518	101	SB570	43	SB622	155

Index of Senate Bills

Bill Number	Page	Bill Number	Page	Bill Number	Page	Bill Number	Page
SB623	70	SB675	130	SJ87	171		
SB624	71	SB676	30	SJ88	160		
SB625	26	SB677	18	SJ89	163		
SB626	51	SB678	10	SJ90	171		
SB627	148	SB679	12	SJ91	163		
SB628	122	SB680	136	SJ92	167		
SB629	59	SB681	136	SJ93	171		
SB630	43	SB682	112	SJ96	171		
SB631	142	SB683	84	SJ117	159		
SB632	126	SB684	136	SJ127	161		
SB633	108	SB685	55	SJ129	161		
SB634	120	SB686	106	SJ130	163		
SB635	78			SJ131	163		
SB636	77						
SB637	51						
SB638	118						
SB639	136						
SB640	39						
SB641	31						
SB642	145						
SB643	90						
SB644	95						
SB645	21						
SB646	97						
SB647	155						
SB648	51						
SB649	164						
SB650	90						
SB651	18						
SB652	127						
SB653	36						
SB654	100						
SB655	26						
SB656	61						
SB657	45						
SB658	136						
SB659	90						
SB660	88						
SB661	87						
SB662	118						
SB663	73						
SB664	39						
SB665	66						
SB666	108						
SB667	54						
SB668	54						
SB669	77						
SB670	52						
SB671	145						
SB672	36						
SB673	145						
SB674	26						

