

Virginia General Assembly

2013 Session Summary



Virginia Division of Legislative Services

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Introduction

This publication presents a summary of legislation considered by the Virginia General Assembly at its 2013 Regular Session through adjournment *sine die* on February 23, 2013. 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* or *Failed*. 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 been passed.

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

Administration of Government

Passed

HB1393 Department of General Services; guidance documents establishing policy for fleet management. Provides for the Department of General Services to issue guidance documents, rather than regulations, to govern use of vehicles in the state fleet.

Patron - Marshall, D.W.

HB1519 The Community Integration Advisory Commission; sunset. Changes the sunset provision affecting the Community Integration Advisory Commission from July 1, 2014, to July 1, 2016. This bill is identical to SB 1071.

Patron - Villanueva

HB1524 Virginia Freedom of Information Act; records of minors participating in park and recreation programs. Reverses the default rule of FOIA that certain park and recreation records of minors are subject to the mandatory disclosure provisions of FOIA unless the parent or an emancipated person who is the subject of the record requests in writing that the record not be disclosed. Under the bill, these records would be exempt from public disclosure unless and until the parent or emancipated person who is the subject of the record waives the protection.

Patron - Villanueva

HB1554 Risk management insurance coverage for sheriffs; limitation of liability. Provides that no sheriff or deputy shall be liable in his individual capacity for any civil judgment in excess of the maximum liability coverage provided under the risk management insurance plan, which shall be at least \$1.5 million for sheriffs and deputies.

Patron - Loupassi

HB1639 Virginia Freedom of Information Act; correspondence of legislative aides exempt. Clarifies by defining "member of the General Assembly" that the working papers and correspondence of the legislative aides of members of the General Assembly are not subject to the mandatory disclosure provisions of FOIA when the aides are working on behalf of the member.

Patron - Greason

HB1646 Comprehensive services for at-risk youth and families; eligibility for state pool of funds. Provides that foster care services shall include independent living services provided to a former foster child who is over the age of 18 years but who has not yet reached the age of 21 years, and that a former foster child receiving such services shall be eligible for funding through the Comprehensive Services for At-Risk Youth and Families program.

Patron - Bell, Richard P.

HB1683 Office of Comprehensive Services; reporting expenditures for children receiving services. Adds community-based mental health services to the list of services for which expenditures must be reported by the Office of Comprehensive Services for At-Risk Youth and Families.

Patron - Bell, Richard P.

HB1685 Conveyance of property located in the City of Richmond; Department of General Services. Authorizes the Department of General Services, with the approval of the Governor, to convey to P & J Properties, Inc., a parcel of

land located in the City of Richmond in Shockoe Bottom as described in a survey dated December 5, 2012. Under the bill, the conveyance shall not be deemed a conveyance of surplus property and there shall be no requirement for the payment of any consideration.

Patron - McQuinn

HB1760 Virginia Business One Stop electronic portal program; participation by State Corporation Commission. Requires the State Corporation Commission, by June 30, 2018, to fully integrate processes and forms into the Business Permitting Center administered by the Department of Business Assistance and to process all forms within 48 business hours from the time the applicant submits the form electronically. The bill also provides for the Commission and the Business Permitting Center to report on progress and any barriers to completion biannually to the Governor and the chairmen of the Senate Finance, Senate General Laws and Technology, Senate Commerce and Labor, House Appropriations, and House Commerce and Labor committees. This bill is identical to SB 1137.

Patron - Ramadan

HB1844 Virginia Office for Protection and Advocacy; privatization. Makes various technical and other statutory changes necessary to implement the privatization of the Virginia Office for Protection and Advocacy.

Patron - Orrock

HB1845 Fraud and Abuse Whistle Blower Reward Fund; amount of reward; duties of the State Inspector General. Reduces the requirement for an award from the Fraud and Abuse Whistle Blower Reward Fund from \$10,000 to \$5,000 and expands the purposes for which the Fund may be used to include supporting the administration of the Fund, defraying Fund advertising costs, and subsidizing the operation of the Fraud, Waste and Abuse Hotline, all expenditures for which are capped at five percent of the Fund. Under the bill, all moneys recovered by the Office of the State Inspector General as a result of whistle blower activity and alerts originating in the Office shall be deposited into the Fund. The bill also provides that by the end of each quarter 85 percent of all sums recovered be remitted to the institutions or agencies on whose behalf the recovered sums were secured, unless otherwise directed by a court of law. In addition, the bill (i) authorizes the State Inspector General to split a reward among multiple whistle blowers reporting the same qualifying incident of wrongdoing or abuse, (ii) requires the State Inspector General to submit an annual report to the General Assembly summarizing the activities of the Fund, and (iii) changes the name of the State Employee Fraud, Waste and Abuse Hotline to the Fraud, Waste and Abuse Hotline. The bill contains technical amendments. The bill is identical to SB 1178.

Patron - Loupassi

HB1855 Virginia Freedom of Information Act; exempt records of the Department of Aviation. Exempts from the mandatory disclosure provisions of FOIA (i) documents and other information of a proprietary nature furnished by a licensed public-use airport to the Department of Aviation for funding from programs administered by the Department of Aviation or the Virginia Aviation Board and (ii) records provided to the Department of Aviation by other entities of the Commonwealth in connection with the operation of aircraft, where the records would not be subject to disclosure by the entity providing the records. The bill requires in both instances that the submitting entity identify in writing the records or portions thereof to be protected and state why protection is necessary.

Patron - Knight

HB1890 Department of General Services; standard vendor accounting information. Requires the Division of Purchases and Supply of the Department of General Services and the State Comptroller to adhere to the adopted data standards and match all purchases of goods, commodities, and other services to the related payment activity and make the matched information available on the Commonwealth Data Point pursuant to subdivision H 3 a of § 30-133. The bill requires that this information be available at a transactional level and be in sufficient detail to make clear what an agency has purchased, when the purchase was made, the vendor from whom the purchase is made, the amount purchased, if applicable, and how much was paid. The bill further requires that by July 15, 2013, the Governor must direct the Division and State Comptroller to take the steps necessary to modify their systems to accomplish the requirements of the bill.

Patron - LeMunyon

HB1906 Department of Veterans Services; programs to reduce unemployment among veterans. Provides for the Department of Veterans Services to develop a comprehensive program to reduce unemployment among veterans by assisting businesses to attract, hire, train, and retain veterans. The bill is identical to SB 829.

Patron - Anderson

HB1994 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

HB2005 Virginia Housing Partnership Revolving Fund. Renames the Virginia Housing Partnership Revolving Fund to the Virginia Housing Trust Fund and codifies language in the latest appropriation act in which \$7 million was appropriated to the Fund. The bill provides that the Department of Housing and Community Development shall (i) work in collaboration with the Virginia Housing Development Authority (HDA) to provide loan origination and servicing activities as needed to carry out the purposes of the Fund, with the costs of such services to be considered an eligible use of the Fund, and (ii) use, through HDA, at least 80 percent of the moneys from the Fund to provide flexible financing for low-interest loans through eligible organizations. Such loans shall be structured to maximize leveraging opportunities. All such funds shall be repaid to the credit of the Fund. Loans may be provided for (a) affordable rental housing to include new construction, rehabilitation, repair, or acquisition of housing to assist low or moderate income citizens, including land and land improvements; (b) down payment and closing cost assistance for homebuyers; and (c) short-term, medium-term, and long-term loans to reduce the cost of homeownership and rental housing. The bill also allows the Department to use up to 20 percent of the moneys from the Fund to provide grants through eligible organizations for targeted efforts to reduce homelessness, including (1) temporary rental assistance, not to exceed one year; (2) housing stabilization services in permanent supportive housing for homeless individuals and homeless families; (3) mortgage foreclosure counseling targeted at localities with the highest incidence of foreclosure activity; and (4) predevelopment assistance for per-

manent supportive housing and other long-term housing options for the homeless. The bill contains technical amendments.

Patron - Lopez

HB2026 Virginia Freedom of Information Act; remote participation in a meeting by a member of a public body; personal matter. Allows a member of a public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances. Currently, such remote participation is allowed only for emergency, medical condition, or distance from the meeting location of more than 60 miles. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.

Patron - Dudenhefer

HB2038 Fees in lieu of real property taxes; Fort Monroe. Modifies the method of determining the amount of fees in lieu of real property taxes owed by the Fort Monroe Authority by ensuring that properties at Fort Monroe that would be taxed by the City of Hampton if privately held will be charged a fee in lieu of taxes, but that properties at Fort Monroe that would not be taxed by the City if privately held will be exempt from the fee. The bill also permits the Fort Monroe Authority to appeal the assessed value of its property used in calculating the fee.

Patron - Jones

HB2043 Virginia Freedom of Information Act; closed meetings; Jamestown-Yorktown Foundation. Allows the board of trustees of the Jamestown-Yorktown Foundation to convene a closed meeting when the topic is the discussion or consideration of matters relating to specific gifts, bequests, and grants.

Patron - Robinson

HB2062 Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion; membership. Restaggers the terms of the membership of the Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion.

Patron - Peace

HB2079 Virginia Public Procurement Act; methods of procurement. Reorganizes the definitions of competitive sealed bidding and competitive negotiation. The bill also adds a definition of job order contracting and specifies procedures to be used by public bodies when utilizing job order contracting. The bill contains technical amendments.

Patron - Jones

HB2082 Information Technology Advisory Council. Provides for the Information Technology Advisory Council to elect a chairman and vice-chairman from its membership. Under the bill, neither the Secretary of Technology nor the Chief Information Officer may serve as chairman, and the CIO is no longer required to serve as vice-chairman. Under current law, the Secretary of Technology serves as chairman and the CIO serves as vice-chairman of the Council. The bill also removes the requirement for the Council to meet at least quarterly and allows both the Secretary of Technology and the CIO to call a meeting. This bill is identical to SB 1183.

Patron - Head

HB2085 Division of Consumer Counsel of the Department of Law. Replaces references to the "Office of Consumer Affairs" with references to the "Department of Agriculture and Consumer Services" or the "Division of Consumer Counsel of the Department of Law." The changes reflect the transfer made in the 2012 Session of certain duties from the Office of Consumer Affairs in the Department of Agriculture

and Consumer Services to the Division of Consumer Counsel in the Office of the Attorney General. The bill contains technical amendments.

Patron - Fariss

HB2095 Office of Intergovernmental Affairs. Removes references to the Office of Intergovernmental Affairs and provides for the Assistant to the Governor for Intergovernmental Affairs to be responsible for all of the duties of the Office under current law. The bill also (i) removes the requirement for the appointment of the Assistant to the Governor for Intergovernmental Affairs to be confirmed by the General Assembly and clarifies that the position serves at the pleasure of the Governor and (ii) removes the responsibility of the Office of Intergovernmental Affairs to serve as the base office for state officials traveling to Washington, D.C. The bill is identical to SB 1203.

Patron - Ramadan

HB2114 State Inspector General; powers and duties. Grants additional powers to the State Inspector General relating to audit functions of state and nonstate agencies and provides that the State Inspector General and no more than 30 members of the investigative unit shall be law-enforcement officers. The bill requires the State Inspector General to enter into a memorandum of understanding with the Department of State Police relative to their respective roles and responsibilities. The bill reorganizes the State Inspector General's powers and duties and generally reorganizes the law relating to the Office of the State Inspector General. The bill contains technical amendments. The bill is identical to SB 1176.

Patron - Landes

HB2128 Virginia Public Procurement Act; small procurements; localities. Provides that local public bodies are not required to post on the Department of General Services' central electronic procurement website for small purchase procurements.

Patron - Byron

HB2139 State officers and employees; removal of certain officers from office. Repeals an archaic provision that provides that the Secretary of the Commonwealth, State Treasurer, Comptroller, Superintendent of Public Instruction, or Commissioner of Agriculture and Consumer Services may be removed from office by joint vote of the two houses of the General Assembly or, during the recess thereof, may be suspended by the Governor. The repealed statute also provides that this power shall not be exercised by the Governor except for misbehavior, incapacity, neglect of official duty, or acts performed without due authority of law and that in any case in which this power is so exercised by the Governor, he shall fill the office by a temporary appointment and report to the General Assembly, at the beginning of the next session thereof, the fact of such suspension and the cause therefor, whereupon the General Assembly shall determine whether such officer shall be restored or finally removed. This bill is identical to SB 1104.

Patron - Peace

HB2146 Virginia War Memorial division; powers and duties. Provides for the powers and duties of the Virginia War Memorial division of the Department of Veterans Services. The bill removes certain powers and duties from the Virginia War Memorial Board and places those duties under the Virginia War Memorial division.

Patron - O'Bannon

HB2154 Virginia Workforce Council; composition; powers. Provides for the Virginia Workforce Council to review

the state's annual plan for postsecondary vocational education activities authorized under the federal Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. § 2301 et seq.) to ensure that the plan is aligned with the state's plan for coordinating programs authorized under Title I of the federal Workforce Investment Act of 1998 (29 U.S.C. § 2801 et seq.) and the federal Wagner-Peyser Act (29 U.S.C. § 49 et seq.). The bill provides for the Governor to appoint to the Council a state director of career and technical education and two representatives who have been nominated by state labor federations in place of two positions currently filled by the President of the Virginia AFL-CIO and a representative of labor appointed by the Governor. The bill also allows the Secretaries of Commerce and Trade, Education, and Health and Human Resources to appoint designees to serve in their stead on the Council. The bill is identical to SB 1177.

Patron - Byron

HB2245 Council on Virginia's Future. Extends the sunset date from July 1, 2013, to July 1, 2017, for the Council on Virginia's Future. This bill is identical to SB 1257.

Patron - Putney

HB2256 Southwest Virginia Cultural Heritage Foundation; membership of board. Increases the membership of the board of trustees of the Southwest Virginia Cultural Heritage Foundation from 22 to 23 by adding the Chairman of the Friends of Southwest Virginia. The bill contains an emergency clause.

Patron - O'Quinn

HB2280 Virginia Freedom of Information Act; exempt records; disaster preparedness plans. Exempts from mandatory disclosure records of hospitals and nursing homes regulated by the Board of Health that are provided to the Board, to the extent such records reveal the disaster recovery plans or the evacuation plans for such facilities in the event of fire, explosion, natural disaster, or other catastrophic event. The bill provides that nothing shall be construed to prohibit the disclosure of records relating to the effectiveness of executed evacuation plans after the occurrence of fire, explosion, natural disaster, or other catastrophic event.

Patron - Ward

HB2304 Commercial use of seals of the Commonwealth; commemorative coins. Specifies that commemorative coins minted at the direction of the Governor shall bear the seal of the Commonwealth on the obverse side of the coin and scenes of natural or historically significant locations in the Commonwealth as recommended by the Board of Tourism on the reverse side. The bill provides that proceeds from the sale of such coins shall be deposited in the Cooperative Marketing Fund established pursuant to § 2.2-2319.

Patron - Cline

HB2316 Virginia Public Procurement Act; multiple project contracts for architectural or professional engineering services relating to construction. Raises, in the case of airport and aviation transportation projects, the maximum cost of architectural or professional engineering services for all projects in one contract term of a multiple project contract from \$500,000 to \$1.5 million and for any single project from \$100,000 to \$500,000. For a locality or authority or sanitation district with a population in excess of 80,000, the bill raises the maximum cost of such services from \$1 million to \$2 million. The bill is identical to SB 1246.

Patron - Byron

SB829 Department of Veterans Services; programs to reduce unemployment among veterans. Provides for the

Department of Veterans Services to develop a comprehensive program to reduce unemployment among veterans by assisting businesses to attract, hire, train, and retain veterans. The bill is identical to HB 1906.

Patron - Puller

SB902 Virginia Public Procurement Act; alternative forms of security. Authorizes the acceptance of a cashier's check in lieu of a bid, payment, or performance bond. Currently the only acceptable alternative forms of security are a certified check or cash escrow.

Patron - Reeves

SB923 Open Education Curriculum Board. Abolishes the Open Education Curriculum Board.

Patron - Watkins

SB944 Administrative Process Act; issues on review. Provides that when a final decision of an agency is appealed under the Administrative Process Act and the decision on review is to be made based on the agency record established from a formal hearing, the duty of the court with respect to issues of fact is to determine whether there was substantial evidence in the record to support the agency decision. In addition, the bill provides that the court shall enter judgment suspending or setting it aside and remanding it to the agency for further proceedings, if any.

Patron - Edwards

SB1043 Administrative Process Act; emergency regulations. Extends the initial effective period of emergency regulations from 12 months to 18 months and adds a requirement that the current authority of the Governor to extend the effective period for up to an additional six months must be exercised by him before the initial 18-month period expires. The bill also makes technical amendments. The bill is a recommendation of the Virginia Code Commission.

Patron - Edwards

SB1064 Secretary of Veterans Affairs and Homeland Security; powers and duties. Directs the Secretary of Veterans Affairs and Homeland Security to work with veterans services organizations and counterparts in other states to monitor and encourage the timely and accurate processing of veterans benefit requests by the U.S. Department of Veterans Affairs.

Patron - Herring

SB1071 The Community Integration Advisory Commission; sunset. Changes the sunset provision affecting the Community Integration Advisory Commission from July 1, 2014, to July 1, 2016. This bill is identical to HB 1519.

Patron - Carrico

SB1089 Health insurance program for local government employees and other political subdivisions of the Commonwealth. Removes the authority of centers for independent living and area agencies on aging to join the Local Choice Plan for their employees because private employees are not permitted to participate in a public health plan that enjoys ERISA reporting exemptions under federal law. The bill also makes technical changes to remove obsolete provisions.

Patron - Watkins

SB1104 State officers and employees; removal of certain officers from office. Repeals an archaic provision that provides that the Secretary of the Commonwealth, State Treasurer, Comptroller, Superintendent of Public Instruction, or Commissioner of Agriculture and Consumer Services may be removed from office by joint vote of the two houses of the

General Assembly or, during the recess thereof, may be suspended by the Governor. The repealed statute also provides that this power shall not be exercised by the Governor except for misbehavior, incapacity, neglect of official duty, or acts performed without due authority of law and that in any case in which this power is so exercised by the Governor, he shall fill the office by a temporary appointment and report to the General Assembly, at the beginning of the next session thereof, the fact of such suspension and the cause therefor, whereupon the General Assembly shall determine whether such officer shall be restored or finally removed. This bill is identical to HB 2139.

Patron - McDougle

SB1119 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 when an officer, employee, or elected member of a separate local governmental agency formed by a local governing body is appointed 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 separate local governmental agency to the officer, employee, elected member, or member of his immediate family.

Patron - Deeds

SB1137 Virginia Business One Stop electronic portal program; participation by State Corporation Commission. Requires the State Corporation Commission, by June 30, 2018, to fully integrate processes and forms into the Business Permitting Center administered by the Department of Business Assistance and to process all forms within 48 business hours from the time the applicant submits the form electronically. The bill also provides for the Commission and the Business Permitting Center to report on progress and any barriers to completion biannually to the Governor and the chairmen of the Senate Finance, Senate General Laws and Technology, Senate Commerce and Labor, House Appropriations, and House Commerce and Labor committees. This bill is identical to HB 1760.

Patron - McWaters

SB1176 State Inspector General; powers and duties. Grants additional powers to the State Inspector General relating to audit functions of state and nonstate agencies and provides that the State Inspector General and no more than 30 members of the investigative unit shall be law-enforcement officers. The bill requires the State Inspector General to enter into a memorandum of understanding with the Department of State Police relative to their respective roles and responsibilities. The bill reorganizes the State Inspector General's powers and duties and generally reorganizes the law relating to the Office of the State Inspector General. The bill contains technical amendments. The bill is identical to HB 2114.

Patron - Ruff

SB1177 Virginia Workforce Council; composition; powers. Provides for the Virginia Workforce Council to review the state's annual plan for postsecondary vocational education activities authorized under the federal Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. § 2301 et seq.) to ensure that the plan is aligned with the state's plan for coordinating programs authorized under Title I of the federal Workforce Investment Act of 1998 (29 U.S.C. § 2801 et seq.) and the federal Wagner-Peyser Act (29 U.S.C. § 49 et seq.). The bill provides for the Governor to appoint to the Council a state director of career and technical education and two representatives who have been nominated by state labor federations in place of two positions currently filled by the President of the Virginia AFL-CIO and a representative of

labor appointed by the Governor. The bill also allows the Secretaries of Commerce and Trade, Education, and Health and Human Resources to appoint designees to serve in their stead on the Council. The bill is identical to HB 2154.

Patron - Ruff

SB1178 Fraud and Abuse Whistle Blower Reward Fund; amount of reward; duties of the State Inspector General. Reduces the requirement for an award from the Fraud and Abuse Whistle Blower Reward Fund from \$10,000 to \$5,000 and expands the purposes for which the Fund may be used to include supporting the administration of the Fund, defraying Fund advertising costs, and subsidizing the operation of the Fraud, Waste and Abuse Hotline, all expenditures for which are capped at five percent of the Fund. Under the bill, all moneys recovered by the Office of the State Inspector General as a result of whistle blower activity and alerts originating in the Office shall be deposited into the Fund. The bill also provides that by the end of each quarter 85 percent of all sums recovered be remitted to the institutions or agencies on whose behalf the recovered sums were secured, unless otherwise directed by a court of law. In addition, the bill (i) authorizes the State Inspector General to split a reward among multiple whistle blowers reporting the same qualifying incident of wrongdoing or abuse, (ii) requires the State Inspector General to submit an annual report to the General Assembly summarizing the activities of the Fund, and (iii) changes the name of the State Employee Fraud, Waste and Abuse Hotline to the Fraud, Waste and Abuse Hotline. The bill contains technical amendments. The bill is identical to HB 1845.

Patron - Ruff

SB1183 Information Technology Advisory Council. Provides for the Information Technology Advisory Council to elect a chairman and vice-chairman from its membership. Under the bill, neither the Secretary of Technology nor the Chief Information Officer may serve as chairman, and the CIO is no longer required to serve as vice-chairman. Under current law, the Secretary of Technology serves as chairman and the CIO serves as vice-chairman of the Council. The bill also removes the requirement for the Council to meet at least quarterly and allows both the Secretary of Technology and the CIO to call a meeting. This bill is identical to HB 2082.

Patron - Vogel

SB1195 Entrepreneur-in-Residence Program. Creates the Entrepreneur-in-Residence Program, a pilot program administered by the Secretary of Commerce and Trade to improve outreach by state government to the private sector. The objectives of the Program are to (i) strengthen coordination and interaction between state government and the private sector on issues relevant to entrepreneurs and small business concerns and (ii) make state government programs and operations simpler, easier to access, more efficient, and more responsive to the needs of small business concerns and entrepreneurs. The program has a 2017 sunset date. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Saslaw

SB1197 Virginia Public Procurement Act; contracts for architectural or professional engineering services by certain localities. Authorizes any city within Planning District 8 to enter into individual contracts for architectural or professional engineering services up to \$5 million. Planning District 8 is composed of the Counties of Arlington, Fairfax, Loudoun, and Prince William; the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park; and the Towns of Dumfries, Herndon, Leesburg, Purcellville, and Vienna. Currently, the authority to enter into such contracts is limited to localities and local authorities, sanitation districts, metropoli-

tan planning organizations, or planning district commissions with populations in excess of 80,000.

Patron - Saslaw

SB1203 Office of Intergovernmental Affairs. Removes references to the Office of Intergovernmental Affairs and provides for the Assistant to the Governor for Intergovernmental Affairs to be responsible for all of the duties of the Office under current law. The bill also (i) removes the requirement for the appointment of the Assistant to the Governor for Intergovernmental Affairs to be confirmed by the General Assembly and clarifies that the position serves at the pleasure of the Governor and (ii) removes the responsibility of the Office of Intergovernmental Affairs to serve as the base office for state officials traveling to Washington, D.C. The bill is identical to HB 2095.

Patron - McDougle

SB1215 State and Local Government Conflict of Interests Act; revolving door for state employees. Provides that certain former employees of state agencies must wait one year before representing clients for compensation before their agencies in matters involving regulatory review by such agencies.

Patron - Stuart

SB1246 Virginia Public Procurement Act; multiple project contracts for architectural or professional engineering services relating to construction. Raises, in the case of airport and aviation transportation projects, the maximum cost of architectural or professional engineering services for all projects in one contract term of a multiple project contract from \$500,000 to \$1.5 million and for any single project from \$100,000 to \$500,000. For a locality or authority or sanitation district with a population in excess of 80,000, the bill raises the maximum cost of such services from \$1 million to \$2 million. The bill is identical to HB 2316.

Patron - Colgan

SB1257 Council on Virginia's Future. Extends the sunset date from July 1, 2013, to July 1, 2017, for the Council on Virginia's Future. This bill is identical to HB 2245.

Patron - Hanger

SB1263 Virginia Freedom of Information Act; meeting by electronic communication means by certain committees, subcommittees, etc., of state public bodies; personal matters. Authorizes an advisory public body, defined as any state public body classified as advisory pursuant to § 2.2-2100 or any committee, subcommittee, or other entity, however designated, of a state public body created to advise the state public body, to meet by electronic communication means without a quorum of the advisory public body being physically assembled at one location, provided, among other requirements, the meeting is conducted utilizing a combined audio and visual communication method. The bill requires any advisory public body holding this kind of electronic communication meeting to make an audiovisual recording of the meeting, which recording shall be preserved by the advisory public body for a period of three years from the date of the meeting. The bill also enhances the annual reporting requirements for any public body authorized to conduct electronic communication meetings and requires the FOIA Council to develop a form that an authorized public body must make available to the public at any such meeting for public comment. The above-described provisions of the bill by its terms will expire on July 1, 2014. Finally, the bill allows a member of any public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances. Currently, such remote participation is allowed only for emergency, medi-

cal condition, or distance from the meeting location of more than 60 miles. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.

Patron - Stuart

SB1264 Freedom of Information Act; access to criminal and other records held by public bodies engaged in criminal law-enforcement activities. Reorganizes § 2.2-3706 of the Freedom of Information Act relating to access to criminal records and other records held by law-enforcement agencies. The only substantive changes in the bill are to (i) expand to the state law-enforcement agencies the ability to withhold portions of noncriminal incident information and (ii) allow law-enforcement agencies to make a verbal response for requests for criminal incident information. The bill also clarifies that personnel records of persons employed by a law-enforcement agency are not noncriminal records but subject to the personnel records and background investigation records exemptions. The bill contains technical amendments and is a recommendation of the Virginia Freedom of Information Advisory Council.

Patron - Stuart

SB1317 Property conveyance; certain real property to the Mennel Milling Company located in Roanoke County, Virginia. Modifies a 2011 enactment whereby the Department of General Services was authorized to convey certain real property to the Mennel Milling Company. The bill changes the terms of the conveyance of certain real property to the Mennel Milling Company located in Roanoke County, Virginia, by providing that the conveyance is to be made at no cost to the Commonwealth relating to the conveyance such as title insurance fees and premiums, environmental investigations, and survey costs, but expressly excluding any potential costs expended by the Commonwealth related to the improvement and use of the property exchanged or for costs expended by the Commonwealth in connection with the use of the parcel conveyed. The bill also removes the emergency clause on the 2011 enactment.

Patron - Smith

SB1320 Job investment and incentive grant programs; information to verify employment status. Authorizes state entities awarding grants or other incentives that are based on employment goals to require the recipient to provide copies of the employer quarterly payroll reports provided to the Virginia Employment Commission to verify the employment status of any position included in the employment goal.

Patron - Ruff

SB1334 Virginia Freedom of Information Act; records exemption for the Commonwealth's Attorneys' Services Council. Provides an exemption from the mandatory disclosure requirements of the Freedom of Information Act for records of the Commonwealth's Attorneys' Services Council to the extent such records are (i) prepared for and utilized by the Council in the training of state prosecutors or law-enforcement personnel, where such records are not otherwise available to the public and the release of such records would reveal confidential strategies, methods, or procedures to be employed in law-enforcement activities, or (ii) materials created for the investigation and prosecution of a criminal case.

Patron - Norment

SB1350 Department of Small Business and Supplier Diversity created. Creates the Department of Small Business and Supplier Diversity by consolidating the powers and duties of the Department of Business Assistance and the Department of Minority Business Enterprise. The bill abolishes the Department of Business Assistance and the Department of

Minority Business Enterprise. The bill has a delayed effective date of January 1, 2014, and contains numerous technical amendments to accomplish this consolidation.

Patron - McWaters

Failed

HB1356 Health insurance for local government employees. Gives local governments the option of having all their employees and retirees, as well as their dependents, eligible to participate in the state employee health insurance plan in lieu of the current state-administered local health insurance plan. The local government shall be responsible for whatever portion of the cost of such insurance that is not paid by the employee, except any portion that the General Assembly elects to pay.

Patron - Yost

HB1362 State holidays; Election Day. Designates the Tuesday after the first Monday in November, i.e., Election Day, as a legal holiday.

Patron - Scott, J.M.

HB1464 State holidays and other special days; April 13 to honor coal miners in Virginia. Designates the thirteenth day of April of each year as a day of recognition for coal miners in Virginia to acknowledge the contributions of and pay tribute to the hardworking women and men who work, and sometimes die, in the coal mines of the Commonwealth. April 13, 1750, is the date that Dr. Thomas Walker is credited with discovering and using coal in what was Virginia and now is Kentucky.

Patron - Yost

HB1469 State Inspector General; financial audit of Virginia's four-year public institutions of higher education; report. Directs the State Inspector General to conduct a comprehensive financial audit of Virginia's four-year public institutions of higher education, to be completed by July 1, 2015. The bill requires the State Inspector General to submit a report to the Governor and the General Assembly on or before October 15, 2015, detailing any findings or recommendations for improving the efficiency and fiscal practices of such four-year public institutions of higher education, including recommending changes in the law that are necessary to address such findings.

Patron - Bell, Richard P.

HB1478 State Inspector General; powers and duties. Requires the State Inspector General, beginning July 1, 2014, to develop standard operating procedures and a schedule for performance reviews of executive branch agencies, which procedures shall include the nature, scope, timetable, and reporting mechanism for regularly scheduled performance reviews. The performance reviews shall (i) be conducted periodically to ascertain that sums appropriated have been or are being expended for the purposes for which the appropriation was made, (ii) evaluate the effectiveness of each agency program in accomplishing such purpose, and (iii) include any findings and recommendations for the improvement of efficiency of the agency.

Patron - Farrell

HB1489 Department of Accounts; payroll of state employees. Directs the Comptroller to pay state employees on a weekly basis.

Patron - Rush

HB1602 Virginia Workforce Council; annual informational brochure for eleventh grade students in public high schools. Requires the Virginia Workforce Council to assist the Governor in developing and annually updating a brochure containing information on vocational and technical job opportunities and trends. The bill also requires the Council to coordinate with local school divisions to distribute a brochure to each eleventh grade student, intended for review by students and parents, near the start of each academic year and to deliver brochures for display in and distribution by the guidance counselor office of each public high school. The bill further requires the Council to coordinate with each local workforce investment board to deliver brochures for display in and distribution by each one-stop center in the Commonwealth.

Patron - Watson

HB1613 State depositories; exempt deposits. Provides that the Virginia Security for Public Deposits Act does not apply to deposits made by any public depositor in out-of-state financial institutions related to escrow or trust agreements or custody agreements, other than master custody agreements. The bill further provides that such deposits do not have to be made in a qualified public depository.

Patron - Hugo

HB1624 Virginia Public Procurement Act; contracts with state agencies for transportation facility; agreements with labor organizations. Provides, under certain conditions, that when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of a transportation facility paid for in whole or in part by state funds, or when overseeing or administering such procurement, neither the Commonwealth Transportation Board nor any state transportation agency nor any construction manager acting on behalf of such entities shall, in their bid specifications, project agreements, or other controlling documents, provide an incentive in the scoring of such bids that favors entities entering into project labor agreements. The bill defines "transportation facility" and sets out exceptions to this requirement.

Patron - Hugo

HB1758 Virginia Economic Development Partnership Authority; export of Virginia products and services. Authorizes the Virginia Economic Development Partnership Authority to undertake whatever activities the Authority deems appropriate to provide bridge loans and shipment insurance for Virginia exporters. This bill may be known as the Virginia Export Assistance Act.

Patron - Ramadan

HB1823 Public procurement; posting by local public bodies of procurement opportunities. Requires local public bodies to post certain required procurement notices on the Department of General Services' central electronic procurement website and makes newspaper publication or posting on other appropriate websites optional. Currently, only state public bodies are required to post procurement notices on the Department of General Services' central electronic procurement website. The bill provides, however, that no local public body shall be required to post on the Department of General Services' central electronic procurement website for reverse auctioning for goods and nonprofessional services if (i) the amount of such contract is expected to exceed \$100,000 and (ii) the local public body has a website for the posting of such notices and provides the website address to the Department of General Services for posting on its central electronic procurement website. The bill also requires the Department of General Services to (a) provide an electronic data file of the using agency's business opportunities at no charge to any requesting

newspaper or other print publication with circulation in Virginia using the comma-separated values (CSV) format and (b) send the data file automatically via electronic mail on a daily, weekly, or monthly basis as agreed to by the parties. The bill specifies the information to be included in the data file. The bill incorporates HB 2170.

Patron - Villanueva

HB1834 High Performance Building Act; use of certain forest products. Requires the Department of General Services to include in the high performance building certification program, certificate credits for forest products certified by the Forest Stewardship Council or certified under the Sustainable Forestry Initiative or the American Tree Farm System.

Patron - Poindexter

HB1882 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. The bill provides that it does not apply to any contracts for professional services.

Patron - Morrissey

HB1936 Department of Minority Business Enterprise; 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

HB1945 Major Employment and Investment Project Site Planning Grant Fund; definition of "MEI project." Revises the definition of "MEI project" by decreasing the requirement for private capital investment from \$250 million to \$50 million and decreasing the number of new jobs to be created from 400 to 100, thereby lowering the threshold for a political subdivision to be eligible for a grant under the Major Employment and Investment Project Site Planning Grant Fund.

Patron - Landes

HB1951 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 of the lowest bid of an out-of-state bidder.

Patron - Yancey

HB1967 Virginia Jobs Investment Program; eligibility for assistance. Expands the criteria for eligibility for assistance in any of the component parts of the Virginia Jobs Investment Program to include areas that have a higher labor force participation rate than the statewide average. In such areas, the wage rate minimum may be waived by the Department of Business Assistance.

Patron - James

HB1968 Governor's Development Opportunity Fund; eligibility for grants. Expands eligibility for grants

from the Governor's Development Opportunity Fund to include counties or cities in which at least 40 percent of the assessed value of all real estate situated in the locality is exempt from local property taxation pursuant to federal law or Article X, Section 6 or 6-A of the Constitution of Virginia.

Patron - James

HB1992 State grievance procedure; review of hearing decisions. Provides that upon the request of a party to a grievance hearing for an administrative review of the hearing decision based on the party's assertion that the hearing decision is inconsistent with a proper interpretation or application of a policy that constituted a material issue in the grievance that formed or should have formed in whole or in part the basis for the hearing decision, the Director of the Department of Human Resource Management shall determine within 60 days of the request whether the decision is consistent with policy. The bill specifies that the Director's determination shall be made as an independent, de novo review of the grievance and the Director shall identify those factual findings in the hearing decision that are relevant and material to the policy in question and explain whether those findings support the hearing decision relating to the application of the policy in question. Currently, upon the request of a party to a grievance hearing for an administrative review of the hearing decision, the Director of the Department of Human Resource Management must determine within 30 days of the conclusion of any other administrative review whether the hearing decision is consistent with policy.

Patron - McClellan

HB2000 Virginia ports; change in operation or ownership. Requires approval of both the Governor and the General Assembly before any change in the operation or ownership of any Virginia port is permitted. This bill is incorporated into HB 1691.

Patron - Sickles

HB2002 Powers of the State Inspector General; legislative and judicial branches. Authorizes the State Inspector General to conduct performance reviews of legislative and judicial branch agencies in addition to executive branch agencies; however, such reviews shall be limited to the statement of economic interests filed by state officers or employees and members of the General Assembly. The bill also provides that the State Inspector General shall evaluate the efficiency of such agencies as part of such review process and determine whether such agencies are accomplishing their mission.

Patron - LeMunyon

HB2021 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 skills, knowledge, or ability. The bill contains technical amendments.

Patron - LeMunyon

HB2032 Freedom of Information Act; electronic meetings. Allows regional public bodies to conduct electronic meetings in the same manner as state public bodies. The bill also removes the requirement that a public body hold one meeting each year at which no member participates using electronic means. This bill is a recommendation of the Joint Commission on Technology and Science.

Patron - May

HB2071 Department of Business Assistance (DBA); Center for Innovative Technology (CIT); Virginia Tourism Corporation (VTC); Virginia Economic Development Partnership (VEDP); marketing campaign. Directs

the DBA, CIT, VTC, and VEDP to develop a marketing campaign to attract and recognize entrepreneurs, small businesses, and emerging industry businesses. This campaign shall include developing (i) a welcome program to facilitate speedy completion of necessary business start-up functions, including licensing, facilities location, employee relocation guides, and business support services; (ii) a recruitment campaign to target industry segments for pursuit, to identify potential incentives for the establishment, location, or relocation of these companies, and to showcase assets such as economic incentives and regional living condition profiles and asset profiles, including universities, technology councils, venture firms, and research institutes; and (iii) an operational plan and schedule to carry out such a campaign. The DBA, CIT, VTC, and VEDP shall deliver the campaign documents to the Governor and the General Assembly by November 30, 2013.

Patron - May

HB2074 Virginia Information Technologies Agency; procurement of information technology and telecommunications by state agencies. Clarifies that all information technology and telecommunications goods and services of every description procured on behalf of state agencies may only be purchased by the Virginia Information Technologies Agency (VITA) and details VITA's role in all aspects of the procurement of such goods and services on behalf of state agencies. In addition, the bill provides that any contract for information technology or telecommunications goods or services entered into by a state agency or institution without written authorization from VITA shall be void and prohibits the Comptroller from issuing payment under any contract for information technology and telecommunications goods and services not approved or authorized by VITA.

Patron - Robinson

HB2075 IEIA; Commonwealth Innovation and Entrepreneurship Measurement System. Authorizes the Innovation and Entrepreneurship Investment Authority to create the Commonwealth Innovation and Entrepreneurship Measurement System as a tool to measure areas within the Commonwealth worthy of economic development and institutional focus in furtherance of the Commonwealth Research and Development Strategic Roadmap.

Patron - Poindexter

HB2078 Public procurement; design-build; construction management; protests; private investment. Increases public notice of requests for proposals from 10 to 30 days. The bill also (i) limits the use of competitive negotiation for construction projects, including certain public institutions of higher education, for which the aggregate or sum of all phases is not expected to exceed \$10 million, the nature of the project is such that it is unusually complex or extraordinary conditions exist, and the Director of the Department of General Services and the Secretary of Administration certify such conditions exist; (ii) requires posting on eVa and other appropriate websites for state and local public bodies using certain methods of procurement; (iii) changes the process for procurement of design-build or construction management projects; and (iv) allows a bidder or offeror to protest a public body's use of competitive negotiation. The bill contains technical amendments.

Patron - Peace

HB2081 State and local agencies. Prohibits the Commonwealth and its political subdivisions from adopting or implementing sustainable development policy recommendations of the United Nations or to enter into contracts with entities that assist in the implementation of such recommendations

of the United Nations. The bill defines "state agency" and "sustainable development."

Patron - Marshall, D.W.

HB2087 Virginia Jobs Investment Program. Moves the administration of the Virginia Jobs Investment Program from the Department of Business Assistance to the Virginia Economic Development Partnership.

Patron - James

HB2097 Career Pathways System Advisory Council; established. Establishes the Career Pathways System Advisory Council. The purpose of the council is to ensure the coordination and collaboration of career and technical education, adult education, and workforce development programs through business-driven sector strategies that provide for sequences of education and training articulated with higher levels of education and regional and state workforce needs and that also provide career coaching and advising support services and experiential learning. The Council will develop workforce readiness indicators, in coordination with the Virginia Workforce Council and the Council on Virginia's Future, which will include enrollment and graduation statistics in secondary, post-secondary, and adult education programs in science, technology, engineering, math, or health care-related areas; numbers of targeted industry certifications; and the Commonwealth's education and training capacity for key industry sectors and will produce a scorecard documenting progress in these areas. The scorecard will also include a report on the progress of interagency collaboration and shared funding for the purposes of attaining select education and workforce development goals. The bill includes a sunset provision of July 1, 2016.

Patron - James

HB2125 Virginia Freedom of Information Act; requests for records. Provides that FOIA requests may be made by any citizen of the United States and not just citizens of the Commonwealth. The bill also allows a public body to require prepayment before providing requested records when the cost for production of the records is likely to exceed \$100.

Patron - Keam

HB2133 Employment discrimination; current employment status. Provides that no employer employing more than five but fewer than 15 persons shall fail or refuse to hire an individual on the basis of the individual's current employment status. The bill provides that it is an unfair discriminatory practice for any person to include an employment status requirement in a job advertisement or to otherwise require, directly or indirectly, an individual to have a specific employment status to apply for a job. The bill provides that an individual may bring an action against the employer or file a complaint with the Division of Human Rights of the Department of Law or a local human rights or human relations agency or commission within 300 days of the refusal. The bill requires the court to award reasonable attorney fees and costs in cases where the individual prevails.

Patron - Keam

HB2134 Virginia Freedom of Information Act; state agencies to post schedule of costs for producing records. Adds a requirement that each state public body created in the executive branch of state government and subject to FOIA make available to the public upon request a schedule of charges associated with the production of requested records that may be assessed by the public body under FOIA. The bill also requires the schedule of charges to be posted on the respective websites of state executive branch agencies.

Patron - Keam

HB2170 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 or posting on other appropriate websites optional. Currently, only state public bodies are required to post procurement notices on the Department of General Services' central electronic procurement website. The bill also requires the Department of General Services to (i) provide an electronic data file of the using agency's business opportunities at no charge to any requesting newspaper or other print publication with circulation in Virginia using the comma-separated values (CSV) format and (ii) send the data file automatically via electronic mail on a daily, weekly, or monthly basis as agreed to by the parties. The bill specifies the information to be included in the data file. The bill was incorporated into HB 1823.

Patron - Cole

HB2205 Virginia Public Procurement Act; qualified Virginia businesses afforded opportunity to bid. Requires a public body to solicit bids directly from potential contractors who are residents of Virginia and have been prequalified or deemed qualified under the criteria set forth in the solicitation. The bill defines businesses that are Virginia residents.

Patron - Webert

HB2210 Virginia Public Procurement Act; procurement of professional services. Allows any city located in Planning District 8 to procure architectural or professional engineering services relating to multiple construction projects where the sum of all such projects does not exceed \$5 million. The bill also allows such localities to procure such services for a single project where the project does not exceed \$1 million. Currently, only localities with a population in excess of 80,000 have this authority.

Patron - Scott, J.M.

HB2212 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 - McQuinn

HB2229 Detention and removal of a citizen from the Commonwealth by the federal government. Provides that the Secretary of Public Safety shall request from the U.S. Secretary of Defense that, when an agency of the federal government detains any citizen pursuant to 50 U.S.C. § 1541 as provided by the National Defense Authorization Act for Fiscal Year 2012 (P.L. 112-81, § 1021 [providing for detention of any person "who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored those responsible for those attacks" or "who was a part of or substantially supported al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act or has directly supported such hostilities in aid of such enemy forces"]), the U.S. Secretary of Defense shall provide notification within 24 hours of the detention to both the Secretary of Public Safety and the chief law-enforcement officer of the locality in which the citizen is detained and that the U.S. Secretary of Defense or his designee shall seek authorization from the chief law-enforcement officer of the locality in which the citizen is detained prior to removal of the

citizen from the locality. The bill also provides that if the federal agency detaining any citizen pursuant to the National Defense Authorization Act fails to comply with either such request, funds appropriated for implementation or continuation of memoranda of understanding entered into by cabinet secretaries shall be contingent upon authorization by an act of the General Assembly in a subsequent year. Finally, the bill authorizes the Governor to terminate any memorandum of understanding for noncompliance.

Patron - Cline

HB2230 Virginia Commission on Higher Education Board Appointments; composition. Adds a tenured faculty member from a four-year public institution of higher education and a faculty member from a community college to the Virginia Commission on Higher Education Board Appointments.

Patron - Bulova

HB2283 Virginia Recreational Facilities Authority. Designates the Virginia Recreational Facilities Authority as an agency in the executive branch of state government that, as such, reports to the Secretary of Natural Resources.

Patron - Head

HB2295 Office of Intergovernmental Affairs; duties of the Assistant to the Governor. Provides for the Assistant to the Governor for Intergovernmental Affairs to convene at least annually a meeting of the Virginia Congressional Delegation and a delegation representing the General Assembly.

Patron - Landes

HB2321 Virginia Freedom of Information Act; application to the State Corporation Commission. Makes the State Corporation Commission (SCC) subject to the Freedom of Information Act (FOIA) and designates venue for FOIA petitions against the SCC. The bill reverses a case holding that the Freedom of Information Act is not applicable to the SCC (*Christian v. State Corporation Commission*, November 2011).

Patron - Surovell

SB701 Nondiscrimination in state employment. Prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended. 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 toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments.

Patron - McEachin

SB748 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 existing buildings to serve as a new place of business.

Patron - Stanley

SB781 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

SB791 Performance review of state agencies. Requires the Office of the State Inspector General to develop and implement an audit work plan using existing funding and in coordination with other pertinent agencies, as appropriate, to schedule executive branch agencies for performance reviews in order to evaluate agencies for evidence of waste, fraud, and abuse. Under the bill, the plan must be completed and made available to the Governor and the General Assembly on or before July 1, 2014.

Patron - Garrett

SB827 Regulatory stringency standard. Requires any state agency that is authorized to implement a comparable federal program to receive statutory authorization to promulgate any regulation that is more stringent than the federal statute or regulation. By July 1, 2014, these agencies are required to complete a review of their regulations to determine whether each regulation (i) is more stringent than the comparable federal law or regulation and (ii) whether there is statutory authorization for the regulation that is found to be more stringent. When an agency determines that a more stringent regulation has not been authorized by a state statute, the agency is required to amend the regulation to bring it into compliance with the federal law or regulation or the General Assembly has to enact legislation authorizing the more stringent standard. If neither condition has been met within one year of the agency's determination that its regulation is more stringent than the comparable federal law or regulation, the regulation is deemed to be null and void.

Patron - Garrett

SB860 Procurement by state entities using public-private partnerships; Public-Private Transportation Act; Public-Private Education Facilities and Infrastructure Act of 2002. Provides that no real property asset that produces annual average revenue for the Commonwealth of \$10 million or more over the five most recent fiscal years, or \$10 million revenue for the Commonwealth in the most recent fiscal year, may be (i) the subject of any lease, concession agreement, or similar type of agreement that transfers to a nongovernmental entity possession or control of the asset for more than 10 years at a time, including any renewal; (ii) sold; or (iii) securitized as a part of a qualified transportation facility under the Public-Private Transportation Act of 1995 or a qualified project under the Public-Private Education Facilities and Infrastructure Act of 2002 unless it has been declared to be surplus property. The bill also requires any comprehensive agreement for a qualifying transportation facility where the responsible public entity is a state entity to provide a summary containing the major business points of the agreement to the Public-Private Partnership Advisory Commission for review and comment. In addition, the bill provides that any proposed comprehensive agreement for a qualifying transportation facility, when the responsible public entity is an agency or institution of the Commonwealth, that (a) creates state tax-supported debt, (b) requires a level of appropriation beyond the appropriation received by the responsible public entity in the most recent appropriation act, or (c) alters the Commonwealth's discretion to change the level of services or the funding for such services over time must be reviewed by the General Assembly prior to execution.

Patron - Lucas

SB872 Assignment of general fund balance; Transportation Trust Fund. Increases from 67 percent to 75 percent

the portion of the general fund surplus remaining at the end of each fiscal year that is deposited into the Transportation Trust Fund. Such deposit takes place after deposits are made to the Revenue Stabilization Fund and the Water Quality Improvement Fund and other statutorily mandated commitments are met.

Patron - McWaters

SB879 Employee Misclassification Task Force. Establishes the Employee Misclassification Task Force to, among other things, develop and recommend legislation to provide a clear and consistent definition of "employee" to ensure conformance with relevant federal tax laws. The provisions of the bill shall expire on July 1, 2018.

Patron - Puckett

SB889 Virginia Freedom of Information Act; electronic communication meetings; school boards. Allows local school boards to hold electronic communication meetings to the same extent allowed currently for state public bodies. The bill contains technical amendments.

Patron - Black

SB976 Commonwealth Transportation Board; circumstances for removal from office by the Governor. Provides that the Governor may remove any citizen member of the Commonwealth Transportation Board from office for malfeasance, misfeasance, incompetence, or gross neglect of duty. Currently, such members of the Board may be removed by the Governor at his pleasure.

Patron - Lucas

SB990 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 of the lowest bid of an out-of-state bidder.

Patron - Miller

SB991 Department of Veterans Services; veterans identification card; discount on state-operated attractions. Provides a 50 percent discount on the admission fee to all state-operated attractions for a Virginia veteran who presents a valid veterans identification card issued by the Department of Motor Vehicles. The discounted admission fee shall apply to the card holder and up to five persons accompanying him to such attraction. The bill also requires the Department of Veterans Services to publish on its website an annually updated list of state-operated attractions.

Patron - Miller

SB1091 Local participation in risk management plan. Provides that participation by constitutional officers in the Department of the Treasury's risk management plan shall be determined by the local governing body of the locality served by the officers rather than by the State Compensation Board. Also, local governments and constitutional officers choosing not to participate in the risk management plan shall not be subject to payment of any premium or administrative costs.

Patron - Hanger

SB1105 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 requires 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

SB1120 Department of Business Assistance (DBA); Center for Innovative Technology (CIT); Virginia Tourism Corporation (VTC); Virginia Economic Development Partnership (VEDP); marketing campaign. Directs the DBA, CIT, VTC, and VEDP to develop a marketing campaign to attract and recognize entrepreneurs, small businesses, and emerging industry businesses. This campaign shall include developing (i) a welcome program to facilitate speedy completion of necessary business start-up functions, including licensing, facilities location, employee relocation guides, and business support services; (ii) a recruitment campaign to target industry segments for pursuit, to identify potential incentives for the establishment, location, or relocation of these companies, and to showcase assets such as economic incentives and regional living condition profiles and asset profiles, including universities, technology councils, venture firms, and research institutes; and (iii) an operational plan and schedule to carry out such a campaign. The DBA, CIT, VTC, and VEDP shall deliver the campaign documents to the Governor and the General Assembly by November 30, 2013.

Patron - McWaters

SB1134 Virginia Jobs Investment Program. Moves the administration of the Virginia Jobs Investment Program from the Department of Business Assistance to the Virginia Economic Development Partnership.

Patron - McWaters

SB1170 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 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents and (ii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. The required provisions do not apply to any contracts for the procurement of professional services. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Deeds

SB1181 IEIA; Commonwealth Innovation and Entrepreneurship Measurement System. Authorizes the Innovation and Entrepreneurship Investment Authority to create the Commonwealth Innovation and Entrepreneurship Measurement System as a tool to measure areas within the Commonwealth worthy of economic development and institutional focus in furtherance of the Commonwealth Research and Development Strategic Roadmap.

Patron - Reeves

SB1184 Virginia Information Technologies Agency; procurement of information technology and telecommunications by state agencies. Clarifies that all information technology and telecommunications goods and services of every description procured on behalf of state agencies may only be purchased by the Virginia Information Technologies Agency (VITA) and details VITA's role in all aspects of the procurement of such goods and services on behalf of state agencies. In addition, the bill provides that any contract for information technology or telecommunications goods or services entered into by a state agency or institution without written authorization from VITA shall be void and prohibits the Comptroller from issuing payment under any contract for information tech-

nology and telecommunications goods and services not approved or authorized by VITA.

Patron - Vogel

SB1188 Career Pathways System Advisory Council; established. Establishes the Career Pathways System Advisory Council. The purpose of the Council is to ensure the coordination and collaboration of career and technical education, adult education, and workforce development programs through business-driven sector strategies that provide for sequences of education and training articulated with higher levels of education and regional and state workforce needs and that also provide career coaching and advising support services and experiential learning. The Council will develop workforce readiness indicators, in coordination with the Virginia Workforce Council and the Council on Virginia's Future, which will include enrollment and graduation statistics in secondary, post-secondary, and adult education programs in science, technology, engineering, math, or health care-related areas; numbers of targeted industry certifications; and the Commonwealth's education and training capacity for key industry sectors, and will produce a scorecard documenting progress in these areas. The scorecard will also include a report on the progress of interagency collaboration and shared funding for the purposes of attaining select education and workforce development goals. The bill includes a sunset provision of July 1, 2016. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Martin

SB1276 Virginia Business One Stop electronic portal program; participation by State Corporation Commission. Requires the clerk of the State Corporation Commission to cooperate with the Department of Business Assistance to ensure that entrepreneurs are able, by January 1, 2014, to prepare and submit registration applications and organizational documents for the formation of a business entity to the clerk's office through the website of the Virginia Business One Stop (BOS) electronic portal program, which is the new designation of the Department's one-stop small business permitting program. The BOS program is directed to provide seamless integration and conversion of pertinent data required to register or form a new small business in the Commonwealth; to submit business-related permits and license applications as required by state agencies in the Commonwealth; and to transition from paper forms to electronic processing. The measure specifically requires the State Corporation Commission to fully integrate processes and forms into the BOS and to process all forms within 48 business hours from the time an applicant submits a form electronically.

Patron - Stanley

SB1301 Virginia Economic Development Partnership Authority; export of Virginia products and services. Authorizes the Virginia Economic Development Partnership Authority to undertake whatever activities the Authority deems appropriate to provide bridge loans and shipment insurance for Virginia exporters. This bill may be known as the Virginia Export Assistance Act. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Stanley

SB1321 Assignment of general fund balance; Transportation Trust Fund. Provides that after the full deposit is assigned to the Revenue Stabilization Fund from any general fund surplus at the end of the fiscal year, the Comptroller shall assign the remaining general fund balance to the Transportation Trust Fund.

Patron - Obenshain

SB1362 Metropolitan Washington Airports Authority. Requires General Assembly approval prior to the Governor's authorization of the approval of amendment No. 4 to the lease with the Metropolitan Washington Airports Authority.

Patron - Black

SB1367 Health insurance for local government employees. Gives local governments the option of having all their employees and retirees, as well as their dependents, eligible to participate in the state employee health insurance plan in lieu of the current state-administered local health insurance plan. The local government shall be responsible for whatever portion of the cost of such insurance that is not paid by the employee, except any portion that the General Assembly elects to pay.

Patron - Barker

SB1371 Virginia Freedom of Information Act; repetitive requests; remedies. Allows a public body to petition the appropriate court for additional time to respond to a request for records when the request is one of a series of requests by the same requester and a response by the public body within the time required by FOIA will prevent the public body from meeting its operational responsibilities. The bill also authorizes a court, in any action to enforce the provisions of FOIA, to decline to order production of the requested records if the evidence shows that the frequency or volume of the record requests made by the petitioner (i) constitutes an unreasonable burden on the resources of the public body, (ii) will prevent the public body from meeting its operational responsibilities, or (iii) has been made to evade the payment of any charges assessed in accordance with FOIA. The bill contains technical amendments.

Patron - Stuart

Agriculture, Animal Care, and Food

Passed

HB1320 Excise tax on peanuts. Extends the \$0.30 per 100 pounds excise tax on all peanuts grown in and sold in Virginia until July 1, 2016. The proceeds from the tax will be used for promoting the sales and use of Virginia peanuts. This bill is identical to SB 698.

Patron - Morris

HB1562 Control of dangerous and vicious dogs; penalties. Authorizes an animal control officer or law-enforcement officer to apply to a magistrate for a summons where the officer believes that the owner of a vicious dog has willfully failed to comply with the law. When the owner of a dangerous dog has willfully failed to comply with the law, the bill authorizes an officer to confine the dog. The bill also clarifies the distinctions between dangerous dogs and vicious dogs, requires the owner of either type of dog to provide basic care while confining the animal, and authorizes a court to order the owner to pay for the care of a dangerous or vicious dog while it is in state custody. This bill is identical to SB 828.

Patron - Orrock

HB1829 Using a GPS device to manage dogs in pursuit of foxes. Allows hunters to use a GPS (Global Positioning System) or other electronic tracking device to manage

dogs that are hunting or pursuing a fox. Current law distinguishes actually following a dog from "managing" the dog, but it does not explain what managing might encompass. The bill contains technical amendments.

Patron - Poindexter

HB1852 Inspection of food establishments and labeling of foods. Exempts private homes where the resident processes and prepares certain food products, including dried fruits, dry herbs, dry seasonings, nuts, vinegars, dried pasta, dry baking mixes, and cereals, from inspection by the Virginia Department of Agriculture and Consumer Services (VDACS), so long as the resident processing and preparing the product affixes a label to the product that indicates the name, address, and the telephone number of the person preparing the food product and that the residence has not been inspected by VDACS.

Patron - Orrock

HB1859 Rabies clinics. Requires a local governing body to ensure that a rabies clinic is conducted to serve the jurisdiction at least once every two years. Currently, a clinic is to be held once a year if the local government finds that the number of resident veterinarians is inadequate to meet the need for rabies vaccination.

Patron - Orrock

HB2086 Regulatory powers of Board of Agriculture and Consumer Services. Removes the Board of Agriculture and Consumer Services' authority to adopt regulations establishing schedules for calibration of service agencies' weights and measures standards and authorizes the Commissioner of Agriculture and Consumer Services to set the schedules.

Patron - Fariss

SB698 Excise tax on peanuts. Extends the \$0.30 per 100 pounds excise tax on all peanuts grown in and sold in Virginia until July 1, 2016. The proceeds from the tax will be used for promoting the sales and use of Virginia peanuts. This bill is identical to HB 1320.

Patron - Lucas

SB828 Control of dangerous and vicious dogs; penalties. Authorizes an animal control officer or law-enforcement officer to apply to a magistrate for a summons where the officer believes that the owner of a vicious dog has willfully failed to comply with the law. When the owner of a dangerous dog has willfully failed to comply with the law, the bill authorizes an officer to confine the dog. The bill also clarifies the distinctions between dangerous dogs and vicious dogs, requires the owner of either type of dog to provide basic care while confining the animal, and authorizes a court to order the owner to pay for the care of a dangerous or vicious dog while it is in state custody. This bill is identical to HB 1562.

Patron - Blevins

Failed

HB1430 Right to Farm Act. Expands the definition of agricultural operations to include the commerce of farm-to-business and farm-to-consumer sales as well as commerce in other related items. The bill creates a rebuttable presumption that an agricultural operation is in compliance with local zoning ordinances when it operates on property that is zoned agricultural. The bill contains a clause providing that the

provisions of the bill shall not become effective unless reenacted by the 2014 Session of the General Assembly.

Patron - Lingamfelter

HB1839 Home-produced operations. Exempts food products processed or prepared in private homes or farms from Board of Agriculture and Consumer Services regulations that apply to food establishments so long as the products are sold to end consumers and labeled with the producer's name and address, the product ingredients, and the statement that the product is not subject to Virginia's food safety laws and regulations. The bill also exempts these facilities from examinations conducted by the State Health Commissioner of establishments in which crustacea, finfish, and shellfish are handled.

Patron - Lingamfelter

HB1863 Adoption of ordinances for the control of dangerous or vicious dogs. Expands the list of statutes that a locality may use as the basis for parallel ordinances by adding § 3.2-6540, which deals with the control of dangerous or vicious dogs, to the list of available Code sections. A local ordinance that parallels § 3.2-6540 may be more stringent than that section.

Patron - Robinson

HB1893 Virginia Adoptable and Transferable Companion Animal Registry. Requires the State Veterinarian to establish and maintain a website where representatives of releasing agencies may post information on companion animals that are available for adoption by the public or transfer to other releasing agencies. The bill also provides that a governing body may require a pound that it maintains to participate in the Registry.

Patron - Kory

HB2242 Animal abuser registration; penalties. Requires anyone 18 or older who has been convicted of a felony violation of an animal cruelty law to register with the office of the primary law-enforcement agency in the locality when he is present in Virginia for more than 10 consecutive days and to renew his registration annually for 15 years. The agency is required to collect and forward to the Attorney General the abuser's registration information and to provide certain information to all residences, schools, animal shelters, and businesses within one-half mile of the abuser's location. The bill requires the Attorney General to maintain a publicly accessible registry of the abusers who are required to register.

Patron - Putney

Alcoholic Beverage Control Act

Passed

HB1449 Alcoholic beverage control; mixed beverage licenses for certain properties. Provides that the ABC Board may grant a mixed beverage license, notwithstanding the requirement for a referendum, to properties (i) located as of December 1, 2012, within the Montgomery County Route 177 Urban Development Area, which area is adjacent to Exit 109 on Interstate 81, and (ii) on property fronting Route 603 with portions fronting on Interstate 81, located approximately 1,100 feet from the intersection of Route 603 and Interstate 81 at Exit 128 in Montgomery County. This bill is identical to SB 849.

Patron - Yost

HB1587 Alcoholic beverage control; powers of Alcoholic Beverage Control Board to issue certain case decisions. Empowers the Alcoholic Beverage Control Board to render a determination in response to a petition by any beer wholesaler against a brewery, or by any brewery against a beer wholesaler, in which the petitioner alleges that the respondent named in the petition as a matter of past or present fact has violated or attempted to violate, or has contemplated action that if carried out would violate, any provision of the Beer Franchise Act or subdivision 1 c of § 4.1-225. The bill also provides that the ABC Board may, if it finds that a brewery or beer wholesaler has frivolously maintained a petition or defense to a petition pursuant to the Beer Franchise Act, award reasonable costs and attorney fees to the prevailing party. The bill provides that the Board shall have the responsibility to promptly issue a written determination as to whether such violations or attempted violations have occurred or whether such violations would occur if such contemplated action of a named party were to be carried out. The bill requires the parties first to attempt a good faith resolution of the issue in question before petitioning the ABC Board.

Patron - Albo

HB1667 Alcoholic beverage control; mixed beverage licenses for certain properties. Authorizes the ABC Board to grant mixed beverage licenses to certain properties located in Smyth County, notwithstanding the outcome of the liquor-by-the-drink referendum in those jurisdictions.

Patron - Crockett-Stark

HB1671 Alcoholic beverage control; tied house; exemption. Provides an exemption from the tied house restriction for one out-of-state winery, not under common control or ownership with any other winery, that is under common ownership or control with one restaurant licensed to sell wine at retail in Virginia, so long as any wine produced by that winery is purchased from a Virginia wholesale wine licensee by the restaurant before it is offered for sale to consumers.

Patron - Watson

HB1720 Alcoholic beverage control; proof of legal age required. Provides that it is a Class 3 misdemeanor to sell alcoholic beverages to an individual under 21 years of age if the seller does not require the individual to present bona fide evidence of legal age indicating that the individual is 21 years of age or older. Bona fide evidence of legal age is limited to any evidence that is or reasonably appears to be an unexpired driver's license, military identification card, United States passport or foreign government visa, unexpired special identification card issued by the Department of Motor Vehicles, or any other valid government-issued identification card bearing the individual's photograph, signature, height, weight, and date of birth, or which bears a photograph that reasonably appears to match the appearance of the purchaser. The bill excludes student identification cards as bona fide evidence of legal age.

Patron - Head

HB1849 Alcoholic beverage control; operation of contract winemaking facilities. Includes in the privileges for winery and farm winery licensees the ability to operate a contract winemaking facility. In the bill, "contract winemaking facility" is defined as the premises of a licensed winery or farm winery that obtains grapes, fruits, and other plants grown exclusively in Virginia from a person holding a farm winery license and crushes, processes, ferments, bottles, or provides any combination of such services pursuant to an agreement with the farm winery licensee. This bill is identical to SB 1127.

Patron - Albo

HB2268 Alcoholic beverage control; privileges of farm winery licensees. Allows a farm winery licensee to pre-mix wine to be served and sold for on-premises consumption at the retail establishments of the licensee.

Patron - Gilbert

HB2288 Alcoholic beverage control; powers of Alcoholic Beverage Control Board; mixed beverage licenses. Authorizes the ABC Board, notwithstanding the requirement for a referendum, to grant a mixed beverage license to any establishment located on property within 1,500 feet of Interstate 81 on either frontage road between mile markers 75 and 86 in the County of Wythe.

Patron - Crockett-Stark

HB2300 Alcoholic beverage control; tied house exception. Provides an exception from the tied house restrictions by allowing the granting of any retail license to a distillery licensee, or to an applicant for such license, or to a lessee of such person, a wholly owned subsidiary of such person, or its lessee under certain circumstances. Under current law, this exception is authorized for brewery and winery licensees.

Patron - Watson

SB849 Alcoholic beverage control; mixed beverage licenses for certain properties. Provides that the ABC Board may grant a mixed beverage license, notwithstanding the requirement for a referendum, to properties (i) located as of December 1, 2012, within the Montgomery County Route 177 Urban Development Area, which area is adjacent to Exit 109 on Interstate 81, and (ii) on property fronting Route 603 with portions fronting Interstate 81, located approximately 1,100 feet from the intersection of Route 603 and Interstate 81 at Exit 128 in Montgomery County. This bill is identical to HB 1449.

Patron - Edwards

SB1070 Alcoholic beverage control; mixed beverage licenses for certain properties. Authorizes the Alcoholic Beverage Control Board to grant a mixed beverage license, notwithstanding the outcome of the mixed beverage referendum, on property within the boundary of any town incorporated in 1875 located adjacent to the intersection of Interstate 81 and Route 91 (the Town of Glade Spring).

Patron - Stanley

SB1127 Alcoholic beverage control; operation of contract winemaking facilities. Includes in the privileges for winery and farm winery licensees the ability to operate a contract winemaking facility. In the bill, "contract winemaking facility" is defined as the premises of a licensed winery or farm winery that obtains grapes, fruits, and other plants grown exclusively in Virginia from a person holding a farm winery license and crushes, processes, ferments, bottles, or provides any combination of such services pursuant to an agreement with the farm winery licensee. This bill is identical to HB 1849.

Patron - McWaters

SB1193 Alcoholic beverage control; renewal of licenses; payment of license tax and civil penalty. Authorizes the ABC Board to permit a licensee who fails to timely pay the required license tax and civil penalty to pay the tax in lieu of posting and publishing notice and reapplying, provided payment of the tax is made within 45 days following the 30-day extension and is accompanied by a civil penalty of \$100 or 25 percent of such tax, whichever is greater. The bill contains technical amendments.

Patron - Hanger

SB1235 Alcoholic beverage control; operation of government stores. Clarifies that the requirement that all alcoholic beverages sold at government stores be in closed containers, sealed, and affixed with labels prescribed by the ABC Board does not apply to tasting samples provided at government stores established by the Board on a distiller's licensed premises. The bill also provides that such distiller may charge consumers for such tastings.

Patron - Black

SB1304 Alcoholic beverage control; annual mixed beverage performing arts facility license. Creates the annual mixed beverage performing arts facility license and sets out the privileges of the license and state and local license taxes. The bill incorporates SB 1303.

Patron - Watkins

SB1349 Alcoholic beverage control; mandatory revocation of mixed beverage licenses. Requires the ABC Board to revoke the license of a licensee that (i) has defrauded or attempted to defraud the ABC Board, or any federal, state, or local government or governmental agency or authority, by making or filing any report, document, or tax return required by statute or regulation that is fraudulent or contains a willful or knowing false representation of a material fact or (ii) has willfully deceived or attempted to deceive the Board, or any federal, state, or local government or governmental agency or authority, by making or maintaining business records required by statute or regulation that are false or fraudulent. The bill directs the ABC Board to meet with interested parties and others to develop guidelines for appropriate sanctions for violations relating to the food-beverage ratio and MBAR reports by mixed beverage licensees. As part of this study, the ABC Board is directed to include certain information in its report to the Chairs of the House General Laws Committee and the Senate General Laws and Technology Committee. The bill contains technical amendments.

Patron - McEachin

Failed

HB1600 Alcoholic beverage control; transfers of wine. Allows a retail off-premises or on-and-off-premises licensee to transfer any wine from one licensed place of business to another licensed place of business under certain circumstances.

Patron - Anderson

SB1303 Alcoholic beverage control; annual mixed beverage performing arts facility license. Creates the annual mixed beverage performing arts facility license and sets out the privileges of the license and state and local license taxes. The bill was incorporated into SB 1304.

Patron - Marsh

SB1327 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

Behavioral Health and Developmental Services

Passed

HB1423 Mandatory outpatient treatment; who may file petition. Allows the community services board serving the county or city in which the person who would be the subject of an order for mandatory outpatient treatment following a period of voluntary or involuntary treatment resides and the community services board serving the county or city where such person receives treatment to petition for an order of mandatory outpatient treatment.

Patron - O'Bannon

HB1619 Secure inpatient treatment hearings; report to counsel for respondent. Provides that copies of all reports evaluating the condition of a respondent in a hearing for continuation of secure inpatient treatment shall be provided to counsel for the respondent.

Patron - Ward

HB1668 Authorizing DBHDS to convey a portion of the real property known as the Southwestern Virginia Mental Health Institute to the Mount Rogers Community Services Board. Authorizes the Department of Behavioral Health and Developmental Services to convey, without consideration, that portion of the real property known as the Southwestern Virginia Mental Health Institute located in Marion in Smyth County, which is currently leased by the Mount Rogers Community Services Board, to the Mount Rogers Community Services Board for the purpose of providing services for individuals in need of mental health, developmental, and substance abuse services.

Patron - Crockett-Stark

HB2091 Executive Secretary of the Supreme Court of Virginia; supervision of magistrates. Requires the Executive Secretary of the Supreme Court to establish and require magistrates be available for performing certain duties related to issuing temporary detention orders. Under current law, the chief judge of each district court is responsible for this oversight. The change makes this responsibility consistent with the current supervisory structure set out in § 19.2-35, which grants supervisory authority over the magistrates to the Executive Secretary. This bill is a recommendation of the Committee on District Courts. This bill is identical to SB 753.

Patron - Kilgore

HB2191 Guardians; annual report to local department of social services. Requires court-appointed guardians of incapacitated persons to file the annual report of all money and other property received, chargeable, or disbursed with the local department of social services where the incapacitated person resides. Under current law, a guardian must file the annual report with the local department of social services for the jurisdiction where the guardian was appointed, which must then forward the report to the local department where the incapacitated person resides.

Patron - Helsel

HB2328 Department of Behavioral Health and Developmental Services; listing of licensed providers. Requires the Department of Behavioral Health and Developmental Services to list providers included on a website of the Department's Office of Licensing by the assumed or fictitious

name under which the provider is doing business in the Commonwealth.

Patron - Cline

SB753 Executive Secretary of the Supreme Court of Virginia; supervision of magistrates. Requires the Executive Secretary of the Supreme Court to establish and require magistrates be available for performing certain duties related to issuing temporary detention orders. Under current law, the chief judge of each district court is responsible for this oversight. The change makes this responsibility consistent with the current supervisory structure set out in § 19.2-35, which grants supervisory authority over the magistrates to the Executive Secretary. This bill is a recommendation of the Committee on District Courts. This bill is identical to HB 2091.

Patron - Stuart

SB920 Emergency custody and involuntary temporary detention; transportation. Requires magistrates to consider a request to authorize alternative transportation, if available, for persons subject to an emergency custody or involuntary temporary detention order if the order is based upon a finding that the person who is the subject of the order has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs but there is no substantial likelihood that the person will cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information.

Patron - Carrico

Failed

HB1669 Closure of the Southwestern Virginia Training Center prohibited. Provides that the Southwestern Virginia Training Center shall not be closed and shall instead remain open and continue to accept new admissions.

Patron - Crockett-Stark

HB1680 Temporary detention orders; duration. Increases the maximum duration that a person may be detained pursuant to a temporary detention order from 48 to 72 hours.

Patron - Yost

HB2192 Guardians; annual report to local department of social services. Requires court-appointed guardians of incapacitated persons to file the annual report of all money and other property received, chargeable, or disbursed with the local department of social services where the incapacitated person resides. Under current law, a guardian must file the annual report with the local department of social services for the jurisdiction where the guardian was appointed, which must then forward the report to the local department where the incapacitated person resides.

Patron - Helsel

HB2232 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 two-tenths of one percent (0.002) of 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 contains technical amendments. The provisions of the bill become effective on January 1, 2014.

Patron - Greason

SB972 Closure of training centers; moratorium. Imposes a moratorium on the closure of training centers for individuals with intellectual disabilities until such time as the General Assembly adopts a plan for the closure of training centers that satisfies the requirements of the settlement agreement between the Commonwealth and the United States Department of Justice, and requires the Secretary of Health and Human Resources to submit a preliminary plan developed in consultation with the Chairmen of the House Committee on Appropriations and Senate Committee on Finance, with opportunity for stakeholder participation, no later than one year after the effective date of such settlement agreement.

Patron - Black

SB996 Temporary detention orders; duration. Increases the maximum duration that a person may be detained pursuant to a temporary detention order from 48 to 72 hours. The bill has a delayed effective date of January 1, 2014, and is contingent upon an appropriation of general funds effectuating the provisions of this bill.

Patron - Barker

SB1079 DMAS to designate certain waiver slots for dependents of certain military personnel. Directs the Department of Medical Assistance Services to designate 10 Mental Retardation/Intellectual Disabilities Medicaid Waiver slots, 10 Individual and Family Developmental Disability and Support Medicaid Waiver slots, and 10 Day Support Medicaid Waiver slots for dependents of active duty military personnel stationed in the Commonwealth.

Patron - Miller

SB1323 Temporary detention; execution of order; transportation. Requires the law-enforcement agency that is specified by a magistrate to execute a temporary detention order and provide transportation to do so by 5:00 p.m. on the day following receipt of the magistrate's order.

Patron - Garrett

Civil Remedies and Procedure

Passed

HB1433 Action for expenses for infant's injury; statute of limitations. Provides that any action by a parent or guardian of an infant for the expenses of curing or attempting to cure the infant from the result of a personal injury or loss of services of the infant that accrues on or after July 1, 2013, shall be brought within the limitations period applicable to the infant's cause of action. Currently, such action must be brought within five years from the time the action accrued. The bill also provides that, in actions that accrue on or after July 1, 2013, the past and future expenses of curing or attempting to cure the infant from a personal injury are limited by the cap on damages for medical malpractice claims, if applicable, and a parent or guardian of the infant who has paid or is personally obligated to pay such expenses has a lien and right of reimbursement against any recovery of the infant. The bill is identical to SB 1164.

Patron - Albo

HB1477 Deadman's Statute; corroboration of testimony by business records. Revises the Deadman's Statute by allowing for the corroboration of the testimony of an adverse or interested party by an entry in a business record authored by the adverse or interested party. If the authentication of the business record used as evidence for corroboration is not admitted in a request for admission, the record must be authenticated by a person who is not the author of the entry and who is not an adverse or interested party to the case. The bill is identical to SB 1122.

Patron - Albo

HB1509 Civil action; failed electronic funds transfer; unlawful detainer remedies. Provides that if an electronic funds transfer is rejected because of insufficient funds or because a stop-payment order was placed on such payment in bad faith, the payee of the electronic funds transfer may recover in a civil action in the same manner as an action to recover for a bad check. The bill also provides that a writ of possession in an unlawful detainer action may be requested by the plaintiff's attorney or agent in addition to the plaintiff, and that such attorney or agent may also present into evidence an affidavit with copies of documents showing the plaintiff's right to possession of the premises. The bill further provides that such affidavit may contain a list of outstanding rent, late charges, attorney fees, and other damages owed to the plaintiff, and the court shall enter a judgment for the amount listed when entering an order of possession if the court finds that such amount is accurate.

Patron - Habeeb

HB1545 Medical malpractice; expert witness certification; court review. Provides that in an action for medical malpractice or wrongful death premised on medical malpractice, the court, upon good cause shown, may conduct an in camera review of the opinion obtained by the plaintiff of an expert witness who certified that the defendant deviated from the applicable standard of care and the deviation was the proximate cause of the injuries claimed. Such a certification is required before any action for medical malpractice or wrongful death premised on medical malpractice may be instituted, except in cases where cause of the injuries claimed lies within the jury's common knowledge and experience. The bill is identical to SB 699.

Patron - Iaquinto

HB1546 Service of process on nonresidents. Makes several changes to how service of process is made on nonresidents and foreign corporations, including providing that (i) foreign corporations may be personally served with process outside of the Commonwealth in addition to substituted service on such corporation within the Commonwealth; (ii) service of process on the Commissioner of the Department of Motor Vehicles for nonresident motor vehicle owners or operators or the Secretary of the Commonwealth for nonresident aircraft owners or operators is effective on the date service is made on the Commissioner or the Secretary; and (iii) the Secretary of the Commonwealth or the statutory agent of a foreign corporation must provide a receipt noting the date service of process was made if the Secretary or statutory agent was served by hand delivery or any other method that does not provide a return of service. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Loupassi

HB1618 Venue in civil cases; conduct of business activity; change of venue. Provides that Category B venue exists where a defendant that is not an individual has its principal office or principal place of business. Currently, Category B venue exists where the president or other chief officer of a

defendant that is a corporation resides. The bill also provides that Category B venue exists where a defendant regularly conducts substantial business activity or where such activity was conducted before the defendant's withdrawal from the Commonwealth provided there exists any practical nexus to the forum. There is no current requirement for such a practical nexus. The bill is identical to SB 1337.

Patron - Gilbert

HB1708 Civil remedies; use of depositions. Allows that requests for admission for which the responses are submitted in support of a motion for summary judgment may be based, in whole or in part, upon discovery depositions and may include admitted facts learned or referenced in such a deposition, provided that any such request for admission shall not reference the deposition or require the party to admit that the deponent gave specific testimony. The bill also allows that a motion for summary judgment seeking dismissal of any claim or demand for punitive damages, except in cases involving driving under the influence, may be sustained when based, in whole or in part, upon discovery depositions. This bill incorporates HB 1374.

Patron - Habeeb

HB1709 Dismissal of action by nonsuit; fees and costs. Clarifies that if notice to take a nonsuit is given to the opposing party during trial, the court may assess against the nonsuiting party reasonable witness fees and travel costs of expert witnesses scheduled to appear at trial, which are actually incurred by the opposing party, solely by reason of the failure of the nonsuiting party to give notice at least seven days prior to trial. The bill also provides that invoices, receipts, or confirmation of payment shall be admissible to prove reasonableness of such expert witness costs and may, in the court's discretion, satisfy the reasonableness requirement, without the need for further testimony. This bill incorporates HB 1570. This bill is identical to SB 903.

Patron - Habeeb

HB1795 Confidentiality of child support guidelines worksheets in mediated agreements. Eliminates two provisions requiring the disclosure of financial information obtained for the purposes of completing a child support guidelines worksheet in the course of mediation to the court even when an agreement has not been reached by the parties. Under current law, these provisions conflict with a mediator's duty of confidentiality. This bill is a recommendation of the Committee on District Courts. This bill is identical to SB 1028.

Patron - Toscano

HB1892 Childhood sexual abuse; statute of limitations. Clarifies that the discovery rule used to determine when a cause of action for childhood sexual abuse accrues upon the later of the removal of the disability of infancy or incapacity or when the fact of the injury and its causal connection to the abuse is first communicated to the injured person.

Patron - LeMunyon

HB1988 Automated external defibrillators; immunity. Provides that a person who maintains an automated external defibrillator (AED) located on real property owned or controlled by such person shall not be civilly liable for any personal injury resulting from the use of the AED in an emergency, unless such personal injury results from gross negligence or willful or wanton misconduct of the person who maintains the AED or his agent or employee.

Patron - Sickles

HB2004 Liability for injury to trespasser. Provides that the possessor of real property owes no duty of care to a

trespasser except in those circumstances where a common law right of action, statutory right of action, or judicial exception existed as of July 1, 2013.

Patron - Cline

SB699 Medical malpractice; expert witness certification; court review. Provides that in an action for medical malpractice or wrongful death premised on medical malpractice, the court, upon good cause shown, may conduct an in camera review of the opinion obtained by the plaintiff of an expert witness who certified that the defendant deviated from the applicable standard of care and the deviation was the proximate cause of the injuries claimed. Such a certification is required before any action for medical malpractice or wrongful death premised on medical malpractice may be instituted, except in cases where cause of the injuries claimed lies within the jury's common knowledge and experience. The bill incorporates SB 1255. The bill is identical to HB 1545.

Patron - Alexander

SB707 Health care providers; submitting health insurance claims. Requires any in-network provider that provides health care services to a covered patient to submit its claim to the health insurer for the health care services in accordance with the terms of the applicable provider agreement. The requirement does not apply if the covered patient fails to provide information required by the terms of the plan documents. If an in-network provider does not submit its claim as required, then the covered patient is not obligated to pay for health care services for which the in-network provider was required to submit its claim, and the in-network provider shall not have the benefit of certain liens with regard to the health care services. In addition, such an in-network provider is prohibited from recovering payment from medical expense benefits provided under a motor vehicle liability insurance policy.

Patron - McEachin

SB903 Dismissal of action by nonsuit; fees and costs. Clarifies that if notice to take a nonsuit is given to the opposing party during trial, the court may assess against the nonsuiting party reasonable witness fees and travel costs of expert witnesses scheduled to appear at trial, which are actually incurred by the opposing party, solely by reason of the failure of the nonsuiting party to give notice at least seven days prior to trial. The bill also provides that invoices, receipts, or confirmation of payment shall be admissible to prove reasonableness of such expert witness costs and may, in the court's discretion, satisfy the reasonableness requirement, without the need for further testimony. This bill is identical to HB 1709.

Patron - Reeves

SB983 Expert witnesses; literature designations. Provides that a statement contained in published treatises, periodicals, or pamphlets previously designated as literature to be introduced during direct examination through an expert witness need not have been relied on by the expert at the time he formed his opinion in order for the statement to be read into evidence at trial. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Obenshain

SB1028 Confidentiality of child support guidelines worksheets in mediated agreements. Eliminates two provisions requiring the disclosure of financial information obtained for the purposes of completing a child support guidelines worksheet in the course of mediation to the court even when an agreement has not been reached by the parties. Under current law, these provisions conflict with a mediator's duty of confi-

dentiality. This bill is a recommendation of the Committee on District Courts. This bill is identical to HB 1795.

Patron - Obenshain

SB1112 DUI; exemplary damages. Provides that for the purpose of awarding exemplary damages in an action for personal injury or death arising from the operation of a motor vehicle while under the influence, it shall be rebuttably presumed that the blood alcohol concentration of the defendant at the time of the incident causing injury or death was at least as high as the test result shown in a certificate of analysis for a blood or breath test, provided that the test was administered within three hours of the incident. In addition to other forms of proof, a party may submit a copy of a certificate of analysis for a blood or breath test administered pursuant to an arrest for driving under the influence, which shall be prima facie evidence of the facts contained therein.

Patron - McDougale

SB1122 Deadman's Statute; corroboration of testimony by business records. Revises the Deadman's Statute by allowing for the corroboration of the testimony of an adverse or interested party by an entry in a business record authored by the adverse or interested party. If the authentication of the business record used as evidence for corroboration is not admitted in a request for admission, the record must be authenticated by a person who is not the author of the entry and who is not an adverse or interested party to the case. The bill is identical to HB 1477.

Patron - Norment

SB1164 Action for expenses for infant's injury; statute of limitations. Provides that any action by a parent or guardian of an infant for the expenses of curing or attempting to cure the infant from the result of a personal injury or loss of services of the infant that accrues on or after July 1, 2013, shall be brought within the limitations period applicable to the infant's cause of action. Currently, such action must be brought within five years from the time the action accrued. The bill also provides that, in actions that accrue on or after July 1, 2013, the past and future expenses of curing or attempting to cure the infant from a personal injury are limited by the cap on damages for medical malpractice claims, if applicable, and a parent or guardian of the infant who has paid or is personally obligated to pay such expenses has a lien and right of reimbursement against any recovery of the infant. The bill is identical to HB 1433.

Patron - Stanley

SB1337 Venue in civil cases; conduct of business activity; change of venue. Provides that Category B venue exists where a defendant that is not an individual has its principal office or principal place of business. Currently, Category B venue exists where the president or other chief officer of a defendant that is a corporation resides. The bill also provides that Category B venue exists where a defendant regularly conducts substantial business activity or where such activity was conducted before the defendant's withdrawal from the Commonwealth provided there exists any practical nexus to the forum. There is no current requirement for such a practical nexus. The bill is identical to HB 1618.

Patron - Norment

SB1376 Civil immunity for certain persons; incidents on school property. Provides that any person who, in good faith and without malice, reports, investigates, or causes an investigation to be made into the activities of any person relating to conduct involving bomb threats or other explosives or alcohol or drug use at a school or institution of higher learning or in connection with a school or institution activity shall

be immune from all civil liability that might be incurred as a result of making such a report or investigation. Currently, only certain school and institution personnel enjoy such immunity. The bill also provides that any person is likewise immune if he, in good faith and without malice, reports, investigates, or causes an investigation to be made into information that any person poses a credible danger of serious bodily injury or death to any other person on school property.

Patron - Martin

Failed

HB1352 Health care records; copying fees.

Increases the maximum fee that a health care provider may charge for retrieving, reviewing, and preparing copies of patient records in response to a subpoena duces tecum or a request by the patient, his attorney, or his executor or administrator. The maximum fee is raised from \$0.50 to \$0.75 per page for up to 50 pages and from \$0.25 to \$0.50 per page for documents in excess of 50 pages. The bill also raises the maximum search and handling fee from \$10 to \$20.

Patron - Habeeb

HB1374 Summary judgment; use of depositions.

Allows motions for summary judgment to be based, in whole or in part, upon depositions, answers to interrogatories, admissions in the proceedings, or affidavits. Currently, such motions cannot be based on depositions unless agreed to by the parties. This bill was incorporated into HB 1708.

Patron - Head

HB1415 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 and without limit to any other existing defense or immunity.

Patron - Crockett-Stark

HB1434 Wrongful death and personal injury actions; future wages presumption.

Creates a rebuttable presumption in actions for the personal injury or wrongful death that a person who, at the time of the injury or death, was an infant or was at least 18 years of age but less than 24 years of age and was enrolled as a full-time student would have earned wages during his lifetime at the federal minimum wage rate in effect at the time the action was filed. Such wages shall be calculated based on 40 hours of work per week for the person starting from (i) age 19, if the person was an infant, or (ii) age 24, if the person was at least 18 years of age but less than 24 years of age and a full-time student, and continuing until the person would have been 62 years of age.

Patron - Albo

HB1487 Civil action for violation of Computer Crimes Act; limitations period.

Provides that a civil action for injuries sustained by reason of a violation of the Virginia Computer Crimes Act must be filed within five years after the last act in the course of conduct constituting such a violation. Under current law, a civil action must be brought within the earlier of five years after the last act in the course of conduct constituting such a violation or two years after the plaintiff discovers or reasonably should have discovered such last act.

Patron - Rush

HB1551 Discovery rule; statute of limitations. Provides that the period of limitations for filing a cause of action

for injury resulting from implanted medical devices, toxic exposure, and prescribed or over-the-counter medications accrues from the time the person knew or should have known of the injury and its causal connection to such device, substance, or medication.

Patron - Loupassi

HB1552 Punitive damages cap. Increases the punitive damages cap from \$350,000 to \$675,000 to reflect the effect of inflation since the cap was first established. The bill also provides that the cap will be adjusted annually in an amount equal to the annual increase in the United States Average Consumer Price Index for all items, all urban consumers.

Patron - Loupassi

HB1570 Dismissal of action by nonsuit; fees and costs. Clarifies that if notice to take a nonsuit is given to the opposing party during trial, the court may assess against the nonsuiting party reasonable witness fees and travel costs of expert witnesses scheduled to appear at trial, which are actually incurred by the opposing party, solely by reason of the failure of the nonsuiting party to give notice at least seven days prior to trial. The bill also provides that invoices, receipts, or confirmation of payment shall be admissible to prove reasonableness of such expert witness costs and may, in the court's discretion, satisfy the reasonableness requirement, without the need for further testimony. This bill was incorporated into HB 1709.

Patron - Minchew

HB1676 Service of process; timing. Provides that in order to be timely, service of process must be made within six months from the commencement of the action. Currently, service of process is timely if made within 12 months. The bill also provides that no nonsuit may be taken more than six months after the commencement of an action in the absence of timely service of process unless the court finds that the plaintiff exercised due diligence in attempting to serve process.

Patron - Kilgore

HB1728 Virginia Vulnerable Adult Protection Act; creation. Creates the Virginia Vulnerable Adult Protection Act, which prohibits an individual in a position of trust to a vulnerable adult from using the vulnerable adult's property or assets for his own purposes. Such individual is liable for actual damages incurred by the vulnerable adult and may be liable for punitive damages. An individual in a position of trust who uses the vulnerable adult's property for his own purposes may also be barred from inheriting from the vulnerable adult or serving in a fiduciary capacity for the vulnerable adult and may face other collateral consequences.

Patron - Toscano

HB1754 Service of process; timing. Provides that in order to be timely, service of process must be made within 90 days from the commencement of the action. Currently, service of process is timely if made within 12 months. The bill also provides that no nonsuit may be taken more than 90 days after the commencement of an action in the absence of timely service of process unless the court finds that the plaintiff exercised due diligence in attempting to serve process.

Patron - Wright

HB1773 Nonsuits; fees and costs. Provides that when a nonsuit is taken within 14 days prior to trial or during trial and a new proceeding on the same cause of action is instituted, the court may award reasonable attorney fees, expenses, and costs to a defendant who was also a defendant in the prior nonsuited action. The award shall reasonably compensate the defendant for any fees, expenses, and costs paid or incurred for the period between 14 days prior to trial and the time the non-

suit was taken that will be incurred again in the new proceeding. The award is capped at \$25,000 or 10 percent of the amount of damages sought, whichever is greater. The bill also clarifies that a nonsuit taken at trial triggers the same consequences as a nonsuit taken within the seven days prior to trial, i.e., the court's ability to assess reasonable witness fees and travel costs against the nonsuiting party.

Patron - Albo

HB1874 Medical malpractice; statute of limitations. Amends the discovery rule, which triggers the running of the statute of limitations in medical malpractice cases involving the diagnosis of a malignant tumor or cancer. The bill provides that for a claim that negligence is a proximate cause of the failure to diagnose or a delay in the diagnosis of a tumor or cancer, the two-year statute of limitations is extended for one year from the date the diagnosis is communicated to the patient. Under current law, the claim must be that there was a negligent failure to diagnose the tumor or cancer.

Patron - McClellan

HB1909 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 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 or breath test was performed. Currently, only the defendant's BAC at the time of the incident is considered.

Patron - Surovell

HB1914 Unauthorized sale, publication, etc., of criminal history record information. Provides that any person who sells, offers for sale, publicizes, or offers for publication the criminal history record information of another person pertaining to that other person's arrest or charge for a criminal offense more than 120 days after the State Police has confirmed to the person charged or arrested that such information has been expunged when the person selling, offering for sale, etc., knows or has reason to know that the information has been expunged shall be liable to the other person for actual damages or \$500, whichever is greater, in addition to attorney fees and costs.

Patron - Surovell

SB785 Use of firearm in commission of crime; civil liability. Provides that a person may be held civilly liable for injury to the person or property of another or for wrongful death resulting from the use of a firearm in the commission of a crime if it can be shown by clear and convincing evidence that the firearm came into the possession of the person who committed the crime because of the failure of the civil defendant to adequately secure the firearm from theft or unauthorized possession.

Patron - Marsden

SB895 Service of process on domestic corporations. Allows process on a Virginia corporation to be served on its registered agent by posting a copy of the process on the front door or main entrance of the corporation's registered office.

Patron - Petersen

SB1139 Discovery rule; statute of limitations. Provides that the period of limitations for filing a cause of action for injury resulting from implanted medical devices, toxic exposure, and prescribed or over-the-counter medications accrues from the time the person knew or should have known of the injury and its causal connection to such device, sub-

stance, or medication. This bill is a recommendation of the Boyd-Graves Conference.

Patron - McEachin

SB1163 Wrongful death and personal injury actions; future wages presumption. Creates a rebuttable presumption in actions for the personal injury or wrongful death that a person who, at the time of the injury or death, was an infant or was at least 18 years of age but less than 24 years of age and was enrolled as a full-time student would have earned wages during his lifetime at the federal minimum wage rate in effect at the time the action was filed. Such wages shall be calculated based on 40 hours of work per week for the person starting from (i) age 19, if the person was an infant, or (ii) age 24, if the person was at least 18 years of age but less than 24 years of age and a full-time student, and continuing until the person would have been 62 years of age.

Patron - Stanley

SB1169 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 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 or breath test was performed. Currently, only the defendant's BAC at the time of the incident is considered.

Patron - McDougale

SB1255 Medical malpractice; expert witness certification; court review. Provides that in an action for medical malpractice or wrongful death premised on medical malpractice, the court, upon good cause shown, may conduct an in camera review of the opinion obtained by the plaintiff of an expert witness who certified that the defendant deviated from the applicable standard of care and the deviation was the proximate cause of the injuries claimed. Such a certification is required before any action for medical malpractice or wrongful death premised on medical malpractice may be instituted, except in cases where cause of the injuries claimed lies within the jury's common knowledge and experience. The bill was incorporated into SB 699.

Patron - Northam

SB1278 Service of process; timing. Provides that in order to be timely, service of process must be made within six months from the commencement of the action. Currently, service of process is timely if made within 12 months. The bill also provides that no nonsuit may be taken more than six months after the commencement of an action in the absence of timely service of process unless the court finds that the plaintiff exercised due diligence in attempting to serve process.

Patron - Stuart

SB1297 Erroneously admitted evidence; appeal. Provides that when a criminal judgment is appealed based on a claim that the evidence to convict was insufficient because the trial court improperly admitted evidence, the reviewing court shall consider all evidence admitted at trial to determine whether there is sufficient evidence to sustain the judgment. If the reviewing court determines that evidence was erroneously admitted and that such error was not harmless, the case shall be remanded for a new trial. The bill incorporates SB 1348.

Patron - Garrett

SB1348 Erroneously admitted evidence; appeal. Provides that when a criminal judgment is appealed based on a claim that the evidence to convict was insufficient because the

trial court improperly admitted evidence, the reviewing court shall consider all evidence admitted at trial to determine whether there is sufficient evidence to sustain the judgment. If the reviewing court determines that evidence was erroneously admitted and that such error was not harmless, the case shall be remanded for a new trial. The bill was incorporated into SB 1297.

Patron - Obenshain

Commercial Code - Funds Transfers

Passed

SB1066 Uniform Commercial Code; Funds Transfers. Amends Article 4A of the Uniform Commercial Code to ensure that 4A continues to apply to remittance transfers that are not electronic fund transfers. Under current law, Article 4A of the Uniform Commercial Code, which is Title 4A in Virginia, applies to remittance transfers that are not electronic funds transfers under the federal Electronic Fund Transfer Act (EFTA). The Dodd-Frank Wall Street Reform and Consumer Protection Act amended EFTA to provide that EFTA will govern remittance transfers whether or not they are electronic, which means that when its provisions go into effect a fund transfer initiated by a remittance transfer would be outside of the coverage of 4A, even if the transfer is not an electronic fund transfer.

Patron - Edwards

Commercial Code - Secured Transactions

Passed

HB2102 Uniform Commercial Code - Secured Transactions; filings. Provides that a filing under Article 8.9A of the Uniform Commercial Code does not occur with respect to an initial financing statement or amendment thereto that the State Corporation Commission refuses, or may have refused, to file on grounds that such a record is not created pursuant to Article 8.9A, is materially false or fraudulent, is presented for an improper purpose, or indicates that the debtor and secured party are substantially the same person or that the record was transmitted by an individual debtor. If a record should have been rejected for any of these reasons, the record shall be deemed void and ineffective and the filing office may remove it from the index. Other changes conform terminology regarding persons falsely identified in a financing statement filed with the office of the clerk of the Commission.

Patron - Cline

Commonwealth Public Safety

Passed

HB1604 Department of Criminal Justice Services; private security services businesses; firearms. Prohibits the

Criminal Justice Services Board from adopting any regulation that would prevent an employee of any electronic security business, other than an alarm respondent, or a locksmith from carrying a firearm in the course of that person's duties when such person has been issued and carries with him a valid concealed handgun permit.

Patron - Farrell

HB1818 Powers and duties of the Commonwealth's Attorneys' Services Council. Requires the Council to provide information on changes in the law that affect the duties and responsibilities of law-enforcement officers and make such information available to law-enforcement agencies, law-enforcement training academies, and the Department of Criminal Justice Services.

Patron - Ware, O.

HB1862 Sex Offender and Crimes Against Minors Registry Act; offenses requiring registration. Adds to the list of offenses that require a person to register on the Sex Offender Registry certain offenses comparable to those currently requiring registration where the conviction was under Title 18.1 of the Code of Virginia, which was in effect prior to 1975 when Title 18.2 came into effect. This bill is identical to SB 1032.

Patron - Sherwood

HB1877 Departments of Corrections and Juvenile Justice; powers and duties of the Director. Provides the Directors of the Department of Corrections and the Department of Juvenile Justice with the power to designate certain employees with internal investigations authority within those Departments as having the same power as a sheriff or a law-enforcement officer to investigate allegations of criminal behavior affecting the operations of those Departments. The bill also requires such employees shall be subject to any minimum training standard required by the Department of Criminal Justice Services for law-enforcement officers. Finally, the bill requires these Departments to investigate any allegations of criminal behavior in accordance with a written agreement entered into with the Department of State Police. This bill is identical to SB 943.

Patron - Lingamfelter

HB2345 Virginia Center for School Safety; duties. Requires the Virginia Center for School Safety, in conjunction with the Department of State Police, the Department of Behavioral Health and Developmental Services, and the Department of Education, to develop a model critical incident response training program for public school personnel and those providing services to schools. The bill also requires the Virginia Center for School Safety, in consultation with the Department of Education, to provide schools with a model policy for the establishment of threat assessment teams for each school, including procedures for the assessment of and intervention with individuals whose behavior poses a threat to the safety of school staff or students.

Patron - Yost

SB943 Departments of Corrections and Juvenile Justice; powers and duties of the Director. Provides the Directors of the Department of Corrections and the Department of Juvenile Justice with the power to designate certain employees with internal investigations authority within those Departments as having the same power as a sheriff or a law-enforcement officer to investigate allegations of criminal behavior affecting the operations of those Departments. The bill also requires such employees shall be subject to any minimum training standard required by the Department of Criminal Justice Services for law-enforcement officers. Finally, the bill

requires these Departments to investigate any allegations of criminal behavior in accordance with a written agreement entered into with the Department of State Police. This bill is identical to HB 1877.

Patron - Carrico

SB1024 Administrative Process Act; DCJS; exemption. Provides an exemption from the Administrative Process Act for the Department of Criminal Justice Services whenever the Department develops, issues, or revises any training standards approved by the Criminal Justice Services Board.

Patron - Howell

SB1032 Sex Offender and Crimes Against Minors Registry Act; offenses requiring registration. Adds to the list of offenses that require a person to register on the Sex Offender Registry certain offenses comparable to those currently requiring registration where the conviction was under Title 18.1 of the Code of Virginia, which was in effect prior to 1975 when Title 18.2 came into effect. This bill is identical to HB 1862.

Patron - Reeves

Failed

HB1379 Department of Criminal Justice Services; Law Enforcement Assistance Program. Requires the Department of Criminal Justice Services to develop a peer-counseling program to provide services, in the event of the death of or tragedy involving a law-enforcement officer in the course of his duties, to requesting immediate family members of the officer or to any other requesting law-enforcement officer. The program must include a training course for any law-enforcement officer who volunteers as a peer counselor.

Patron - Yost

HB1459 Law-Enforcement Officers 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 Officers Procedural Guarantee Act.

Patron - Tyler

HB1557 School boards; employee firearms training. Requires every school board in the Commonwealth to designate at least one qualified person for every school in the district who, upon application with the school board, may carry a concealed handgun on school property. The bill requires all designated persons, including certain school division employees, certain school volunteers who carry valid concealed handgun permits, and certain retired law-enforcement officers, to be certified and trained by the Virginia Center for School Safety or the National Rifle Association in the storage, use, and handling of a concealed handgun. The bill also outlines the training requirements for designated persons as designed by the Department of Criminal Justice Services.

Patron - Marshall, R.G.

HB1653 Sex Offender and Crimes Against Minors Registry; registration verification. Provides that the Department of Corrections or other supervisory personnel may accept physical verification performed by the State Police of the registration information on the Sex Offender and Crimes Against Minors Registry that is required of registrants over whom the Department or the supervisory personnel exercise control. Under current law, physical verification must be carried out by the Department or the supervisory personnel.

Patron - Ingram

HB1659 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

HB1819 DCJS; criminal justice training schools. Adds to the powers and duties of the Department of Criminal Justice Services regarding the oversight and evaluation of criminal justice training schools approved by the Department. The bill requires the Department to provide direct assistance to any school not meeting established minimum standards or performance objectives. The bill also requires each training school to submit an annual report evaluating the training school's performance with regard to established minimum standards and performance objectives established by the Department. Finally the bill requires the Department to provide an annual evaluation to every training school, including in its evaluation information based upon the training school's annual report and any internal audit or field visit conducted by the Department.

Patron - Ware, O.

HB2188 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

HB2244 School Resource Officer Grants Program and Fund. Provides that proceeds of the School Resource Officer Grants Fund may be disbursed to award matching grants to local law-enforcement agencies and local school boards that have established a collaborative agreement to employ school resource officers in elementary schools within their shared district. Under current law, funds may be disbursed only when school resource officers are employed in middle or high schools within the district.

Patron - Spruill

HB2277 School security officers. Provides that school security officers shall be retired law-enforcement officers or persons who have been certified as a law-enforcement officer within the previous five years of employment as a school security officer. Such officers would be employed by local law-enforcement agencies to provide armed security services to any Virginia public elementary or secondary school. The bill also provides that school security officers shall be trained and certified by the Virginia Center for School Safety in accordance with minimum training standards developed by the Department of Criminal Justice Services. Finally, the bill includes school security officers within the School Resource Officer and School Security Officer Grants Program and Incentive Grants Fund.

Patron - Gilbert

HB2302 Department of Criminal Justice Services; electronic security sales representatives. Provides that an electronic security sales representative shall possess a valid registration issued by the Department before selling or offering for sale any electronic security equipment in the Commonwealth.

Patron - Cosgrove

SB1037 Sex offender registry; prior convictions. Requires that once a person's name is placed on the sex offender registry for a qualifying conviction or finding of not guilty by reason of insanity, the registry must list all prior known sex offense convictions that would require registration

if the conviction occurred today. Under current law, convictions that occurred on or after July 1, 1994, and convictions for which the offender was incarcerated or on probation on or after July 1, 1994, are included on the registry. The bill will not add additional persons to the registry but will require pre-1994 conviction history for those who are already on the registry.

Patron - Newman

SB1061 Lethality assessments; Virginia Sexual and Domestic Violence Victim Fund. Requires the Department of Criminal Justice Services to establish a lethality assessment program for first responders and to adopt guidelines to make the resources of the Fund available to law-enforcement authorities or appropriate programs to implement an evidence-based lethality assessment program.

Patron - Herring

SB1190 Department of Criminal Justice Services; electronic security businesses. Combines the registered central station dispatcher, electronic security sales representative and electronic security technician under the single title of "electronic security personnel." The bill also (i) provides that an electronic services business that limits training to its employees is not required to be licensed as a private security services training school and (ii) authorizes an individual to serve as the compliance agent for multiple private security services businesses if each private security services business is provided with written notice.

Patron - Martin

Conservation

Passed

HB1397 Scenic river designation. Designates a 15-mile segment of the Dan River as a component of the Virginia Scenic Rivers System.

Patron - Marshall, D.W.

HB1753 Scenic river. Adds the 17.8-mile segment of the Meherrin River lying within Mecklenberg and Lunenburg Counties as a component of the Virginia Scenic Rivers System. The Meherrin River within Brunswick County, a distance of approximately 37 miles, adjoins the new segment and is designated as a scenic river by current law, making the total distance designated as a scenic river approximately 54.8 miles. The bill provides that nothing in the amended section shall preclude the Commonwealth or a local governing body from constructing, reconstructing, or performing necessary maintenance on any road or bridge.

Patron - Wright

HB1825 Riparian stationary blinds. Establishes time periods for a person to obtain a stationary blind license. A riparian landowner or his lessee or permittee seeking to license a riparian stationary blind that was not licensed by him the previous year may obtain a license beginning February 1 through June 15. The license would require the licensee to erect a stake or blind, to which the seasonal license plate is affixed, at the blind site by June 30 and replace any such stake with a blind by November 1.

A riparian landowner or his lessee or permittee who licensed a riparian stationary blind the previous year may obtain a license for the blind beginning February 1 through August 15. The license would require the licensee to affix the seasonal license

plate to a stake or blind at the blind site by August 31 and replace any such stake with a blind by November 1.

A person seeking a nonriparian license for a stationary blind that he licensed the previous year as a nonriparian stationary blind may purchase a license beginning July 1 through August 15. The license would require the licensee to erect a stake or blind, to which the seasonal license plate is affixed, at the blind site by August 31 and replace any such stake with a blind by November 1. A stationary blind or a site not licensed and posted by August 31 can be licensed as a nonriparian stationary blind by another person from September 1 through October 15, with erection of the blind required by November 1.

The bill has an effective date of January 1, 2014.

Patron - Lingamfelter

HB2035 Land conveyance in and adjacent to Old Flat State Forest in Grayson County. Authorizes the Department of Forestry to convey and accept an exchange of lands with Rodney Richardson on an approximately acre-for-acre or equal-market-value basis. In return for conveying a parcel located in Old Flat State Forest to Richardson, the Department is authorized to accept from Richardson a parcel adjacent to the State Forest.

Patron - O'Quinn

HB2048 Consolidation of water quality programs. Moves several water quality programs currently administered by the Department of Conservation and Recreation to the Department of Environmental Quality. The Department of Environmental Quality and the State Water Control Board will have oversight of water quality planning and laws dealing with stormwater management, erosion and sediment control, and the Chesapeake Bay Preservation Areas. The Virginia Soil and Water Conservation Board will have continuing responsibility for oversight of the soil and water conservation districts and of resource management planning. The Virginia Soil and Water Conservation Board will continue to be responsible for administration of the flood prevention and dam safety laws. The Board will continue to be staffed by the Department of Conservation and Recreation. This bill is identical to SB 1279.

Patron - Sherwood

HB2069 Sale of seedlings. Authorizes the State Forester to (i) provide seedlings at no expense for use on state forests, public grounds, and state parks and (ii) sell seedlings to private individuals. The terms and conditions of the sale and the price of the seedlings will be set by the State Forester.

Patron - Knight

HB2089 Electronic transmission of permits. Allows the Department of Environmental Quality to transmit electronically air pollution control, water quality, and waste management permits or certificates, as well as other information such as plan approvals.

Patron - Wilt

HB2137 Localities; environmental impact reports and the sale of certain deicing agents. Raises from \$500,000 to \$2 million the cost threshold at which a locality will be required to obtain an environmental impact report for a highway project. For certain projects costing more than \$500,000 and less than \$2 million, the locality is required to consult with the Department of Historic Resources to make efforts to minimize impacts to historic resources. The bill also exempts the sale of deicing agents containing urea from the current prohibition on such sales where the deicing agent is to be used by a municipal corporation at an airport.

Patron - Byron

HB2190 Stringency of stormwater management ordinances. Establishes a procedure for state review of the stringency of local stormwater ordinances. The bill requires localities within 30 days of the adoption of a more stringent stormwater ordinance or requirement to submit a letter report to the Department of Conservation and Recreation. The letter report is to include an explanation as to why the more stringent ordinance or requirement is necessary. In addition, within 90 days of the ordinance's adoption, a landowner or his agent can request the Department of Conservation and Recreation to determine whether the ordinance or requirement meets the standards of the state law. The Department has 90 days to make such a determination.

Patron - Cosgrove

HB2209 Virginia Soil and Water Conservation Board's powers and duties. Transfers authority for administration of the nutrient management certification program and responsibility for adopting regulations on nitrogen application rates from the Department of Conservation and Recreation to the Virginia Soil and Water Conservation Board. The bill also empowers the Board to oversee districts' programs and to allocate general fund moneys to soil and water conservation districts to support their operations. This bill is identical to SB 1309.

Patron - Knight

HB2220 Banister River; state scenic river. Designates a 38.4-mile segment of the Banister River as a state scenic river.

Patron - Edmunds

SB897 Confederate cemeteries and graves. Increases the number of Confederate graves maintained by the Ladies Confederate Memorial Association in Spotsylvania County from 300 to 749.

Patron - Reeves

SB909 State park master planning. Requires the Department of Conservation and Recreation, in considering public comments on stage one and stage two master plans, to make a reasonable effort to solicit comments and to provide timely notice of the comment period to trade associations and private businesses within a 10-mile radius of the park that offer similar services, including private campgrounds, marinas, and recreational facilities.

Patron - Reeves

SB1055 Disposal of infectious waste. Repeals certain provisions regarding the permitting of infectious waste incinerators by the State Air Pollution Control Board and the Waste Management Board. The repeal of these sections will eliminate outdated regulations, which have been superseded by federal air emission requirements. The Virginia Waste Management Board's regulations related to medical waste incinerators would remain in place under the Board's other existing authorities.

Patron - Black

SB1068 Conveyance of easements. Authorizes the conveyance of right-of-way easements between the Department of Forestry and the Ratcliffe Foundation. The easements will allow the Department better access to Channels State Forest and will allow the Foundation to access its other properties.

Patron - Carrico

SB1212 Provision of information to Department of Environmental Quality; protection of trade secrets. Requires that every person who the Department of Environmental Quality has reason to believe is generating or handling waste provide the Department with information about the

waste upon request. The bill exempts trade secrets contained in such information from disclosure by the Department under certain conditions while still allowing the Department to provide such information to the Environmental Protection Agency or as otherwise required by law.

Patron - Stuart

SB1279 Consolidation of water quality programs. Moves several water quality programs currently administered by the Department of Conservation and Recreation to the Department of Environmental Quality. The Department of Environmental Quality and the State Water Control Board will have oversight of water quality planning and laws dealing with stormwater management, erosion and sediment control, and the Chesapeake Bay Preservation Areas. The Virginia Soil and Water Conservation Board will have continuing responsibility for oversight of the soil and water conservation districts and of resource management planning. The Virginia Soil and Water Conservation Board will continue to be responsible for administration of the flood prevention and dam safety laws. The Board will continue to be staffed by the Department of Conservation and Recreation. This bill is identical to HB 2048.

Patron - Hanger

SB1309 Virginia Soil and Water Conservation Board's powers and duties. Transfers authority for administration of the nutrient management certification program and responsibility for adopting regulations on nitrogen application rates from the Department of Conservation and Recreation to the Virginia Soil and Water Conservation Board. The bill also empowers the Board to oversee districts' programs and to allocate general fund moneys to soil and water conservation districts to support their operations. This bill is identical to HB 2209.

Patron - Hanger

Failed

HB1441 Certified nutrient management planners. Directs the Department of Conservation and Recreation to adopt regulations stating that the certification of nutrient management planners has no effect on the rights or qualifications of licensed architects, professional engineers, land surveyors, or landscape architects and does not qualify such planners to practice the profession of engineering. The Department is also directed to accept the qualifications of a licensed architect, professional engineer, land surveyor, or landscape architect as meeting the current certification requirement, found in Department regulations, of a combination of nutrient management-related educational courses and three years of practical experience related to nutrient management planning.

Patron - Morris

HB1488 Local implementation of stormwater management program. Delays the date that local governments will have to assume responsibility for administering the stormwater management program from July 1, 2014, to July 1, 2015.

Patron - Rush

HB1548 Guidance documents for municipal separate storm sewer (MS4) permittees. Requests the Department of Conservation and Recreation and the Department of Environmental Quality to jointly prepare guidance documents to assist MS4 permittees in developing and implementing their Chesapeake Bay Total Maximum Daily Load (Bay TMDL) Action Plans. The guidance documents shall (i) identify methodologies to be used by MS4 permittees in calculating nutrient reductions and best management practices efficiencies as part

of their Bay TMDL planning activities pursuant to MS4 permits and (ii) assist MS4 permittees in developing and implementing their Action Plans.

Patron - Knight

FHB1579 **New utility infrastructure in historic rivers.** Allows the consideration of construction of new utility infrastructure as an alternative solution in the planning for use and development of water and related land resources along the Historic Lower James River.

Patron - Watson

FHB1591 **Plastic bags; use by retailers.** Bans the use of plastic carryout bags by retailers at the point of sale unless such bags are (i) durable plastic bags with handles, (ii) at least 2.25 mils thick, and (iii) specifically designed and manufactured for multiple reuse.

Patron - Ware, O.

FHB2296 **Best management cost-share program.** Requires the Department of Conservation and Recreation to administer an urban best management practices cost-share program. The program would provide matching funds of up to 50 percent to promote best management practices on private property. Eligible projects must be located in a locality subject to MS4 Phase I or Phase II stormwater permits. The bill also establishes the Virginia Urban Best Management Practices Cost-Share Fund as a subfund of the Virginia Water Quality Improvement Fund to provide the matching funds for the cost-share program.

Patron - Bulova

FSB884 **Impoundment structures; notice of increase in the flow of water; penalty.** Prohibits an owner of a high hazard potential impounding structure from increasing the flow of water in a manner that increases water depths below the structure by more than two feet without notifying certain property owners and emergency services. The bill does not apply to some releases of water, such as those due to certain rain events or emergencies. Civil penalties assessed for violations are to be paid into the Dam Safety Administrative Fund. The bill further instructs the Department of Conservation and Recreation to promulgate guidance for implementing the law.

Patron - Deeds

FSB927 **Management of Confederate cemetery.** Authorizes the disbursement of funds to the Mount Hebron Cemetery for management of the Confederate gravesites at the Stonewall Confederate Section of the cemetery. Current law authorizes the Stonewall Confederate Memorial Association to receive funds for management of the gravesites.

Patron - Vogel

FSB1271 **New utility infrastructure in historic rivers.** Allows the consideration of construction of underwater utility infrastructure as an alternative solution in the planning for use and development of water and related land resources along the Historic Lower James River.

Patron - Miller

FSB1283 **Virginia Recreational Facilities Authority Fund.** Establishes the Fund with the purpose of assisting in the financing of the Authority's operations.

Patron - Newman

Corporations

Passed

PHB1748 **Limited liability companies.** Updates the Virginia Limited Liability Company Act to (i) provide a single standard for the execution by foreign limited liability companies of documents; (ii) provide for the perpetual existence of a Virginia limited liability company, which will be presumed unless a specified period of duration is set forth in the articles of organization; (iii) provide a requirement for the inclusion of an identification number in certain documents; and (iv) align annual registration fee assessment and domestication provisions with similar provisions applicable to other business entities. The measure also includes technical amendments.

Patron - Cosgrove

PHB2113 **Virginia Business Trust Act.** Modifies provisions of the Virginia Business Trust Act in order to (i) bring to a single location the standard for a foreign business trust's signing of a document that is to be filed in the Clerk's Office of the State Corporation Commission, (ii) authorize a business trust to petition the State Corporation Commission for an order to eliminate the effects of clerical errors, (iii) require the inclusion of a business trust's identification number in certain documents to be filed in the Clerk's Office, (iv) bring annual registration fee assessment provisions into alignment with those applicable to other business entities, and (v) provide that business trust names are subject to provisions regarding non-compliance. The measure also includes technical amendments.

Patron - Purkey

PSB779 **Limited liability companies; assignment of interest.** Amends the Virginia Limited Liability Company Act to permit the assignee of an interest in a limited liability company to participate in the management and affairs of the limited liability company, become a member of the limited liability company, receive distributions, and have other rights, if provided in the articles of organization or an operating agreement. The measure overturns the Virginia Supreme Court's finding in *Ott v. Monroe* that current law precludes such rights being transferred to an assignee.

Patron - Watkins

Failed

PSB735 **Charging orders entered against a member of a limited liability company.** Entitles judgment creditors to levy upon the membership interest of a judgment debtor when the debtor is a member of a limited liability company that is operating as an instrumentality to defraud creditors.

Patron - Petersen

Counties, Cities and Towns

Passed

PHB1332 **Local government audit; Auditor of Public Accounts.** Allows a local governing body to request an audit from the Auditor of Public Accounts at any time upon a

majority vote, with the expense of the audit to be borne by the locality.

Patron - Farrell

HB1333 Amendment of service district boundaries. Allows localities to amend service district boundaries after notice and a public hearing. The bill incorporates HB 1343.

Patron - Farrell

HB1419 Zoning provisions for temporary family health care structures. Amends requirements governing zoning ordinances for temporary family health care structures by altering the occupancy restriction to allow a married couple, under certain conditions, to reside in a temporary family health care structure and by extending the time by which a temporary family health care structure must be removed from 30 to 60 days from the date on which the temporary family health care structure was last occupied by a mentally or physically impaired person receiving or in need of assistance.

Patron - Pogge

HB1448 Financing for repairs to failed septic systems. Authorizes a locality, by ordinance, to create a loan program to enable the repair of property owners' failed septic systems. Any such ordinance is required to describe the arrangement of the loan program, including any partnership with a planning district commission, and is permitted to provide for the repayment of the loan through water or sewer billings, real property tax assessments, or other billings. The bill authorizes other features of a loan program and permits a locality to set a minimum ownership interest or minimum level of proof of ownership of the property for situations in which it is extremely difficult or impossible to identify all of the people who have an ownership interest in the property.

Patron - Hodges

HB1474 Cutting of grass and weeds. Adds the Town of Orange to the list of localities permitted to provide by ordinance for the cutting of grass and weeds on occupied property.

Patron - Scott, E.T.

HB1547 Cemeteries. Provides that the minimum tree canopy as required by localities during the development process shall be 10 percent for cemeteries.

Patron - Knight

HB1558 Local endowment for certain libraries; Town of Leesburg. Provides that the Town of Leesburg by ordinance may establish an endowment fund for the purpose of supporting a library that is not owned or operated by the town. The endowment may receive all gifts, grants, or contributions designated for inclusion in the endowment. No part of the endowment shall revert to the general fund of the town. The endowment shall be established and administered by the governing body of the town or by a nonprofit entity created or approved by the governing body for such purpose. This bill is identical to SB 890.

Patron - Minchew

HB1561 Agreements for consolidation or cooperation of police departments; private police departments. Allows localities to enter into reciprocal agreements with private police departments that are certified by the Department of Criminal Justice Services. This bill is identical to SB 1047.

Patron - Garrett

HB1569 Criminal Justice Training Academies; sovereign immunity of trainers. Expands the immunity from civil liability that exists for any criminal justice training academy and its directors, officers, and employees to include (i)

any trainer at the academy if he has been certified by the Department of Criminal Justice Services and (ii) any person who is a criminal justice training academy approved instructor. This bill is identical to SB 1045.

Patron - Garrett

HB1583 Vacant building registration. Increases from \$25 to \$100 the maximum annual registration fee that a local ordinance may impose on the owner of a vacant building that meets the definition of "derelict building" under § 15.2-907.1. The bill increases the civil penalty for failing to register a building from \$50 to \$200 and raises from \$250 to \$400 the maximum civil penalty for failing to register a building that is located in a designated conservation and rehabilitation district or in an area designated as blighted. The bill incorporates HB 1621.

Patron - Dance

HB1586 Local arts and cultural districts; tax incentives. Permits a locality to include the rebate of real estate property taxes among the tax incentives it makes available in an arts and cultural district established by ordinance. Current law provides for reductions in three other types of taxes or fees as examples of permissible incentives. SB 1065 is identical to this bill.

Patron - Minchew

HB1589 Demolition of a derelict nonresidential structure with consent. Authorizes a locality to demolish or remove a derelict nonresidential structure and to file a lien against the property for the cost of the demolition or removal. The bill requires the locality to obtain the written consent of the property owner for such demolition or removal and prohibits the use of the authority to remove a building that is located in a local historic district or individually designated as a historic landmark.

Patron - Minchew

HB1648 Discounted fees and charges for certain low-income and disabled customers. Provides that any locality that owns a water and sewer system and has a population density of 200 persons or fewer per square mile may by ordinance develop criteria for providing discounted water and sewer fees and charges for low-income and disabled customers. This bill is identical to SB 850.

Patron - Ransone

HB1717 Comprehensive plan; transportation. The bill allows the Department of Transportation and a locality to agree on a time period shorter than 90 days for the Department to provide written comments on the locality's transportation plan. The bill is identical to SB 1293.

Patron - Anderson

HB1724 Subdivision ordinances; City of Charlottesville, sidewalk construction fund option. Authorizes the City of Charlottesville to alter its subdivision ordinance regarding the requirement that a developer construct a sidewalk along the property under development. The bill permits the City of Charlottesville to give developers the option of contributing funds equal to the cost of constructing the required sidewalk to a city-run sidewalk construction fund for use anywhere in the city.

Patron - Toscano

HB1744 Cutting of grass; notice. Adds the City of Hampton to existing provisions related to regulation of the cutting of grass and provides that one notice per incident or per

growing season shall constitute reasonable notice to property owners.

Patron - BaCote

HB1756 City of Bedford reversion; taxation of real property that becomes part of Bedford County. Requires Bedford County to impose real property taxes on property that becomes part of the County as a result of the reversion of the City of Bedford to town status. The property is to be taxed for a short tax year running from the date of the reversion, July 1, 2013, through December 31, 2013. The bill permits property owners to apply for taxation on the basis of use assessment. The bill declares an emergency exists and it is effective upon passage. SB 1041 is identical to this bill.

Patron - Knight

HB1826 Law-enforcement officers; exceptions to territorial limits. Provides that whenever the necessity arises for the enforcement of laws related to kidnapping, police officers and other officers, agents, and employees of a locality, Capitol Police officers, and campus police may be sent beyond their territorial limits.

Patron - Villanueva

HB1836 Local budgets; discretionary items. Provides that the itemized contemplated expenditures in a local budget shall include any discretionary funds to be designated by individual members of the governing body and the specific uses and funding allocation planned for those funds by the individual member.

Patron - Lingamfelter

HB1853 Planning and zoning; effects of development on military installations. Requires any local planning commission to consult with the commander of a military installation that will be affected by development within the locality in order to reasonably protect the installation against potential adverse effects of development. This bill is identical to SB 1029.

Patron - Knight

HB1861 Notice of sale of certain residential property. Amends current provisions that require localities in Planning District 8 (Northern Virginia) to be given notice when residential property is subject to a sale under a deed of trust by making those provisions applicable statewide and by requiring notice to be given within 60 days after the sale of the property. The bill also requires common interest community associations to be given such notice when such property is located within a common interest community.

Patron - Rust

HB1964 Voluntary economic growth-sharing agreements; Port of Virginia Economic and Infrastructure Development Zone. Allows localities located within the Port of Virginia Economic and Infrastructure Development Zone to enter into a voluntary economic growth-sharing agreement without the review of the Virginia Commission on Local Government. This bill is identical to SB 833.

Patron - James

HB1983 Vesting of certain real property in the County of Loudoun. Vests real property of the former Town of Waterford in the County of Loudoun. The Board of Supervisors may alter or vacate streets, alleys, and other public rights-of-way of the former town.

Patron - May

HB1990 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 exempt from the requirements of displaying such license plates.

Patron - Sickles

HB2072 Local application process; condemnation. Provides that no locality shall condition or delay the timely consideration of any application for or grant of any permit or other approval for any real property over which it enjoys jurisdiction for the purpose, expressed or implied, of allowing the locality to condemn or otherwise acquire the property or to commence any process to consider whether to undertake condemnation or acquisition of the property.

Patron - Peace

HB2121 Law-enforcement officers; grounds for decertification. Provides that no person who becomes a law-enforcement officer on or after July 1, 2013, may have been convicted of or pled guilty or no contest to any misdemeanor involving moral turpitude, including petit larceny, any misdemeanor sex offense, or any domestic assault. Additionally, any certified law-enforcement officer who has been convicted of or pled guilty or no contest to any such crime shall be decertified by the Criminal Justice Services Board.

The bill additionally requires a sheriff, chief of police, or agency administrator to notify the Criminal Justice Services Board in writing when any certified law-enforcement officer or jail officer who is currently employed is convicted of or pleads guilty or no contest to certain crimes. Notice is also required when a law-enforcement officer or jail officer resigns or is terminated in advance of a pending drug screening or conviction of an offense that requires decertification. Upon receiving notice, the Criminal Justice Services Board shall decertify such officer.

Finally, the bill allows for the Department of Criminal Justice Services to waive decertification requirements for good cause. This bill is identical to SB 1026.

Patron - Herring

HB2152 Transportation commission membership. Gives the Chairman of the Commonwealth Transportation Board or his designee equal voting weight on the Virginia Railway Express oversight board. The bill also provides that the Chairman of the Commonwealth Transportation Board or his designee shall be included for purposes of constituting a quorum on certain transportation commissions and shall have voting rights equal to the appointees of component governments. This bill has a delayed effective date of July 1, 2014.

Patron - Anderson

HB2203 Fee for solid waste disposal; exemption. Provides that Pittsylvania County may impose a fee for solid waste disposal in part to purchase or subsidize the purchase of equipment used for the collection of solid waste. The bill also provides that in Pittsylvania County the fee (i) may only be levied upon persons whose residential solid waste is disposed of at a county landfill or county solid waste collection or disposal facility and (ii) shall not be levied upon persons whose residential waste is not disposed of in such landfill or facility if such nondisposal is documented by the collector or generator of such waste as required by ordinance of the county. The bill also allows Pittsylvania County to provide for an exemption from such fees for certain disabled veterans.

Patron - Marshall, D.W.

HB2216 Local boundaries for law-enforcement purposes. Provides that localities may designate mutually

agreed-upon boundary lines between contiguous localities for purposes of organizing 911 dispatch and response and clarifying issues related to coverage under workers' compensation and risk management laws.

Patron - Yost

HB2226 Grass cutting; Town of Cedar Bluff. Adds the Town of Cedar Bluff to the list of localities that may, by ordinance, have agents or employees of the locality cut grass and weeds from occupied property and charge the cost to the property owner.

Patron - Morefield

HB2238 Recorded plats and final site plans. Provides that a site plan shall be deemed final once it has been reviewed and approved by the locality if the only requirements remaining to be satisfied in order to obtain a building permit are the submission of any other administrative documents, agreements, deposits, or fees required by the locality in order to obtain the permit. The bill also amends a 2012 act by adding an enactment that clarifies the validity of previous extensions of valid plats and site plans.

Patron - Marshall, D.W.

HB2239 Cash proffers. Provides that cash proffers shall not be used for any capital improvement to an existing facility that does not expand facility capacity or for any operating expense of an existing facility such as ordinary maintenance or repair.

Patron - Marshall, D.W.

HB2241 Vacant building registration. Adds the Town of Clifton Forge to those localities with authority to require the owner or owners of buildings that have been vacant for a continuous period of 12 months or more to register such buildings on an annual basis and to impose an annual registration fee not to exceed \$25 to defray the cost of processing such registration. Failure to register shall be punishable by a \$50 civil penalty. This bill is identical to SB 1282.

Patron - Putney

HB2265 Cash proffers. Provides that a locality may waive certain written notice requirements in order to reduce, suspend, or eliminate outstanding cash proffer payments for residential construction calculated on a per-dwelling-unit or per-home basis that have been agreed to, but unpaid, by any landowner.

Patron - Knight

HB2310 Mountain ridge construction. Clarifies that localities have flexibility to define by ordinance the height of "tall buildings and structures" for purposes of mountain ridge construction regulation.

Patron - Rush

HB2320 City of Virginia Beach; sports or entertainment arena. Gives the City of Virginia Beach rights similar to those that had been given in the past to the Hampton Roads Sports Facility Authority in constructing an arena for professional sports teams or for conferences and entertainment events. Among those rights is the authority to (i) issue bonds to construct an arena and (ii) receive state sales tax revenue that is attributable to an arena, to repay the bonds.

Patron - Villanueva

HB2326 Regional strategic plans. Provides that in planning districts in which regional planning is conducted by multi-state councils of government, each planning district com-

mission may prepare a regional strategic plan for the guidance of the district.

Patron - Bulova

SB744 Demolition of a derelict nonresidential structure with consent. Authorizes a locality to demolish or remove a derelict nonresidential structure and to file a lien against the property for the cost of the demolition or removal. The bill requires the locality to obtain the written consent of the property owner and the holder of any first lien mortgage or first lien deed of trust for such demolition or removal and prohibits the use of the authority to remove a building that is located in a local historic district or individually designated as a historic landmark.

Patron - Black

SB798 Amendment of service district boundaries. Allows localities to modify the boundaries of service districts. Any such modification requires public notice and a majority vote of the governing body of each affected locality.

Patron - Garrett

SB804 Voluntary boundary agreement between Louisa and Goochland Counties; attachment of GIS map to petitions. Allows Louisa and Goochland Counties, in adopting a voluntary boundary agreement, to attach to their petitions to the circuit court a Geographic Information System (GIS) map depicting the boundary change. The section formerly restricted the type of attachment to either a plat or a metes and bounds description.

Patron - Garrett

SB819 Tourist Train Development Authority. Reinstates the Authority and its board, repealed by the General Assembly in 2011, which will consist of representatives from the governing bodies of Tazewell County, the Town of Bluefield, and the Town of Pocahontas; four citizen members from Tazewell County; and two legislators. The Authority's powers are similar to those that other authorities possess. The Authority may also cooperate with any private or governmental entity in the state of West Virginia in the development of a tourist train.

Patron - Puckett

SB833 Voluntary economic growth-sharing agreements; Port of Virginia Economic and Infrastructure Development Zone. Allows localities located within the Port of Virginia Economic and Infrastructure Development Zone to enter into a voluntary economic growth-sharing agreement without the review of the Virginia Commission on Local Government. This bill is identical to HB 1964.

Patron - Lucas

SB839 Local boundaries for law-enforcement purposes. Provides that localities may designate mutually agreed-upon boundary lines between contiguous localities for purposes of organizing 911 dispatch and response, determining territorial jurisdiction in criminal cases, and clarifying issues related to coverage under workers' compensation and risk management laws. This bill incorporates SB 1314.

Patron - Carrico

SB850 Discounted fees and charges for certain low-income and disabled customers. Provides that any locality that owns a water and sewer system and has a population density of 200 persons or fewer per square mile may by ordinance develop criteria for providing discounted water and sewer fees and charges for low-income and disabled customers. This bill is identical to HB 1648.

Patron - Stuart

SB882 City reversion; library aid. Removes the 15-year time limit during which the Commonwealth shall continue library aid to a library system that existed prior to a city reversion the same as if no city reversion had occurred.

Patron - Deeds

SB885 Inoperable motor vehicles. Adds Albemarle County to those localities that may prohibit any person from keeping, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned or used for residential purposes, or on any property zoned for commercial or agricultural purposes, certain inoperable motor vehicles.

Patron - Deeds

SB886 Affordable housing in the City of Charlottesville; Consumer Price Index. Amends Chapter 693 of the Acts of Assembly of 2008, which authorized the City of Charlottesville to require developers to either provide Affordable Dwelling Units or make a contribution to the city's affordable housing fund in connection with certain projects. The bill substitutes the South urban region for the Charlottesville MSA specified in the 2008 Act regarding the Consumer Price Index (CPI). The Bureau of Labor Statistics does not publish a CPI for the Charlottesville MSA.

Patron - Deeds

SB890 Local endowment for certain libraries; Town of Leesburg. Provides that the Town of Leesburg by ordinance may establish an endowment fund for the purpose of supporting a library that is not owned or operated by the town. The endowment may receive all gifts, grants, or contributions designated for inclusion in the endowment. No part of the endowment shall revert to the general fund of the town. The endowment shall be established and administered by the governing body of the town or by a nonprofit entity created or approved by the governing body for such purpose. This bill is identical to HB 1558.

Patron - Black

SB1026 Law-enforcement officers; grounds for decertification. Provides that no person who becomes a law-enforcement officer on or after July 1, 2013, may have been convicted of or pled guilty or no contest to any misdemeanor involving moral turpitude, including petit larceny, any misdemeanor sex offense, or any domestic assault. Additionally, any certified law-enforcement officer who has been convicted of or pled guilty or no contest to any such crime shall be decertified by the Criminal Justice Services Board.

The bill additionally requires a sheriff, chief of police, or agency administrator to notify the Criminal Justice Services Board in writing when any certified law-enforcement officer or jail officer who is currently employed is convicted of or pleads guilty or no contest to certain crimes. Notice is also required when a law-enforcement officer or jail officer resigns or is terminated in advance of a pending drug screening or conviction of an offense that requires decertification. Upon receiving notice, the Criminal Justice Services Board shall decertify such officer.

Finally, the bill allows for the Department of Criminal Justice Services to waive decertification requirements for good cause. This bill is identical to HB 2121.

Patron - Howell

SB1029 Planning and zoning; effects of development on military installations. Requires any local planning commission to consult with the commander of a military installation that will be affected by development within the locality

in order to reasonably protect the installation against potential adverse effects of development. This bill is identical to HB 1853.

Patron - Reeves

SB1041 City of Bedford reversion; taxation of real property that becomes part of Bedford County. Requires Bedford County to impose real property taxes on property that becomes part of the County as a result of the reversion of the City of Bedford to town status. The property is to be taxed for a short tax year running from the date of the reversion, July 1, 2013, through December 31, 2013. The bill declares an emergency exists and it is effective upon passage. HB 1756 is identical to this bill.

Patron - Newman

SB1045 Criminal Justice Training Academies; sovereign immunity of trainers. Expands the immunity from civil liability that exists for any criminal justice training academy and its directors, officers, and employees to include (i) any trainer at the academy if he has been certified by the Department of Criminal Justice Services and (ii) any person who is a criminal justice training academy approved instructor. This bill is identical to HB 1569.

Patron - Newman

SB1047 Agreements for consolidation or cooperation of police departments; private police departments. Allows localities to enter into reciprocal agreements with private police departments that are certified by the Department of Criminal Justice Services. This bill is identical to HB 1561.

Patron - Newman

SB1065 Local arts and cultural districts; tax incentives. Permits a locality to include the reduction or rebate of real estate property taxes among the tax incentives it makes available in an arts and cultural district established by ordinance. Current law provides for reductions in three other types of taxes or fees as examples of permissible incentives. HB 1586 is identical to this bill.

Patron - Herring

SB1121 Water and waste authorities; rates. Clarifies the ability of a water or waste authority to fix rates for services that are furnished by a refuse collection and disposal system. The bill expands the list of rate-setting powers that require a public hearing by adding the rate-setting power found in subdivision 10 of § 15.2-5114, a power that includes the establishment of incentives for green roofs. The bill combines the two parallel processes found in current law for the setting of rates for sewage disposal and refuse collection, and it reduces the period for publication of notice of a rate-setting hearing from 60 days to 14 days. Finally, the bill provides that no rate established before January 1, 2013, shall be invalidated because of a failure to provide the required public notice. The bill also makes technical changes.

Patron - Ruff

SB1124 Auditing of local government records. Clarifies the authority of the Auditor of Public Accounts (APA) and the type of audit that shall satisfy the annual audit requirement for localities and constitutional officers. The bill provides that the completion of an audit by an independent certified public accountant on behalf of the locality, when the audit includes the clerk of the circuit court, shall satisfy the requirement stipulated by § 30-134 that the APA audit the accounts of the locality at least once every two years. The bill also clarifies that the authority of the APA to audit accounts only when special circumstances require or fraud is suspected is not exclusive but

rather exists in addition to the other auditing authority of the APA.

Patron - Ruff

SB1226 Zoning; cash proffers. Extends from seven to 12 years the time by which a locality must begin utilization of cash proffers.

Patron - Stuart

SB1282 Vacant building registration. Adds the Town of Clifton Forge to those localities with authority to require the owner or owners of buildings that have been vacant for a continuous period of 12 months or more to register such buildings on an annual basis and to impose an annual registration fee not to exceed \$25 to defray the cost of processing such registration. Failure to register shall be punishable by a \$50 civil penalty. This bill is identical to HB 2241.

Patron - Deeds

SB1293 Comprehensive plan; transportation. The bill allows the Department of Transportation and a locality to agree on a time period shorter than 90 days for the Department to provide written comments on the locality's transportation plan. The bill is identical to HB 1717.

Patron - Barker

SB1347 Southwest Virginia Health Authority. Clarifies the definition of "hospital or health center" by adding references to dental facilities. The bill also adds provisions related to the authority of an industrial development authority to issue bonds in furtherance of the establishment of a nonprofit hospital or health center.

Patron - Puckett

Failed

HB1324 Efficiency Evaluation Fund; grants to localities. Creates the Efficiency Evaluation Fund to provide matching grants to localities to pay for evaluations by private consultants to determine ways in which localities may become more efficient.

Patron - Morris

HB1343 Amendment of service district boundaries. Allows localities to amend service district boundaries after notice and a public hearing. The bill was incorporated into HB 1333.

Patron - Ware, R.L.

HB1373 Legal notices; advertisement by locality. Allows localities with a population of 50,000 or greater to meet certain notice requirements by utilizing their websites, radio, or television instead of a newspaper of general circulation. The bill incorporates HB 1378.

Patron - Head

HB1378 Advertisement of legal notices on websites. Allows a locality to publish required legal notices on its website instead of advertising them in a newspaper having a general circulation in the locality. The bill was incorporated into HB 1373.

Patron - Cole

HB1404 Residential development; impact fees to defray the costs of public facilities. Authorizes any locality to impose impact fees on residential developments in order to defray the costs of constructing public facilities necessitated by those developments. Under current law, such impact fees may

be imposed only by those localities that have established urban transportation service districts in accordance with § 15.2-2403.1.

Patron - Cole

HB1408 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 - Scott, J.M.

HB1426 Advertisement of legal notices on websites by the Towns of Damascus and Glade Spring. Allows each of the Towns of Damascus and Glade Spring to publish required legal notices on the locality's website instead of advertising them in a newspaper having a general circulation in the locality.

Patron - O'Quinn

HB1427 Bristol Virginia Utilities Authority; eminent domain. Grants to the Authority the "quick take" condemnation powers that are currently available to the Virginia Department of Transportation.

Patron - O'Quinn

HB1429 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 - Morris

HB1535 Joint town and county powers. Clarifies that where a town and county generally enjoy the same power, a county power applies in or as to a town when the county power is granted and exercised for a county-wide purpose, as determined by the county. A town may by ordinance negate the application of the exercised county power in or as to the town; may itself exercise the joint power, preempting the exercise of the county's power in or as to the town; or may adopt and affirm the application of the exercised county power in or as to the town. Where a county and a town generally enjoy the same power, and the county power is granted and exercised for a local or municipal purpose that expressly or impliedly only applies in the unincorporated county, the county power does not apply in or as to the town absent the town's ordinance so applying the exercised county power in or as to the town. The bill also provides that this act is declarative of existing law.

Patron - Rust

HB1536 Cutting of grass; Dinwiddie County. Adds Dinwiddie 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

HB1565 Affordable housing dwelling unit program. Allows the governing body of any locality to amend its zoning ordinances to provide for an affordable housing dwelling unit program. Under current law, only certain specific localities are permitted to provide for such a program.

Patron - Orrock

HB1575 Regulation of child care services and facilities in certain counties. Provides that local ordinances governing child care services and facilities shall not provide for inclusion of the child care provider's own children or any children who reside in a home in which child care services are

offered in the total number of children for whom care is provided.

Patron - Weibert

HB1585 Joint town and county powers. Clarifies that where a town and county generally enjoy the same power, a county power applies in or as to a town when the county power is granted and exercised for a county-wide purpose, as determined by the county. A town may by ordinance negate the application of the exercised county power in or as to the town; may itself exercise the joint power, preempting the exercise of the county's power in or as to the town; or may adopt and affirm the application of the exercised county power in or as to the town. Where a county and a town generally enjoy the same power, and the county power is granted and exercised for a local or municipal purpose that expressly or impliedly only applies in the unincorporated county, the county power does not apply in or as to the town absent the town's ordinance so applying the exercised county power in or as to the town. The bill also provides that this act is declarative of existing law.

Patron - Minchew

HB1611 Onsite sewage systems. Provides that inspections of onsite sewage systems shall be required only once every two years rather than annually.

Patron - Hugo

HB1620 Adoption of optional forms of county government. Allows any county to adopt one of the optional forms of county government by a vote of the majority of its governing body. Current law requires any adoption of an optional form of county government to be approved by voter referendum. The five optional forms of county government provided by Title 15.2 are the county board form, the county executive form, the county manager form, the county manager plan, and the urban county executive form. The bill does not alter the additional conditions, specific to each form of government, that current law requires any county to meet before it can adopt that form of government.

Patron - Farrell

HB1621 Vacant building registration. Increases the maximum registration fee required of an owner of a building that has been vacant for a continuous period of 12 months from \$25 to \$250. The bill was incorporated into HB 1583.

Patron - Ware, O.

HB1661 Authority to require safety equipment on mobility aids. Authorizes localities to require the attachment of safety equipment, such as safety flags, to electric personal assistive mobility devices and other mobility aids, such as wheelchairs, walkers, mobility canes, or crutches. The bill also makes technical amendments.

Patron - BaCote

HB1662 Control of firearms; libraries owned or operated by localities. Allows a locality to adopt an ordinance that prohibits firearms, ammunition, or components, or a combination thereof, in libraries owned or operated by the locality.

Patron - BaCote

HB1712 Local commission on human rights. Provides that any locality that has established a local commission on human rights may include discrimination based on sexual orientation among those areas of discrimination the commission may investigate.

Patron - Plum

HB1722 Assistance and documentation required from localities. Provides that in any instance in which a person

is seeking a business permit, a license, or an application for any similar local government approval from a locality, the locality shall provide documentation and instructions that outline all steps necessary to obtain the permit, license or approval. The locality shall also specify any further permit, license or other approval that may be required to complete the original project or business activity and shall disclose the expected time required by the locality for the completion of each step of the process to obtain the license, permit or other approval.

Patron - Head

HB1727 Water and waste authorities; rates. Clarifies the ability of a water or waste authority to fix rates for services that are furnished by a refuse collection and disposal system. The bill expands the list of rate-setting powers that require a public hearing by adding the rate-setting power found in subdivision 10 of § 15.2-5114, a power that includes the establishment of incentives for green roofs. The bill combines the two parallel processes found in current law for the setting of rates for sewage disposal and refuse collection, and it reduces the period for publication of notice of a rate-setting hearing from 60 days to 14 days. Finally, the bill provides that no rate established before January 1, 2013, shall be invalidated because of a failure to provide the required public notice. The bill also makes technical changes.

Patron - Toscano

HB1732 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 limited access highways receive approval from the local governing bodies.

Patron - Loupassi

HB1879 Photo-monitoring systems. Provides that the length of the all-red clearance interval shall be established based on the recommended methodology of the Institute of Transportation Engineers. The bill also amends current provisions by detailing the instances in which citations may be issued to drivers making right-turn movements.

Patron - Morrissey

HB1939 Local officers. Requires localities to temporarily designate someone to fill the position of an appointed officer in the case of an absence or disability. Currently, such authority is optional.

Patron - Landes

HB1965 Portsmouth Port and Industrial Commission; annual report of financial performance. Requires the Commission to have an independent certified public accountant prepare a report of financial performance each year. The bill also requires the Commission to cooperate with the City of Portsmouth's independent auditor in the preparation of the city's Comprehensive Annual Financial Report. Under current law, the Commission is required only to arrange to have its records audited annually.

Patron - James

HB2011 Urban county executive form of government; abandoned personal property. Provides that any county that has adopted the urban county executive form of government (Fairfax County) may, by ordinance, provide that it shall be unlawful for any person to place, leave, or abandon on any real property in the county, or within specified districts within the county, any dilapidated furniture, appliance, machinery, equipment, shopping cart, building material or other item or personal property, which is either in a wholly or

partially rusted, wrecked, junked, dismantled, or inoperative condition and which is not completely enclosed within a building. The ordinance shall provide that any such item that remains on the real property for a period of seven days after a notice of violation is given to the owner of such personal property shall be presumed to be abandoned and subject to being removed from the real property by the county or its agents without further notice. In the event any such item is so removed, the cost of removal, including an administrative fee in the amount of \$150, shall be charged to the owner of the personal property. No such ordinance shall apply to any real property used for the purpose of a licensed junk dealer or establishment engaged in the repair, rebuilding, reconditioning or salvaging of equipment. The ordinance may provide that a violation of the ordinance shall constitute a Class 1 misdemeanor.

Patron - Surovell

HB2142 Farm wineries. Provides that a locality may not regulate the number or frequency of usual and customary activities and events at farm wineries. The bill also states that regular business hours shall, at a minimum, include the hours between 9:00 a.m. and 9:00 p.m.

Patron - Keam

HB2169 Local grievance procedure. Removes the requirement that both parties must approve the locality's use of an administrative hearing officer in lieu of a three-person panel during the final step of the grievance procedure.

Patron - Cole

HB2185 Water supply impoundment facilities. Creates an exemption to the existing provision that prohibits a locality from constructing a water supply impoundment system outside its boundaries without first obtaining consent of the subject locality. The exemption allows a town that has purchased an existing water supply system located in a county to construct an impoundment facility in such county.

Patron - Edmunds

HB2309 Virginia Indoor Clean Air Act. Prohibits smoking in health care facilities.

Patron - Howell, A.T.

HB2319 Hampton Roads Sports and Entertainment Facility Authority. Makes numerous changes intended to facilitate the attraction and operation of a National Hockey League or National Basketball Association franchise, or other events, among which are amendments that will (i) entitle the Authority, subject to appropriation, to personal, pass-through entity, and corporate income tax revenues generated by the operation of the facility; (ii) change the definition of "arena" by requiring a seating capacity of no less than 15,000, and expanding the purpose of the arena to include a venue for conferences and entertainment events; (iii) allow the City of Virginia Beach to remit certain local taxes generated from the facility to the Authority, including sales and use taxes, admissions taxes, food and beverage taxes, and business, professional and occupational license taxes; (iv) permit such locality to charge fees, ticket surcharges, or other charges for such facility and to remit all or a portion of such charges to the Authority; (v) exempt the Authority from the Virginia Public Procurement Act; (vi) require review by the State Treasurer prior to the issuance of bonds, and approval of the General Assembly if the bond issuance would constitute tax-supported debt or adversely affect the Commonwealth's debt capacity or credit rating; and (vii) eliminate the requirement that state tax revenues be applied to repayment of the bonds.

The provisions of the bill expire on January 1, 2018, if the Hampton Roads Sports Facility Authority has not (a) executed a lease with a team that is a member of the National Hockey League or the National Basketball Association or (b) issued bonds for the purpose of holding conferences and entertainment events.

Patron - Villanueva

HB2323 Local limitations as to number of certain businesses. Provides that a locality may by ordinance reasonably limit the number of motor vehicle title loan businesses, payday lenders, check cashers, and precious metals dealers that may be operated at any one time within its territorial limits. The ordinance may limit the number of such establishments based on a specific number of businesses per magisterial or election district or by limiting the number of such businesses within an established radius.

Patron - Surovell

SB764 Smyth County; ordinance providing that charges for water and sewer shall be a lien on real estate. Adds Smyth County 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.

Patron - Carrico

SB765 Advertisement of legal notices on websites by the Towns of Damascus and Glade Spring. Allows each of the Towns of Damascus and Glade Spring to publish required legal notices on the locality's website instead of advertising them in a newspaper having a general circulation in the locality.

Patron - Carrico

SB821 Bristol Virginia Utilities Authority; eminent domain. Grants to the Authority the "quick take" condemnation powers that are currently available to the Virginia Department of Transportation.

Patron - Puckett

SB834 Portsmouth Port and Industrial Commission; annual report of financial performance. Requires the Commission to have an independent certified public accountant prepare a report of financial performance each year. The bill also requires the Commission to cooperate with the City of Portsmouth's independent auditor in the preparation of the city's Comprehensive Annual Financial Report. Under current law, the Commission is required only to arrange to have its records audited annually.

Patron - Lucas

SB844 Courthouse repair. Provides that counties with a population of less than 75,000 may by ordinance appoint a committee to examine court facilities and to report whether the court facilities are insecure, out of repair, or otherwise pose a danger to the health, welfare, and safety of court employees or the public. The committee shall consist of the following: two members of the board of supervisors, two judges from the locality, the clerk of the circuit court, the attorney for the Commonwealth, the treasurer, the commissioner of the revenue, a designee from the county bar association, a representative of the town in which the court is located, if any, a local architect, and a local engineer. If the committee makes a recommendation for repairs of, renovation to, or building of a courthouse to the board and the board approves the recommendation by majority vote, the county may issue a request for proposals. Failure of the county to follow committee recommendations from the report shall result in a new committee report being considered within two years. Failure to approve the recommen-

dations from the second report provided shall result in the court entering an order under the currently established process.

Patron - Carrico

SB1044 Payment of constitutional officers; verification to Compensation Board. Allows counties and cities to submit evidence of salaries, expenses, and other allowances to the Compensation Board quarterly and verify monthly that such information has not changed. If such information changes, then counties and cities must submit satisfactory evidence of the change.

Patron - Newman

SB1073 Attorney fees in certain land use cases. Provides that a court, in addition to any other relief provided, and for good cause, may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action successfully challenging an ordinance, administrative act, or other local action related to planning, subdivision of land, zoning, or other land use activity.

Patron - Obenshain

SB1210 Transportation commission membership. Gives the Chairman of the Commonwealth Transportation Board or his designee equal voting weight on the Virginia Railway Express oversight board. The bill also provides that the Chairman of the Commonwealth Transportation Board or his designee shall be included for purposes of constituting a quorum on certain transportation commissions and shall have voting rights equal to the appointees of component governments.

Patron - Stuart

SB1228 Control of firearms; property owned or leased by localities. Repeals provisions preventing localities from adopting ordinances and taking administrative actions regarding firearms and authorizes localities to adopt ordinances that prohibit firearms, ammunition, or components, or a combination thereof, on property owned or leased by a locality.

Patron - Saslaw

SB1253 Smoking in certain public areas. Allows localities to ban smoking in designated public parks, public beaches, and similar outdoor public areas.

Patron - Northam

SB1314 Local boundaries for law-enforcement purposes. Provides that localities may designate mutually agreed-upon boundary lines between contiguous localities for purposes of organizing 911 dispatch and response, determining territorial jurisdiction in criminal cases, and clarifying issues related to coverage under workers' compensation and risk management laws. This bill was incorporated into SB 839.

Patron - Puckett

SB1336 Boundary adjustments; notice. Provides that all affected landowners shall be given notice of a proposed voluntary boundary adjustment. The bill authorizes landowners to file a petition to intervene in the action under certain circumstances.

Patron - Black

SB1341 Renewable energy facilities; exemption from land use regulations. Exempts certain electrical generation facilities powered by renewable sources of energy from local zoning and land use requirements. The exemption applies to a facility that is owned by an electric utility, has a capacity of at least four megawatts, is on a parcel of at least 25 acres, and has received all required approvals and permits from the State Corporation Commission and environmental regulators.

Patron - Saslaw

SB1352 Protective helmet ordinance. Provides that any locality may by ordinance require that every person shall wear a commercially manufactured protective helmet whenever riding or being carried on a bicycle, a skateboard, or roller skates on any publicly owned skate park facility. Violation of any such ordinance shall be punishable by a fine of \$25. However, such fine shall be suspended under certain conditions. Violation of any such ordinance shall not constitute negligence or assumption of risk or be considered in mitigation of damages of whatever nature, be admissible in evidence, or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation of any bicycle, skateboard, or roller skates, nor shall the provisions of the bill change any existing law, rule, or procedure pertaining to any civil action.

Patron - Vogel

SB1358 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 - Norment

Courts Not of Record

Passed

HB1451 Retention of case records; general district court. Permits the chief judge of a general district court to direct the clerk of that court to destroy documents related to civil and criminal cases that have been ended for a period of three years, provided that they have been microfilmed or converted to an electronic format. Currently, such documents must be retained for 10 years. This bill is a recommendation of the Committee on District Courts. The bill is identical to SB 979.

Patron - Minchew

HB1637 Restoration of parental rights. Creates a procedure for restoring parental rights to a parent whose rights to his child have previously been terminated when the child is at least 14 years of age and the child has not achieved his permanency goal. The bill also provides that the juvenile and domestic relations court may appoint a special advocate to provide services to a child who is the subject of judicial proceedings for the restoration of parental rights. This bill is identical to SB 1076.

Patron - BaCote

HB1643 Protective orders; exempt from stay pending appeal. Clarifies that a protective order entered due to a violation of an initial protective order shall remain in effect upon petition for or the pendency of an appeal. The bill also includes family abuse protective orders issued in conjunction with a family abuse disposition among other protective orders that are not stayed upon appeal. This bill is a recommendation of the Committee on District Courts. The bill is identical to SB 1016.

Patron - Watts

HB1815 Evidence of medical reports in district court and appeals to circuit court. Provides that the method for introducing into evidence medical records or reports in gen-

eral district court in a civil action for personal injuries or to resolve a dispute with an insurance company or health care provider also applies to appeals of such action to the circuit court regardless of which party appeals. Currently, the same method only applies if the defendant appeals. This method of introducing medical records or reports into evidence may only be used by a plaintiff in an appeal to circuit court if the plaintiff has not requested an amount on appeal in excess of the damages sought in the general district court.

Patron - Joannou

HB2117 Foster care; time to conduct hearings, etc. Adjusts certain time frames for conducting or petitioning for hearings of a child in foster care and filing foster care plans in order to bring Virginia into compliance with Title IV, Part E (Federal Payments for Foster Care and Adoption Assistance) of the federal Social Security Act. The bill has a delayed effective date of July 1, 2014.

Patron - Hodges

HB2347 Confidentiality of juvenile law-enforcement records; disclosures to school principal. Provides that, in addition to disclosures of juvenile law-enforcement records that may already be made by chiefs of police and sheriffs to school principals, those same records (involving violent crimes, arson crimes, and firearm crimes) may also be released by the principal of the school to threat assessment teams established by the local school division.

Patron - Ramadan

SB979 Retention of case records; general district court. Permits the chief judge of a general district court to direct the clerk of that court to destroy documents related to civil and criminal cases that have been ended for a period of three years, provided that they have been microfilmed or converted to an electronic format. Currently, such documents must be retained for 10 years. The bill incorporates SB 1202. The bill is identical to HB 1451.

Patron - Northam

SB982 Evidence of medical reports or records. Rewrites for clarity the section setting forth the method for introducing into evidence medical records or reports in general district court in a civil action for personal injuries or to resolve a dispute with an insurance company or health care provider. The bill also provides that medical bills may be introduced into evidence in the same manner as medical records. The bill further provides that medical records and bills are subject to the same requirement as medical reports that the party intending to present such records and bills as evidence give notice of such intention to the opposing party 10 days before trial. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Obenshain

SB1016 Protective orders; exempt from stay pending appeal. Clarifies that a protective order entered due to a violation of an initial protective order shall remain in effect upon petition for or the pendency of an appeal. The bill also includes family abuse protective orders issued in conjunction with a family abuse disposition among other protective orders that are not stayed upon appeal. This bill is a recommendation of the Committee on District Courts. The bill is identical to HB 1643.

Patron - Howell

SB1076 Restoration of parental rights. Creates a procedure for restoring parental rights to a parent whose rights to his child have previously been terminated when the child is at least 14 years of age and the child has not achieved his permanency goal. The bill also provides that the juvenile and

domestic relations court may appoint a special advocate to provide services to a child who is the subject of judicial proceedings for the restoration of parental rights. This bill is identical to HB 1637.

Patron - Barker

SB1234 Placement in secure local facility. Clarifies that a juvenile 14 years of age or older who is eligible for commitment to the Department of Juvenile Justice may be confined in a detention home or other secure local facility for more than 30 days provided that the court orders the juvenile committed to the Department but suspends such commitment.

Patron - Marsden

Failed

HB1325 Deferral and dismissal of serious juvenile offenses. Provides that the juvenile court or circuit court hearing the case shall not, except with the concurrence of the attorney for the Commonwealth, defer disposition for any criminal offense alleged to have been committed by a juvenile for which transfer to a circuit court is mandatory or for which transfer to a circuit is mandatory upon notice to the court by the attorney for the Commonwealth (serious juvenile offenses set forth in subsections B and C of § 16.1-269.1) or for any gang-related felony offense described in § 18.2-46.2 or 18.2-46.3.

Patron - Morris

HB1338 Appointment of judge by circuit court. Restricts the circuit courts from appointing to judicial office any person either house of the General Assembly failed to elect.

Patron - Cole

HB1483 Record on appeal from district court. Provides that, upon the appeal of a general district court or juvenile and domestic relations district court judgment in a civil case to circuit court, except cases involving protective orders or a civil offense for a person's refusal to submit to having blood or breath samples taken to determine the drug or alcohol content of a person's blood, only the 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

HB1901 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, 2013, and through June 30, 2014, 67 percent to the local school division and 33 percent to the Literary Fund; beginning July 1, 2014, and through June 30, 2015, 33 percent to the local school division and 67 percent to the Literary Fund; and beginning July 1, 2015, 100 percent to the Literary Fund.

Patron - Carr

HB1912 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, the person, agency, or institution 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

HB1918 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 pendente lite or at any other time the matter is pending before the court.

Patron - Herring

SB693 Appointment of judge by circuit court. Restricts the circuit courts from appointing to judicial office any person either house of the General Assembly failed to elect.

Patron - Black

SB784 Number of judges; Henrico General District Court. Increases the number of general district court judges in Henrico County from four to five.

Patron - McEachin

SB808 Juvenile sentences. Provides a mechanism for persons who are sentenced to more than 25 years for a nonhomicide offense committed while a juvenile to petition the court for a modification of sentence at age 35 or after serving 20 years of the sentence, whichever occurs last.

Patron - Marsden

SB809 Juvenile offenders; sentences. Provides that the punishment is a Class 2 felony (20 years to life) for persons convicted of a crime committed when a juvenile for which the only available punishment is a life sentence. This bill is in response to *Miller v. Alabama* (567 U.S. ___, 2012) where the United States Supreme Court held that the Eighth Amendment prohibits a sentencing scheme that requires life in prison without the possibility of parole for juvenile homicide offenders.

Patron - Marsden

SB928 Mental health assessments for certain juveniles. Requires the juvenile and domestic relations court, when the attorney for the Commonwealth is seeking commitment of a juvenile, to order that an interdisciplinary team evaluate the service needs of a juvenile who has (i) been placed in a secure facility, (ii) had a mental health assessment completed by the secure facility that has identified a mental health need or mental illness, and (iii) been adjudicated delinquent and found eligible for commitment. A report of the evaluation must be filed with the clerk. The bill requires the court to consider the report when determining whether the juvenile will be committed to the Department of Juvenile Justice and to state in its order for commitment the basis for its findings.

Patron - Vogel

SB1154 Post-dispositional detention of juvenile in secure local facility. Changes the period of time for which a court may order the confinement in a detention home or secure facility of a juvenile who has been found to have committed an offense that if committed by an adult would be punishable by confinement in a state or local correctional facility from a period not to exceed six months for any crime to a period not to

exceed six months for a misdemeanor and a period not to exceed 12 months for a felony. The bill also requires any juvenile placed in post-dispositional detention for a period of more than 90 days to have an individualized plan for the provision of educational, treatment, and rehabilitative services.

Patron - McDougle

SB1202 Retention of case records; general district court. Permits the chief judge of a general district court to direct the clerk of that court to destroy documents related to civil and criminal cases that have been ended for a period of three years, provided that they have been microfilmed or converted to an electronic format. Currently, such documents must be retained for 10 years. This bill is a recommendation of the Committee on District Courts. The bill was incorporated into SB 979.

Patron - McDougle

Courts of Record

Passed

HB1435 Judges; senior judge system for the circuit and district courts of Virginia; study. Allows the Office of the Executive Secretary of the Supreme Court of Virginia to contract with an independent entity such as the National Center for State Courts to study the feasibility and effect of implementing a senior judge system. The Office of the Executive Secretary of the Supreme Court of Virginia shall submit an executive summary of its progress towards accomplishing the study by November 15, 2014.

Patron - Albo

HB1507 Recording deeds; statement of preparation. Clarifies that the circuit court clerk may reject for filing or recording only deeds conveying not more than four residential dwelling units, and not deeds of trust, unless the deed 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

HB1652 Electronic filing in civil proceedings; fee. Allows, but does not require, a circuit court clerk with an established electronic filing system to charge a \$2 fee for every civil case initially filed by paper. Indigents are exempt from paying the fee. The fee is paid into the clerk's nonreverting local fund to be exclusively used to cover the operational expenses of the electronic filing system.

Patron - Kilgore

HB1658 Clerk's fees; electronic records; certification of records, etc. Revises various powers and duties of circuit court clerks for certification of records, assessment of fees, etc., such as (i) providing that the use of the term "copy teste," "true copy," or "certified copy" is prima facie evidence that a document is a certified copy of the official record kept in the clerk's office; (ii) providing that no judgment for certain assessments or fees shall be recorded as a judgment in favor of the Commonwealth if such assessments or fees have been fully paid by the date of sentencing; (iii) defining "operational expenses," which are funded by certain clerk's fees, to include various technology maintenance and enhancements; (iv) clarifying that a clerk shall forward an abstract of certain convictions to the Department of Motor Vehicles within 18 days after such conviction or, in the case of civil judgments, within 30 days after the judgment has become final; (v) allowing the

clerk to maintain records in adoption cases in electronic format; and (vi) repealing the requirement that a clerk verify the accuracy of a record made by him.

Patron - Gilbert

HB1715 Clerks of circuit courts; electronic filing and records; remote access. Makes various changes to the provisions that allow circuit court clerks to provide remote access to certain records and to charge a fee for such access. The bill also directs that fees assessed for electronic filing of cases and other records and accessing certain records remotely shall be paid to the clerk's nonreverting local fund to be used to cover the clerk's operational expenses.

Patron - Iaquinto

HB1716 Clerks' fees; case management systems, etc. Allows circuit court clerks to establish and maintain their own case management systems, financial management systems, or other independent technology. Data from a clerk's independent system may be provided directly to designated state agencies or to such agencies through an interface with the systems of the Executive Secretary of the Supreme Court of Virginia. The Executive Secretary shall provide an electronic interface to the data available on his systems to a circuit court clerk upon the clerk's written request, and cost of the interface shall be paid by the Executive Secretary from the Courts Technology Fund. The bill also defines the term "operational expenses" and requires the clerks to submit certain data in a format acceptable to the Central Criminal Records Exchange.

Patron - Iaquinto

HB1746 Sentencing guidelines; definition of violent felony. Adds to the list of violent felonies: killing of a fetus, criminal street gang recruitment using force, strangulation of another, assault and battery when it is a hate crime, felony violation of a protective order, felony infected sexual battery, manufacture bombs, willfully discharging a firearm in a public place resulting in bodily injury, brandishing a machete or other bladed weapon near a school, wearing body armor while committing certain crimes, display of grooming video to child, cross burning, burning object with intent to intimidate, placing a swastika with intent to intimidate, displaying noose with intent to intimidate, treason, escape of sexually violent predator, and unauthorized dissemination of fusion center information resulting in death or serious bodily injury. When an offense falls under the definition of violent felony, sentencing ranges are increased, punishment is statutorily enhanced for certain other offenses, eligibility for participation in a drug treatment court is restricted, there is a presumption against bail for persons illegally present in the United States, the definition of victim for the purpose of compensation of crime victims by the Criminal Injuries Compensation Fund is expanded, registration of tow truck drivers is prohibited, and restoration of voting rights is limited. This bill is identical to SB 1214.

Patron - Gilbert

SB1214 Sentencing guidelines; definition of violent felony. Adds to the list of violent felonies: killing of a fetus, criminal street gang recruitment using force, strangulation of another, assault and battery when it is a hate crime, felony violation of a protective order, felony infected sexual battery, manufacture bombs, willfully discharging a firearm in a public place resulting in bodily injury, brandishing a machete or other bladed weapon near a school, wearing body armor while committing certain crimes, display of grooming video to child, cross burning, burning object with intent to intimidate, placing a swastika with intent to intimidate, displaying noose with intent to intimidate, treason, escape of sexually violent predator, and unauthorized dissemination of fusion center information resulting in death or serious bodily injury. When an

offense falls under the definition of violent felony, sentencing ranges are increased, punishment is statutorily enhanced for certain other offenses, eligibility for participation in a drug treatment court is restricted, there is a presumption against bail for persons illegally present in the United States, the definition of victim for the purpose of compensation of crime victims by the Criminal Injuries Compensation Fund is expanded, registration of tow truck drivers is prohibited, and restoration of voting rights is limited. This bill is identical to HB 1746.

Patron - Stuart

Failed

HB1542 Courts; online case management system; removal of defendant's name. Allows circuit court judge to order a clerk to remove or obscure the name of a criminal defendant from the online case management system upon a showing by the Commonwealth of a legitimate law-enforcement purpose. The removal or obfuscation will not affect the case file available to the public in the clerk's office.

Patron - Loupassi

HB1654 Courts of record; acceptability of electronic medium; submission of trial court record to appellate court. Requires a clerk of circuit court with an established electronic filing system to provide any appellate court the trial court record in electronic form.

Patron - Kilgore

HB1768 Specialized court dockets; environmental courts. Provides that any district court or circuit court may establish an environmental court, a separate court docket within the existing calendar of a district or circuit court, that would have the authority to hear cases involving the protection, improvement, and preservation of the public health and the environment.

Patron - O'Quinn

HB1911 Judicial Council; law clerks; report. Directs Judicial Council to report on law clerks used by the appellate and circuit courts.

Patron - Surovell

HB2093 Number of circuit court judges; Fifteenth Circuit. Creates an additional circuit court judgeship in the Fifteenth Judicial Circuit (City of Fredericksburg and Counties of Caroline, Essex, Hanover, King George, Lancaster, Northumberland, Richmond, Spotsylvania, Stafford, and Westmoreland).

Patron - Peace

SB752 Clerks' fees; collection of restitution payments. Allows the clerk of a circuit court to assess a fee of 10 percent of the total amount of restitution for collection of restitution payments.

Patron - Stanley

SB825 Courts of record; land records; indigency determinations. Requires the Supreme Court to make available to the courts databases containing land records for use by the courts in indigency determinations.

Patron - Garrett

SB1058 Judicial conferences; meetings. Restricts meetings of the mandatory judicial conferences to no more than once every other year.

Patron - McDougle

Crimes and Offenses Generally

Passed

HB1358 Impersonating a law-enforcement officer. Adds federal law-enforcement officers and any local, city, county, and state law-enforcement officers to the list of law-enforcement officers for which it is a Class 1 misdemeanor to falsely assume or exercise the functions, powers, duties, and privileges incident to the office of sheriff, police officer, marshal, or peace officer, or to falsely assume or pretend to be any such officer. This bill is identical to SB 1128.

Patron - Cox, J.A.

HB1559 Felony DUI; penalty. Provides that any person convicted of a felony DUI offense (including DUI manslaughter and DUI maiming, by motor vehicle or watercraft) is guilty of a Class 6 felony for any subsequent DUI conviction, that punishment includes a mandatory minimum term of imprisonment of one year and the person is subject to the same driver's license revocation provision as for a third or subsequent DUI conviction within 10 years, which means that the person can petition for reinstatement of his driver's license five years after the date of his last conviction. This bill is identical to SB 1272.

Patron - Morris

HB1582 Armed security officers; protection of schools and child day centers. Permits any armed security officers licensed by the Department of Criminal Justice Services to carry firearms onto private or religious school property if such officer is hired by the private or religious school to provide protection to students and employees. The bill also prohibits the Board of Social Services from adopting any regulations that would prevent a child day center from hiring an armed security officer.

Patron - Cole

HB1606 Prostitution; solicitation of a minor; penalty. 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 is guilty of a Class 6 felony or (ii) younger than 16 years of age is guilty of a Class 5 felony. This bill is identical to SB 1015.

Patron - Hugo

HB1679 Concealed handgun permit; retired investigator of the State Lottery Department; exception. Provides an exception for a concealed handgun permit for a qualifying retired investigator of the security division of the State Lottery Department. The bill contains technical amendments.

Patron - O'Quinn

HB1682 Financial exploitation of incapacitated persons; penalty. Provides that it is unlawful for any person who knows or should know that another person suffers from mental incapacity to, through the use of that other person's mental incapacity, take, obtain, or convert money or other thing of value belonging to that other person with the intent to permanently deprive him thereof. A violation is punishable as larceny. This bill incorporates HB 1455 and HB 1603 and is identical to SB 706.

Patron - Bell, Robert B.

HB1684 Identity theft; penalties. Raises the punishment for identity theft where five or more persons' identifying information has been obtained, recorded, or accessed in the same transaction or occurrence from a Class 6 to a Class 5 felony and raises the punishment for identity theft where 50 or more persons' identifying information has been obtained, recorded, or accessed in the same transaction or occurrence from a Class 5 to a Class 4 felony. A violation resulting in the arrest and detention of the victim is raised from a Class 6 to a Class 5 felony. This bill is identical to SB 1010.

Patron - Bell, Robert B.

HB1745 Sex offenses involving a child; communications systems and indecent liberties. Provides that it shall be unlawful for any person 18 years of age or older to use a communications system, including computers, computer networks, bulletin boards, or any other electronic means, for the purposes of soliciting, with lascivious intent, any person he knows or has reason to believe is a child younger than 15 years of age to knowingly and intentionally propose that any such child feel or fondle his own sexual or genital parts. The provision also applies if the child is at least 15 and the perpetrator is more than seven years older than the child. Currently, it is unlawful to, among other things, propose that the child feel or fondle the sexual or genital parts of such person or propose that such person feel or fondle the sexual or genital parts of the child. The bill also includes in indecent liberties proposing that a child under the age of 15 feel or fondle his own sexual or genital parts. This bill is identical to SB 1031.

Patron - Gilbert

HB1783 Tax-paid contraband cigarettes; penalties. Increases the penalty for possession with intent to distribute more than 25 but fewer than 500 cartons of tax-paid cigarettes by a person other than an authorized holder from a Class 2 to a Class 1 misdemeanor for a first offense and from a Class 1 misdemeanor to a Class 6 felony for a second or subsequent offense. The bill also imposes a Class 6 felony for possession, with intent to distribute, of 500 or more cartons of tax-paid cigarettes by a person other than an authorized holder and a Class 5 felony for a second or subsequent offense. This bill is identical to SB 1017.

Patron - Gilbert

HB1806 Substances used to manufacture methamphetamine. Adds ammonium nitrate to the list of substances of which the possession of two or more with the intent to manufacture methamphetamine is punishable as a Class 6 felony. The bill also strikes "metal" from the term "lithium metal."

Patron - Garrett

HB1816 Allowing child or incapacitated person to be present in methamphetamine manufactory; penalty. Provides that any person 18 years of age or older who knowingly allows a child younger than 15 years of age or a mentally incapacitated or physically helpless person to be present in the same dwelling, apartment, unit of a hotel, garage, shed, or vehicle during the manufacture or attempted manufacture of methamphetamine 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.

Patron - Kilgore

HB1833 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

HB1847 Criminal street gang predicate offenses. Expands the definition of a predicate criminal act associated with gang activity to include the following crimes: murder, aggravated malicious wounding, reckless endangerment by throwing objects, strangulation of another, possession of infectious biological substances or radiological agents, burglary, entering dwelling house, etc., with intent to commit murder, rape, robbery or arson, grand larceny, receipt of a stolen firearm, manufacturing, distributing, etc., or possessing with intent to manufacture or distribute methamphetamine, discharging firearms or missiles within or at building or dwelling house, use of machine gun for crime of violence, possession or use of "sawed-off" shotgun or rifle, possession of firearm by felon, possession of firearms by persons not legally present, possession of firearms while in possession of controlled substances, felony stalking, felony distribution, etc., of synthetic cannabinoids, a felony violation of manufacture, etc., of controlled substances, felony violation of distribution or possession with intent to distribute marijuana, conspiracy to commit a felony violation of manufacture, etc., of controlled substances, conspiracy to commit a felony violation of distribution or possession with intent to distribute marijuana. This bill is identical to SB 1205.

Patron - Albo

HB1850 Assault and battery; local and regional correctional facility employees; penalty. Adds employees of local or regional correctional facilities to the enhanced penalty provision so that the assault and battery of such an officer who is engaged in the performance of his public duties is a Class 6 felony, with a six-month mandatory minimum term of confinement.

Patron - Albo

HB1927 Emergency medical services personnel; penalty for assault and battery. Adds emergency medical services personnel members who are employed by or volunteers of an emergency medical services agency providing services to the list of individuals of whom assault and battery may be a Class 6 felony with a six-month mandatory minimum sentence.

Patron - Morris

HB1941 Synthetic cannabinoids; research chemicals; penalties. Amends provisions added to the Code in previous years regarding the criminalization of synthetic cannabinoids and chemicals known as "research chemicals" (previously referred to as "bath salts") to add newly identified chemical compounds and structural classes. In addition to adding new chemical compounds as synthetic cannabinoids, the bill adds newly identified structural classes of synthetic cannabinoids so that new chemical compounds that fit within the structural class will nevertheless be considered synthetic cannabinoids without the precise chemical compound having to be added to the Code. The bill contains an emergency clause and incorporates HB 1843. The substance of this bill is identical to SB 1083.

Patron - Garrett

HB1955 Impersonating a law-enforcement officer or other public safety personnel. Provides that any unauthor-

ized person who wears a uniform identical to or substantially similar to a standard uniform used by an office of sheriff to impersonate the office of sheriff is guilty of a Class 1 misdemeanor (currently a Class 3 misdemeanor). The bill adds new punishment for a second or subsequent such offense: a Class 6 felony. The bill also adds the same new punishment for a second or subsequent offense of impersonating a law-enforcement officer or other public safety personnel, currently a Class 1 misdemeanor for any such offense.

Patron - Landes

HB1981 Use of electronic tracking devices; penalty. Provides that any person who installs or places an electronic tracking device through intentionally deceptive means and without consent and uses it to track the location of another person is guilty of a Class 3 misdemeanor. The bill includes exceptions.

Patron - May

HB2065 Correctional centers; adult and juvenile; penalties. For selected offenses, imposes the same penalties for offenses committed by persons confined in a juvenile correctional center as currently exist for adult prisoners. Persons who deliver certain items to committed juveniles or allow their escape will face penalties comparable to the same conduct involving adult prisoners. The bill makes it a Class 6 felony, with a six-month mandatory minimum term of confinement, to assault persons directly involved in the care, treatment, or supervision of persons in the custody or under the supervision of the Department of Corrections engaged in the performance of public duties; under current law this provision applies to employees of the Department of Corrections. This bill is identical to SB 1033.

Patron - Peace

HB2178 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 providers, and sets the maximum prize amount for network bingo. The bill defines the terms "network bingo," "pari-mutuel play," and "network bingo provider." With the exception of the provision requiring the Board of Charitable Gaming to establish regulations, the bill has a delayed effective date of January 1, 2014. The bill also contains technical amendments. The bill is identical to SB 930.

Patron - Albo

HB2211 Penalty for second offense of stalking. Provides that, upon conviction of a second offense of stalking occurring within five years of a prior conviction of such an offense, if such person was also convicted within the five-year period prior to the instant offense of a violation of (i) assault and battery and other crimes against the person when the victim of that crime was the same person who was the victim of the stalking activity in the instant conviction, (ii) domestic assault, or (iii) a protective order, such person is guilty of a Class 6 felony.

Patron - McClellan

HB2269 Pornography; mandatory minimum sentence. Provides that the sentence of a person convicted of certain pornography offenses that carry a five-year mandatory minimum term must serve that term consecutively with any other sentence imposed. The offenses include a second offense involving the reproduction, transmission, or distribution of child pornography or the solicitation of child pornography in order to gain entry into a group engaged in trading or sharing child pornography. This bill is identical to SB 832.

Patron - Bell, Robert B.

HB2294 Carnal knowledge of an inmate; expansion to include defendants on bond. Provides that an accused is guilty of carnal knowledge of a pretrial defendant or posttrial offender if he (i) is an owner or employee of the bail bond company that posted the pretrial defendant's or posttrial offender's bond, (ii) has the authority to revoke the pretrial defendant's or posttrial offender's bond, and (iii) carnally knows, without use of force, threat, or intimidation, a pretrial defendant or posttrial offender. Such offense is a Class 1 misdemeanor.

Patron - Wilt

HB2317 Transfer of firearms; residency of armed forces members. Provides that residency for members of the armed forces for the purpose of firearms purchases in the Commonwealth shall include both the member's permanent duty post and the nearby state in which the member resides and from which he commutes to the permanent duty post. This bill is identical to SB 1363.

Patron - Anderson

SB703 Concealed handgun permit fees; correctional officers; exemption. Provides an exemption for any retired correctional officer with at least 15 years of service from any fee charged for the issuance of a concealed handgun permit. The bill contains technical amendments.

Patron - Puckett

SB706 Financial exploitation of incapacitated persons; penalty. Provides that it is unlawful for any person who knows or should know that another person suffers from mental incapacity to, through the use of that other person's mental incapacity, take, obtain, or convert money or other thing of value belonging to that other person with the intent to permanently deprive him thereof. A violation is punishable as larceny. The bill incorporates SB 1258 and is identical to HB 1682.

Patron - Stuart

SB811 Filing fraudulent liens or encumbrances against the property of another; penalty. Provides that any person who maliciously files a fraudulent lien or encumbrance in a public record against the real or personal property of another, knowing that such lien or encumbrance is false, is guilty of a Class 5 felony. The bill incorporates SB 1113.

Patron - Garrett

SB832 Pornography; mandatory minimum sentence. Provides that the sentence of a person convicted of certain pornography offenses that carry a five-year mandatory minimum term must serve that term consecutively with any other sentence imposed. The offenses include a second offense involving the reproduction, transmission, or distribution of child pornography or the solicitation of child pornography in order to gain entry into a group engaged in trading or sharing child pornography. This bill is identical to HB 2269.

Patron - Stuart

SB853 Assault and battery of magistrate; penalty. Elevates the punishment for committing an assault and battery against a magistrate who is engaged in the performance of his public duties from a Class 1 misdemeanor to a Class 6 felony, with a six-month mandatory minimum term of confinement. The bill incorporates SB 966.

Patron - Petersen

SB870 Criminal procedure; contempt appeal. Provides that a circuit judge shall, sitting without a jury, hear an

appeal from a summary contempt judgment of the district court.

Patron - Stanley

SB930 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 providers, and sets the maximum prize amount for network bingo. The bill defines the terms "network bingo," "pari-mutuel play," and "network bingo provider." With the exception of the provision requiring the Board of Charitable Gaming to establish regulations, the bill has a delayed effective date of July 1, 2014. The bill also contains technical amendments.

Patron - Vogel

SB969 Lewd and lascivious cohabitation. Eliminates by repeal the crime of lewd and lascivious cohabitation by unmarried persons and the crime of open and gross lewdness and lasciviousness.

Patron - Ebbin

SB1010 Identity theft; penalties. Raises the punishment for identity theft where five or more persons' identifying information has been obtained, recorded, or accessed in the same transaction or occurrence from a Class 6 to a Class 5 felony and raises the punishment for identity theft where 50 or more persons' identifying information has been obtained, recorded, or accessed in the same transaction or occurrence from a Class 5 to a Class 4 felony. A violation resulting in the arrest and detention of the victim is raised from a Class 6 to a Class 5 felony. This bill is identical to HB 1684.

Patron - Stanley

SB1015 Prostitution; solicitation of a minor; penalty. 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 is guilty of a Class 6 felony or (ii) younger than 16 years of age is guilty of a Class 5 felony. This bill is identical to HB 1606.

Patron - Howell

SB1017 Tax-paid contraband cigarettes; penalties. Increases the penalty for possession with intent to distribute more than 25 but fewer than 500 cartons of tax-paid cigarettes by a person other than an authorized holder from a Class 2 to a Class 1 misdemeanor for a first offense and from a Class 1 misdemeanor to a Class 6 felony for a second or subsequent offense. The bill also imposes a Class 6 felony for possession, with intent to distribute, of 500 or more cartons of tax-paid cigarettes by a person other than an authorized holder and a Class 5 felony for a second or subsequent offense. This bill is identical to HB 1783.

Patron - Howell

SB1018 Unstamped cigarettes; sale, transport, possession, etc.; penalties. Provides that it is a Class 6 felony to sell, purchase, transport, receive, or possess 500 or more packages of unstamped cigarettes; under current law, the threshold is 3,000 or more packages. The bill also provides that it is a Class 1 misdemeanor to sell fewer than 500 packages of unstamped cigarettes; under current law, the threshold is fewer than 3,000 packages and is a Class 2 misdemeanor.

Patron - Howell

SB1019 Counterfeit cigarettes; penalties. Provides that any person who knowingly distributes or possesses with the intent to distribute counterfeit cigarettes where the amount

is fewer than 10 cartons is guilty of a Class 1 misdemeanor for a first offense and a Class 6 felony for a second or subsequent offense. If the amount is 10 or more cartons, the offense is a Class 6 felony.

Patron - Howell

SB1020 RICO; contraband cigarettes; penalties. Adds possession with intent to distribute tax-paid contraband cigarettes as a qualifying offense under the Virginia Racketeer Influenced and Corrupt Organization Act.

Patron - Howell

SB1031 Sex offenses involving a child; communications systems and indecent liberties. Provides that it shall be unlawful for any person 18 years of age or older to use a communications system, including computers, computer networks, bulletin boards, or any other electronic means, for the purposes of soliciting, with lascivious intent, any person he knows or has reason to believe is a child younger than 15 years of age to knowingly and intentionally propose that any such child feel or fondle his own sexual or genital parts. The provision also applies if the child is at least 15 and the perpetrator is more than seven years older than the child. Currently, it is unlawful to, among other things, propose that the child feel or fondle the sexual or genital parts of such person or propose that such person feel or fondle the sexual or genital parts of the child. The bill also includes in indecent liberties proposing that a child under the age of 15 feel or fondle his own sexual or genital parts. This bill is identical to HB 1745.

Patron - Reeves

SB1033 Correctional centers; adult and juvenile; penalties. For selected offenses, imposes the same penalties for offenses committed by persons confined in a juvenile correctional center as currently exist for adult prisoners. Persons who deliver certain items to committed juveniles or allow their escape will face penalties comparable to the same conduct involving adult prisoners. The bill makes it a Class 6 felony, with a six-month mandatory minimum term of confinement, to assault persons directly involved in the care, treatment, or supervision of persons in the custody or under the supervision of the Department of Corrections engaged in the performance of public duties; under current law this provision applies to employees of the Department of Corrections. This bill is identical to HB 2065.

Patron - Reeves

SB1083 Synthetic cannabinoids; research chemicals; penalties. Amends provisions added to the Code in previous years regarding the criminalization of synthetic cannabinoids and chemicals known as "research chemicals" (previously referred to as "bath salts") to add newly identified chemical compounds and structural classes. In addition to adding new chemical compounds as synthetic cannabinoids, the bill adds newly identified structural classes of synthetic cannabinoids so that new chemical compounds that fit within the structural class will nevertheless be considered synthetic cannabinoids without the precise chemical compound having to be added to the Code. The bill incorporates SB 1318. The substance of this bill is identical to HB 1941.

Patron - Herring

SB1128 Impersonating a law-enforcement officer. Adds federal law-enforcement officers and any local, city, county, and state law-enforcement officers to the list of law-enforcement officers for which it is a Class 1 misdemeanor to falsely assume or exercise the functions, powers, duties, and privileges incident to the office of sheriff, police officer, mar-

shal, or peace officer, or to falsely assume or pretend to be any such officer. This bill is identical to HB 1358.

Patron - McDougle

SB1144 Conversion of leased property. Provides that failure to return leased property to the lessor within 30, as opposed to 10, days after written notice has been given that the rental period for the property has expired is prima facie evidence of the intent to defraud and provides that failure to return leased property within 30, as opposed to 10, days of the expiration of the lease is to be deemed larceny.

Patron - McEachin

SB1205 Criminal street gang predicate offenses. Expands the definition of a predicate criminal act associated with gang activity to include the following crimes: murder, aggravated malicious wounding, reckless endangerment by throwing objects, strangulation of another, possession of infectious biological substances or radiological agents, burglary, entering dwelling house, etc., with intent to commit murder, rape, robbery or arson, grand larceny, receipt of a stolen firearm, manufacturing, distributing, etc., or possessing with intent to manufacture or distribute methamphetamine, discharging firearms or missiles within or at building or dwelling house, use of machine gun for crime of violence, possession or use of "sawed-off" shotgun or rifle, possession of firearm by felon, possession of firearms by persons not legally present, possession of firearms while in possession of controlled substances, felony stalking, felony distribution, etc., of synthetic cannabinoids, a felony violation of manufacture, etc., of controlled substances, felony violation of distribution or possession with intent to distribute marijuana, conspiracy to commit a felony violation of manufacture, etc., of controlled substances, conspiracy to commit a felony violation of distribution or possession with intent to distribute marijuana. This bill is identical to HB 1847.

Patron - McDougle

SB1272 Felony DUI; penalty. Provides that any person convicted of a felony DUI offense (including DUI manslaughter and DUI maiming, by motor vehicle or watercraft) is guilty of a Class 6 felony for any subsequent DUI conviction, that punishment includes a mandatory minimum term of imprisonment of one year and the person is subject to the same driver's license revocation provision as for a third or subsequent DUI conviction within 10 years, which means that the person can petition for reinstatement of his driver's license five years after the date of his last conviction. This bill is identical to HB 1559.

Patron - Norment

SB1335 Nondisclosure of concealed handgun permit information. Prohibits the clerk of a circuit court who issued a concealed handgun permit from publicly disclosing an applicant's name and any other information contained in a concealed handgun permit application or in any order issuing a concealed handgun permit.

Patron - Obenshain

SB1363 Transfer of firearms; residency of armed forces members. Provides that residency for members of the armed forces for the purpose of firearms purchases in the Commonwealth shall include both the member's permanent duty post and the nearby state in which the member resides and from which he commutes to the permanent duty post. This bill is identical to HB 2317.

Patron - Vogel

SB1378 Sale and transport for sale of firearms to certain persons; penalty. Provides that any person who sells,

barbers, gives, etc., any firearm to any person he knows is prohibited from possessing or transporting a firearm under Virginia law is guilty of a Class 4 felony. Under current law, the penalty for such offense is a Class 6 felony. The bill also provides that a person who engages in the "strawman" purchase of a firearm, where he purchases a firearm with the intent to resell or transport with the intent to resell outside of the Commonwealth to any person he knows is prohibited from purchasing a firearm, is guilty of a Class 4 felony and shall be sentenced to a mandatory minimum term of imprisonment of one year. Under current law, the penalty for such an offense is a Class 5 felony. Finally, the bill provides that a person who is ineligible to purchase or possess a firearm and who assists any other person in the strawman purchase of a firearm is guilty of a Class 4 felony with a mandatory minimum term of imprisonment of five years to be served consecutively with any other sentence. Under current law, the penalty for such offense is a Class 5 felony with a mandatory minimum term of five years.

Patron - Garrett

Failed

HB1316 Sex-selective abortions; penalty. Provides that a person who performs an abortion with knowledge that the abortion is sought solely and exclusively on account of the sex of the unborn child is guilty of a Class 4 felony. The bill also requires that the information that must be provided to a woman seeking an abortion prior to obtaining her informed written consent to the procedure shall include a statement that the physician would be committing a criminal offense if he performs an abortion solely on account of the sex of the unborn child.

Patron - Marshall, R.G.

HB1326 Concealed handgun permit; firearms safety course. Eliminates certain firearms safety courses the completion of which currently satisfies the requirement that all resident and nonresident applicants for a concealed handgun permit demonstrate competence with a handgun. The bill also requires that certain firearms safety courses that satisfy this requirement focus primarily on the use and handling of a concealed handgun.

Patron - Torian

HB1380 Crimes; assault and battery of campus police. Includes campus police within the enhanced penalty provision of the assault and battery section.

Patron - Yost

HB1391 Possession of weapons in state legislative buildings. Prohibits the possession of weapons in legislative buildings except by any person who lawfully possesses a handgun. The provisions of the bill would not apply to General Assembly members or staff or to any law-enforcement officer.

Patron - Hope

HB1410 Possession of firearms following conviction of certain crimes; penalty. Prohibits any person who is convicted of stalking, sexual battery, or assault and battery of a family member that results in serious bodily injury from possessing, transporting, or carrying a firearm or any other weapon for a period of five years following his conviction. A violation would constitute a Class 6 felony. The bill also provides for the forfeiture of any weapon possessed, transported, or carried in violation of the prohibition. Finally, the bill provides for a process by which a violator may petition the circuit

court for a reinstatement of his rights to possess, transport, or carry a weapon.

Patron - Scott, J.M.

HB1411 Hoax explosive devices; imitation weapons of terrorism; increased penalties. Increases the penalty for constructing, using, placing, or sending a hoax explosive device from a Class 6 to a Class 5 felony. The bill also increases from a Class 6 to a Class 5 felony the penalty for using, selling, giving, distributing, or manufacturing any device or material that by its design, construction, content, or characteristics appears to be a weapon of terrorism, but that is an imitation of a weapon of terrorism.

Patron - Ransone

HB1431 Penalty for conspiracy to commit murder. Increases the penalty for conspiracy to commit murder to a felony punishable by confinement in a state correctional facility for a term not less than five years nor more than 40 years. This puts the punishment for conspiracy to commit murder in parity with the punishment for solicitation to commit murder (§ 18.2-29). The current punishment for conspiracy to commit capital murder is a Class 3 felony (five to 20 years) and for conspiracy to commit first degree murder is a Class 5 felony (one to 10 years). The bill also corrects errors in the existing statute, viz: "venue" mislabeled as "jurisdiction," no venue provided for conspiracies occurring wholly outside of the Commonwealth, and incorrect breakpoint for felony punishments.

Patron - Albo

HB1455 Financial exploitation of elderly and incapacitated; penalty. Provides that any person who knowingly exploits the impaired mental capacity or the physical capacity of an incapacitated adult or an adult (defined for the purposes of the bill 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. This bill was incorporated into HB 1682.

Patron - Watts

HB1465 Forced prostitution; expungement. Provides that there shall exist an affirmative defense to the crime of prostitution when the person arrested or charged was induced to engage in prostitution through the use of force, intimidation, or deception by another. The bill also provides for expungement of a prostitution charge when the person was induced to engage in prostitution through the use of force, intimidation, or deception by another.

Patron - Watts

HB1517 Notice of intent to use involuntary intoxication offense. Provides that in any case in which a person charged with a felony intends (i) to put in issue his involuntary intoxication at the time of the offense charged and (ii) to present testimony of an expert to support his claim on this issue at his trial, he or his counsel shall give notice in writing to the attorney for the Commonwealth, at least 60 days prior to his trial, of his intention to present such evidence. The bill also

provides for the court to appoint an expert for the Commonwealth.

Patron - Lewis

HB1518 Crimes; sexual abuse of child under 15. Increases the penalty for any adult who commits an act of sexual abuse with a child under 15 from a Class 1 misdemeanor to a Class 5 felony.

Patron - Lewis

HB1541 Forced prostitution; expungement of charges. Provides that there shall exist an affirmative defense to the crime of prostitution when the person arrested or charged was abducted for the purpose of prostitution in violation of § 18.2-48 and was induced to engage in prostitution through the use of force, intimidation, or deception by another. The bill also provides for expungement of a prostitution charge when the person was abducted for the purpose of prostitution in violation of § 18.2-48 and was induced to engage in prostitution through the use of force, intimidation, or deception by another.

Patron - Watts

HB1550 Expansion of gang-free zones. Adds school bus stops to the list of places denoted "gang-free zones." Criminal gang activity that occurs in gang-free zones receives additional punishment.

Patron - Iaquinto

HB1560 Ultrasound prior to abortion. Removes the requirement that a woman undergo a transabdominal ultrasound prior to an abortion.

Patron - Kory

HB1567 Driving on a suspended or revoked license and causing the death of another person; penalty. Provides that any person who drives a motor vehicle in a reckless manner knowing his driver's license is suspended or revoked and causes an accident that results in the death of another person is guilty of a Class 6 felony.

Patron - Head

HB1603 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. This bill was incorporated into HB 1682.

Patron - Minchew

HB1623 Prior sex offenses against children admissible in evidence. Provides that in a criminal case in which the defendant is accused of an offense of child sexual abuse, evidence of the defendant's conviction of another offense or offenses of child sexual abuse is admissible and may be considered for its bearing on any matter to which it is relevant. This bill was incorporated into HB 1766.

Patron - Yost

HB1634 Impersonating a law-enforcement officer while committing additional acts. Provides that any person who impersonates a law-enforcement officer (i) while committing or attempting to commit rape, forcible sodomy, object sexual penetration, aggravated sexual battery, or sexual battery or

(ii) while circumventing or bypassing, or attempting to circumvent or bypass, any security measures of any business, commercial building, or residence is guilty of a Class 6 felony. This is a new crime.

Patron - Cosgrove

HB1647 Compliance with ignition interlock requirements by out-of-state DUI offenders. Requires that a Virginia resident who is convicted of a (substantially similar) DUI in another state comply with Virginia ignition interlock requirements.

Patron - Farrell

HB1660 Possession or transportation of weapons; prisoners in correctional facilities; penalty. Prohibits prisoners in state, local, or community correctional facilities from possessing or transporting weapons. A violation of this prohibition constitutes a Class 6 felony and may carry a minimum sentence if the violator was previously convicted of a felony. The bill also excludes such prisoners from the process whereby individuals may petition the circuit court for a permit to carry a firearm, stun weapon or explosives.

Patron - Stolle

HB1693 Possession of firearm on public school property; penalty. Removes the specific exception for a person who possesses an unloaded firearm that is in a closed container, or a knife having a metal blade of three inches or longer, in or upon a motor vehicle located at any elementary, middle, or high school or an unloaded shotgun or rifle in a firearms rack in or upon a motor vehicle located at any elementary, middle, or high school from the list of exceptions for possessing a weapon on school property, which when violated is a Class 6 felony.

Patron - Kory

HB1751 Crimes; assault and battery. Includes an employee or other individual who provides control, care, or treatment of sexually violent predators committed to the custody of the Department of Behavioral Health and Developmental Services within the enhanced penalty provision of the assault and battery section.

Patron - Miller

HB1766 Prior sex offenses admissible in evidence. Provides that in a criminal case in which the defendant is accused of an offense of sexual abuse, evidence of the defendant's conviction of another offense or offenses of sexual abuse is admissible and may be considered for its bearing on any matter to which it is relevant. The bill includes a second enactment requiring this new rule of evidence to be applied in conjunction with the Virginia rules of evidence. The bill incorporates HB 1623.

Patron - Bell, Robert B.

HB1775 Abortion; optional ultrasound. Eliminates the requirement that a pregnant woman undergo a mandatory transabdominal ultrasound prior to the performance of an abortion to determine the gestational age of the fetus and provides that a pregnant woman shall be offered the opportunity to have an ultrasound performed.

Patron - Filler-Corn

HB1776 Ultrasound prior to abortion; physician civil penalty. Provides that no physician shall be subject to a civil penalty for failure to perform or supervise the performance of the ultrasound imaging required prior to an abortion if, in his medical judgment, such ultrasound imaging is not medically necessary. Currently, any physician who violates any

provision of the abortion informed consent statute is subject to a \$2,500 civil penalty.

Patron - Filler-Corn

HB1780 RICO; contraband cigarettes; penalties. Adds possession with intent to distribute tax-paid contraband cigarettes as a qualifying offense under the Virginia Racketeer Influenced and Corrupt Organization Act.

Patron - Gilbert

HB1781 Financial exploitation of elderly or incapacitated adults; penalties. 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.

Patron - Filler-Corn

HB1793 Electronic devices used to commit computer crimes. Prohibits use of an "electronic device" to commit numerous computer crimes. The bill defines electronic device.

Patron - Miller

HB1810 Wearing a mask; exception to criminal punishment. Provides that the provisions of the Code section punishing the wearing of a mask by a person older than 16 as a Class 6 felony shall not apply to persons wearing cold weather gear that partially covers the face.

Patron - McQuinn

HB1811 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

HB1822 Unstamped cigarettes; sale, purchase, possession, etc.; penalties. Increases the penalties for the sale, purchase, transport, receipt, or possession of unstamped cigarettes, including heightened penalties for a second or subsequent offense.

Patron - Ware, O.

HB1843 Synthetic cannabinoids; research chemicals; penalties. Amends provisions added to the Code in previous years regarding the criminalization of synthetic cannabinoids and chemicals known as "research chemicals" (previously referred to as "bath salts") to add newly identified chemical compounds and structural classes. In addition to adding new chemical compounds as synthetic cannabinoids, the bill adds newly identified structural classes of synthetic cannabinoids so that new chemical compounds that fit within the structural class will nevertheless be considered synthetic cannabinoids without the precise chemical compound having to be added to the Code. This bill was incorporated into HB 1941.

Patron - Loupassi

HB1848 Reckless driving; using a handheld communications device; penalty. Provides that driving while simultaneously using a handheld communications device for something other than verbal communication constitutes driving a motor vehicle that is not under proper control, punishable as

reckless driving, a Class 1 misdemeanor. Under current law, the more specific offense of "texting while driving" (repealed by this bill) incurs a \$20 fine and is a secondary offense, which means that a law-enforcement officer must have cause to stop or detain a driver for some other violation, the primary offense, before issuing a citation for texting while driving, the secondary offense. This bill was incorporated into HB 1907.

Patron - Loupassi

HB1928 Fourth or subsequent DUI. Provides that any person convicted of a fourth or subsequent offense of § 18.2-266 (DUI) within any time period is guilty of a Class 6 felony and that punishment shall include a mandatory minimum term of imprisonment of one year and a mandatory minimum fine of \$1,000. Current penalties are the same but the offenses must occur within a 10-year period.

Patron - Morris

HB1991 Disposition of minors engaging in prostitution; forced prostitution. Provides that only an adult can be guilty of the crime of being a prostitute and that any minor who engages in prostitution is to be considered a child in need of services. The bill also provides that there shall exist an affirmative defense to the crime of prostitution when the person arrested or charged was induced to engage in prostitution through the use of force, intimidation, or deception by another.

Patron - McClellan

HB2025 Sale of firearms; penalty. Requires a background check for any firearm purchase and requires the Department of State Police to establish a process for sellers to obtain such a check from licensed firearm dealers. A seller who fails to obtain such a check and sells the gun to any other person is guilty of a Class 1 misdemeanor.

Patron - Hope

HB2056 Counterfeit cigarettes; penalties. Provides that any person who knowingly distributes or possesses with the intent to distribute counterfeit cigarettes where the amount is fewer than 10 cartons is guilty of a Class 1 misdemeanor for a first offense and a Class 6 felony for a second or subsequent offense. If the amount is 10 or more cartons, the offense is a Class 6 felony.

Patron - Herring

HB2207 Sale, transfer, etc., of certain firearms and firearms magazines; penalty. Provides that a person who imports, sells, barter, or transfers an assault firearm is guilty of a Class 6 felony. The bill also provides that a person who imports, sells, barter, or transfers a firearms magazine that is designed to hold more than 20 rounds of ammunition is guilty of a Class 1 misdemeanor. Finally, the bill provides an exception for both penalties for law-enforcement officers and military personnel.

Patron - Morrissey

HB2221 Prohibiting selling, etc., of firearms to certain persons; penalty. Adds persons found legally incompetent or mentally incapacitated, persons involuntarily admitted to a mental health facility or sent for involuntary outpatient mental health treatment, and those who were the subject of a temporary detention order and subsequently agreed to voluntary admission to a mental health facility to the list of persons for whom it is a Class 6 felony to sell, barter, give, or furnish a firearm if the seller knows that the person is prohibited from possessing or transporting a firearm.

Patron - Hope

HB2235 Use, display, or discharge of firearm in committing felony. Increases (exclusively mandatory mini-

mum) penalties for use or display of a firearm during the commission of certain felonies from three to four years for a first offense and from five to six years for a second or subsequent offense.

Patron - Lingamfelter

HB2240 Criminal history record information checks; 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.

Patron - Cosgrove

HB2247 Assault and battery against a police officer, etc.; penalty. Changes the conditions for applying an aggravated penalty for assault or assault and battery against law-enforcement officers and certain other officials. Under current law, the penalty applies only if the victim was "engaged in the performance of his public duties." Under the bill's provisions, the victim would not have to be in his official role for the aggravated penalty to apply.

Patron - Ware, R.L.

HB2251 Prohibition of sale, transfer, etc., of certain firearms magazines; penalties. Provides that any person, corporation, or other entity that manufactures, imports, possesses, purchases, sells, or transfers any large capacity magazine shall be subject to a \$1,000 fine. The bill provides for exceptions to the prohibition, including the owner's registration with the Department of State Police following a criminal history record information check. The willful or intentional making of a materially false statement on the consent form required by the processes required for a criminal history record information check shall be a Class 5 felony. The bill also provides that a registrant is limited to three high capacity magazines and must otherwise dispose of all magazines in excess of the limit. Finally, the bill outlines the registration process for anyone who owns a large capacity magazine.

Patron - Lopez

HB2263 Firearms and ammunition; temporary seizure; penalty. Provides that certain persons shall be required to report to law enforcement whenever they see, hear, receive, or otherwise have communicated to them that an individual intends to inflict death or serious bodily injury on himself or any other person. Failure to provide such report for threats involving violent felonies shall be a Class 1 misdemeanor. Failure to provide such report for threats that do not involve violent felonies shall subject the person to a fine up to \$500 for the first failure and to a fine of at least \$1,000 for each subsequent failure. The bill also provides that law-enforcement officers may temporarily seize the firearm or ammunition of an individual who indicates his intent to inflict death or serious bodily injury on himself or another person. The bill's reporting requirement shall be the basis of the temporary seizure of a firearm or ammunition in the possession of, owned by, or in the immediate access of an individual who is the subject of the report. Finally, the bill provides the procedure by which law enforcement may temporarily seize the firearm or ammunition of an individual who is the subject of these reports.

Patron - Krupicka

HB2281 Lost or stolen firearms; failure to report; penalty. Provides that any person who fails to report to the appropriate local law-enforcement agency the loss or theft of a firearm he owns or lawfully possesses within 24 hours of the

time that he knew or reasonably should have known of such loss or theft is guilty of a Class 1 misdemeanor.

Patron - Ward

HB2327 Purchase of handguns; Limitation on handgun purchases. Prohibits individuals from purchasing more than one handgun in a 30-day period.

Patron - Brink

HB2342 Criminal history information background check; concealed handgun permittees. Requires that the Department of State Police shall provide an expedited process by which a resident of the Commonwealth who presents a validly-issued Virginia concealed handgun permit may receive a criminal history information background check upon the purchase of a firearm.

Patron - Lingamfelter

SB712 Hoax explosive devices; penalty. Raises from a Class 6 felony to a Class 5 felony the construction, use, placement, sending, or causing to be sent any hoax explosive device so as to intentionally cause another person to believe that such device is a bomb or explosive.

Patron - Stuart

SB726 Poker; definition of illegal gambling and charitable gaming; poker games authorized; regulation of poker tournaments. Defines "poker games" as games of skill and therefore not illegal gambling. The bill allows a qualified organization to conduct poker games in conjunction with its charitable gaming activities, but does not allow a 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, which are 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 managers, operators and suppliers to be registered with the Department. The bill contains technical amendments.

Patron - Lucas

SB746 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

SB751 Aggravated malicious wounding; penalty. Makes the aggravated malicious wounding of another without the specific intent to maim, disfigure, disable, or kill a Class 6 felony.

Patron - Stanley

SB763 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

SB786 Lost or stolen firearms; duty of law enforcement. Provides that whenever a person reports the theft or loss of a firearm to law enforcement, the law-enforcement agency must enter, to the extent such information is known by the officer or department, the appropriate information required by the Department of State Police, into the "information system" known as the Virginia Criminal Information Network (VCIN). The bill incorporates SB 965.

Patron - Marsden

SB801 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

SB864 Possession or transportation of firearms; 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 who has been served with an emergency protective order issued as a result of an assault and battery against a family or household member. The bill also provides that in order to be convicted of the existing Class 1 misdemeanor of purchasing or transporting a firearm when subject to a protective order the person must have been served with the order.

Patron - Favola

SB911 Transfer of firearms; criminal history 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 firearms show provide vendors with access to licensed dealers who will conduct the criminal history record information check. The bill was incorporated into SB 1001.

Patron - Howell

SB965 Lost or stolen firearms; failure to report; penalty. Provides that a person who fails to report to the appropriate law-enforcement agency that a firearm he owns or lawfully possesses has been stolen or lost within 24 hours from the time the person knew or reasonably should have known of the theft or loss is guilty of a Class 3 misdemeanor, and is guilty of a Class 1 misdemeanor for a second or subsequent violation. The bill also provides that a person who knowingly files a false report of a lost or stolen firearm is guilty of a Class 1 misdemeanor. The bill was incorporated into SB 786.

Patron - Ebbin

SB966 Assault and battery of magistrate; penalty. Elevates the punishment for committing an assault and battery against a magistrate who is engaged in the performance of his public duties from a Class 1 misdemeanor to a Class 6 felony, with a six-month mandatory minimum term of confinement. The bill was incorporated into SB 853.

Patron - Ebbin

SB1001 Transfer of firearms; criminal history 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 firearms show provide vendors with access to licensed dealers who will conduct the criminal history record information check. SB 911 was incorporated into this bill.

Patron - Marsh

SB1012 Possession of handguns in legislative buildings. Prohibits the possession of a firearm in Capitol Square, including the Capitol and other buildings predominantly used to conduct the business of the General Assembly. The Capitol Police are required to screen persons entering the Capitol or the General Assembly Building. The prohibition would not apply to members of the General Assembly or to law-enforcement officers.

Patron - Ebbin

SB1063 Stalking; electronic means; penalty. Provides that conduct that can constitute stalking includes electronic transmissions that produce a visual or textual message.

Patron - Herring

SB1082 Ultrasound prior to abortion. Removes the requirement that a woman undergo a transabdominal ultrasound prior to an abortion.

Patron - Northam

SB1103 DUI; alcohol monitoring devices. Allows persons convicted of a first offense DUI to wear a transdermal alcohol monitoring device (generally a bracelet around the ankle) that continuously monitors the person's blood alcohol level. A person who wears the device must refrain from any alcohol consumption and can get a restricted driver's license for the required suspension period that does not limit his destinations.

Patron - McDougle

SB1109 Prohibiting selling, etc., of firearms to certain persons; penalty. Adds persons found legally incompetent or mentally incapacitated, persons involuntarily admitted to a mental health facility or sent for involuntary outpatient mental health treatment, and those who were the subject of a temporary detention order and subsequently agreed to voluntary admission to a mental health facility to the list of persons for whom it is a Class 6 felony to sell, barter, give, or furnish a firearm if the seller knows that the person is prohibited from possessing or transporting a firearm.

Patron - Ebbin

SB1113 Filing fraudulent liens or encumbrances against a public employee; penalty. Provides that any person who knowingly files a fraudulent lien or encumbrance in a public record against the real or personal property of a state or local employee, member of the General Assembly, member of a local governing body, constitutional officer or employee of a constitutional officer, or board member or employee of a regional jail or jail farm on account of the performance of the official duties of such member, employee, or officer, knowing or having reason to know that such lien or encumbrance is false or contains a materially false or fraudulent statement or representation, is guilty of a Class 5 felony. The bill was incorporated into SB 811.

Patron - McDougle

SB1114 Prior sex offenses against children admissible in evidence. Provides that in a criminal case in which the defendant is accused of an offense of child sexual abuse, evidence of the defendant's conviction of another offense or

offenses of child sexual abuse is admissible and may be considered for its bearing on any matter to which it is relevant.

Patron - Herring

SB1130 Incest; definitions of parent, etc.; penalty. Provides that for the purposes of the crime of incest parent includes step-parent, grandparent includes step-grandparent, child includes step-child, and grandchild includes step-grandchild.

Patron - Norment

SB1136 Firearm 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. The bill incorporates SB 1232.

Patron - McEachin

SB1148 Prohibition of sale, transfer, etc. of certain firearms magazines; penalties. Prohibits any person from selling, bartering, or transferring a firearms magazine designed to hold more than 10 rounds of ammunition. A violation is a Class 1 misdemeanor. The bill prohibits a person from carrying semi-automatic center-fire firearms with more than 10 rounds of ammunition in a public place; under existing law this prohibition applies only in certain localities and only to such firearms if the firearm holds more than 20 rounds of ammunition. The bill redefines "assault firearm" in the Code section that prohibits noncitizens and persons not lawfully admitted for permanent residence from possessing assault firearms and in the Code section that prohibits dealers from transferring an assault firearm to such persons by reducing the number of rounds of ammunition that the magazine will hold from more than 20 to more than 10. The rounds of ammunition are also reduced from more than 20 to more than 10 in the section that makes it unlawful for a person younger than 18 years of age to possess an assault firearm.

Patron - McEachin

SB1149 Disposition of minors engaging in prostitution; forced prostitution. Provides that only an adult can be guilty of the crime of being a prostitute and that any minor who engages in prostitution is to be considered a child in need of services. The bill also provides that there shall exist an affirmative defense to the crime of prostitution when the person arrested or charged was induced to engage in prostitution through the use of force, intimidation, or deception by another.

Patron - McEachin

SB1152 Sex offenses prohibiting proximity to children; penalty. Adds "use of a communications system to facilitate certain offenses involving children" to the offenses that prohibit an adult convicted of such an offense from loitering within 100 feet of a place he knows or has reason to know is a school or day care center and from going, for the purpose of having contact with children who are not in his custody, within 100 feet of any place owned or operated by a locality that he knows or should know is a playground, athletic field or facility, or gymnasium.

Patron - McDougle

SB1173 Computer trespass; penalty. Provides that certain actions that constitute computer trespass, which under current law are Class 1 misdemeanors if done maliciously, are Class 1 misdemeanors if done unlawfully and Class 6 felonies if done maliciously.

Patron - Obenshain

SB1174 Electronic devices used to commit computer crimes. Prohibits use of an "electronic device" to commit numerous computer crimes. The bill defines electronic device.

Patron - Obenshain

SB1182 Crimes; assault and battery. Includes an employee or other individual who provides control, care, or treatment of sexually violent predators committed to the custody of the Department of Behavioral Health and Developmental Services within the enhanced penalty provision of the assault and battery section.

Patron - Vogel

SB1232 Sale of firearms; penalty. Requires a background check for any firearm transfer and requires the Department of State Police to establish a process for sellers to obtain such a check from licensed firearm dealers. A seller who fails to obtain such a check and sells the gun to any other person is guilty of a Class 1 misdemeanor. The bill was incorporated into SB 1136.

Patron - Ebbin

SB1258 Financial exploitation of elderly or incapacitated adults; penalties. 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. The bill was incorporated into SB 706.

Patron - Herring

SB1281 Sale of firearms; penalty. Requires a background check for any firearm purchase and requires the Department of State Police to establish a process for sellers to obtain such a check from licensed firearm dealers. A seller who fails to obtain such a check and sells the gun to someone who is prohibited from possessing a firearm by state or federal law is guilty of a Class 6 felony.

Patron - Deeds

SB1299 Criminal history record information checks; 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 using the National Instant Criminal Background Check System to determine a person's eligibility to possess or receive a firearm under state or federal law.

Patron - Edwards

SB1318 Synthetic cannabinoids; research chemicals; penalties. Amends provisions added to the Code in previous years regarding the criminalization of synthetic cannabinoids and chemicals known as "research chemicals" (previously referred to as "bath salts") to add newly identified chemical compounds and structural classes. In addition to adding new chemical compounds as synthetic cannabinoids, the bill adds newly identified structural classes of synthetic cannabinoids so that new chemical compounds that fit within the structural class will nevertheless be considered synthetic cannabinoids without the precise chemical compound having to be added to the Code. The bill was incorporated into SB 1083.

Patron - Smith

SB1332 Abortion; optional ultrasound. Eliminates the requirement that a pregnant woman undergo a mandatory transabdominal ultrasound prior to the performance of an abortion to determine the gestational age of the fetus and provides that a pregnant woman shall be offered the opportunity to have an ultrasound performed.

Patron - Northam

SB1346 Charitable gaming; sale of pull tabs and other instant bingo games. Authorizes certain volunteer fire departments or rescue squads or auxiliary units thereof to sell instant bingo, pull tabs, or seal cards one hour immediately preceding the conduct of any regular or special bingo game provided the instant bingo, pull tabs, or seal cards are sold in accordance with Charitable Gaming Board regulations. The bill contains technical amendments.

Patron - Lucas

SB1377 Possession of explosive devices or firearms with intent to commit violent felony; penalties. Provides that any person who possesses an explosive device within any public, private, or religious elementary, middle, or high school, or within any building on the campus of any institution of higher education, with the intent to commit upon the premises thereof a violent felony is guilty of a Class 2 felony. The bill also provides that any person who possesses a firearm within any public, private, or religious elementary, middle, or high school, or within any building on the campus of any institution of higher education, with the intent to commit upon the premises thereof a violent felony is guilty of a Class 2 felony.

Patron - Stuart

Criminal Procedure

Passed

HB1308 Writ of actual innocence for juveniles adjudicated delinquent. Provides that a juvenile adjudicated delinquent in a circuit court 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 nonbiological evidence.

Patron - Habeeb

HB1311 Appeal of bond decision. Provides that when a bail, bond, or recognizance decision is appealed, the court that made the decision may, for good cause shown, stay the execution of the order for so long as reasonably practicable for the party appealing the order to obtain an expedited hearing before the court to which such order was appealed. This bill is identical to SB 1118.

Patron - Hope

HB1376 Testimony regarding field-test identification of controlled substances. Provides that any law-enforcement officer shall be permitted to testify as to results of field tests approved by the Department of Forensic Science regarding identification of a substance at issue in a preliminary hearing on a violation of subdivision 6 of § 53.1-203 (possession of drugs by an inmate). Under current law, this provision applies to only violations of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 (drug crimes).

Patron - Merricks

HB1432 Writ of actual innocence. Revises one of the allegations necessary to a petition for a writ of actual inno-

cence from "[the evidence] will prove that no rational trier of fact *could* have found proof of guilt beyond a reasonable doubt" to "[the evidence] will prove that no rational trier of fact *would* have found proof of guilt beyond a reasonable doubt."

Patron - Albo

HB1705 Criminal Injuries Compensation Fund. Provides that the Fund has a lien on a victim's claim if an award was made from the Fund. The bill also provides that if the defendant pays restitution, and the Fund has made any payments for expenses included in the restitution order, then at the request of the Fund, the entity collecting the restitution must, upon presentation of a written request, pay as much of the restitution collected to the Fund as will reimburse the Fund for its payments.

Patron - Stolle

HB1763 Jail officer may execute a warrant in his jail. Authorizes a jail officer employed at a regional jail or jail farm to execute upon a person being held in his jail a warrant, capias, or summons issued anywhere in the Commonwealth. Currently only a person with law-enforcement power may do so.

Patron - Bell, Robert B.

HB1870 Criminal procedure; functions of multi-jurisdiction grand jury. Adds the offense of receiving money for procuring a person to the list of offenses that a multijurisdiction grand jury can investigate. This allows such a jury to investigate human trafficking activities.

Patron - Bell, Robert B.

HB2012 Drones; moratorium. Places a moratorium on the use of unmanned aircraft systems by state and local law enforcement and regulatory entities until July 1, 2015, except in defined emergency situations and except for certain Virginia National Guard functions. The bill incorporates HB 1616 and is identical to SB 1331.

Patron - Cline

HB2058 Special conservators of the peace; museums of the Commonwealth. Authorizes any museum owned and managed by the Commonwealth to apply for the appointment by the circuit court of a special conservator of the peace. This bill is identical to SB 1048.

Patron - Webert

HB2248 Money laundering investigations by multi-jurisdiction grand jury. Adds investigations of money laundering violations to the jurisdiction of multijurisdiction grand juries.

Patron - Fariss

HB2266 Interception of communications; sheriffs. Provides that the Attorney General may apply for authorization for the observation or monitoring by a sheriff's office of an interception of communications; under existing law the same may be done for a police department of a county or city or for U.S. law-enforcement officers. This bill is identical to SB 1373.

Patron - Greason

HB2338 Erroneously admitted evidence; appeal. Provides that when a criminal conviction is appealed based on a claim that the evidence to convict was insufficient because the trial court improperly admitted evidence, the reviewing court shall consider all evidence admitted at trial to determine whether there is sufficient evidence to sustain the conviction. If the reviewing court determines that evidence was erroneously

admitted and that such error was not harmless, the case must be remanded for a new trial if the Commonwealth so elects.

Patron - Miller

SB847 Fingerprints and photos of arrestees. Provides that a judicial officer may require as a condition of release on bail that the accused accompany the arresting officer to the jurisdiction's fingerprinting facility to have his photograph and fingerprints taken prior to his release. The bill also provides that the fingerprints and photograph may be taken wherever the magistrate is located, including at a regional jail, even though the accused is not admitted to jail.

Patron - Stuart

SB938 Multijurisdiction grand jury. Adds to the criminal violations that a multijurisdiction grand jury may investigate the following: crimes by mobs, malicious felonious assault and malicious bodily woundings, robbery, carjacking, felonious sexual assault, certain arsons, and RICO crimes. The bill also adds a provision that, in order for the grand jury to report a matter for prosecution, a court reporter must have transcribed oral testimony as required by law.

Patron - Obenshain

SB1022 Forfeiture of cigarettes. Allows forfeiture of cigarettes possessed in violation of laws regarding the sale, purchase, transport, receipt, or possession of unstamped cigarettes and the possession with intent to distribute of certain amounts of tax-paid cigarettes if the violation is knowing and intentional.

Patron - Howell

SB1048 Special conservators of the peace; museums of the Commonwealth. Authorizes any museum owned and managed by the Commonwealth to apply for the appointment by the circuit court of a special conservator of the peace. This bill is identical to HB 2058.

Patron - Edwards

SB1118 Appeal of bond decision. Provides that when a bail, bond, or recognizance decision is appealed, the court that made the decision may, for good cause shown, stay the execution of the order for so long as reasonably practicable for the party appealing the order to obtain an expedited hearing before the court to which such order was appealed. This bill is identical to HB 1311.

Patron - McDougle

SB1135 Continuances; appearance of parties. Provides that when the court grants a continuance in advance of the date of a scheduled trial or hearing, if the defendant acknowledges in writing, on a form provided by the Office of the Executive Secretary of the Supreme Court, that he promises to appear in court on the date and time of the newly scheduled trial or hearing, the court shall not require counsel or the defendant to appear on the date when the trial or hearing was originally scheduled. However, if the defendant is in violation of the terms of his pretrial release or has failed to appear at any court proceeding, the court may require the defendant to appear on the date when the trial or hearing was originally scheduled as a condition of any continuance granted.

Patron - Norment

SB1331 Drones; moratorium. Places a moratorium on the use of unmanned aircraft systems by state and local law enforcement and regulatory entities until July 1, 2015, except in defined emergency situations and except for certain Virginia National Guard functions. This bill is identical to HB 2012.

Patron - McEachin

SB1373 Interception of communications; sheriffs. Provides that the Attorney General may apply for authorization for the observation or monitoring by a sheriff's office of an interception of communications; under existing law the same may be done for a police department of a county or city or for U.S. law-enforcement officers. This bill is identical to HB 2266.

Patron - Black

Failed

HB1355 Petitions for writs of actual innocence. Provides that petitions for writs of actual innocence in the case of either biological or nonbiological evidence 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 non-biological evidence, the bill removes the limit that only one writ per conviction may be filed.

Patron - Morrissey

HB1364 Compensation of experts in criminal cases. Provides that counsel for the defendant may request a waiver on the maximum limitation of compensation for a psychiatrist, clinical psychologist, or other expert appointed by the court to render professional service in a criminal case other than capital murder, currently set at \$750, in an amount up to an additional \$750, depending on the time and effort expended by the expert, the novelty and difficulty of the case in which the professional service was rendered, and other circumstances warranting such a waiver.

Patron - Morrissey

HB1365 Appointment of mental health experts in criminal cases not involving insanity defense or competency to stand trial. Provides that in a felony criminal case for an alleged crime other than capital murder, the attorney for the Commonwealth or the defendant may, at least 60 days prior to trial, move the court to require a mental health evaluation of the defendant. Upon such motion, and for good cause shown, the court shall conduct a hearing to consider evidence of mental health issues relevant to the trial or sentencing of the defendant when consideration of such issues is not otherwise provided for, e.g., when insanity is raised as a defense or competency to stand trial is at issue.

Patron - Morrissey

HB1492 Vacation of criminal conviction for fraud upon the court. Provides that notwithstanding any provision of the Code or any rule of court to the contrary, upon hearing of a motion by a person convicted of a felony or adjudicated delinquent of a felony offense in the proper court of the jurisdiction where the person was convicted, following notice to the Commonwealth, a court may at any time after the person's conviction or adjudication vacate the judgment of the criminal conviction or adjudication of the person when the court finds that the conviction or adjudication was obtained by the commission of a material fraud upon the court or perjured testimony.

Patron - Ward

HB1616 Limitations on use of drone aircraft. Provides that no state agency or organization having jurisdiction over criminal law enforcement or regulatory violations, includ-

ing but not limited to the Department of State Police nor any department of law enforcement of any city, county or town, shall procure a public unmanned aircraft system (drone aircraft) without the approval of the General Assembly or the local governing body, respectively. The bill requires a warrant for use of such an aircraft. The bill also provides that it is not unlawful for any law-enforcement officer or other public official to operate a public unmanned aircraft system and disclose personal information from such operation if such officer reasonably determines that an emergency situation exists that involves immediate danger of death or serious physical injury to any person and the situation requires operation of a public unmanned aircraft system before a warrant authorizing such interception can, with due diligence, be obtained and there are grounds upon which such a warrant could be entered to authorize such operation. The bill also provides that it is not unlawful for a public institution of higher education to operate a public unmanned aircraft system solely for research or academic purposes. The bill also contains extensive procedural guarantees against release of personal information and contains reporting requirements by agencies and courts with respect to use of and data collected by such aircraft. The bill was incorporated into HB 2012.

Patron - Gilbert

HB1631 Drugs and paraphernalia forfeited to law enforcement. Provides that seized drugs and drug paraphernalia, the lawful possession of which is not established or the title to which cannot be ascertained, may be forfeited to a law-enforcement agency for research and training purposes. Current law limits such forfeiture to the Department of Forensic Science for research and training purposes.

Patron - Cosgrove

HB1675 Expungement of certain misdemeanors. Allows a person convicted of certain misdemeanors who has successfully completed all terms of probation to file a petition for expungement 10 years after the conviction if he has not been convicted of any other offense. DUI, child abuse or neglect, domestic violence, sex offenses, and crimes against persons do not qualify for expungement. Any conviction that is expunged will be considered a prior conviction for purposes of prosecution of any subsequent offense for which the prior conviction statutorily enhances punishment.

Patron - Johnson

HB1786 Collection by locality of cost of transporting prisoners. Provides that localities may charge a person convicted of a violation of state law or ordinance for the costs of transporting him to jail or other holding facility but may charge no more than the actual cost of transporting such person even when more than one person is transported.

Patron - Ware, O.

HB1794 Nondisclosure of crime victim or witness personal and identifying information. Provides that upon request of any witness in a criminal prosecution for the sale or manufacture of drugs or a violent felony as defined in subsection C of § 17.1-805, or any crime victim, neither a law-enforcement agency, the attorney for the Commonwealth, the counsel for a defendant, a court, nor the Department of Corrections, nor any employee of any of them, may disclose, except among themselves, the residential address, telephone number, or place of employment of the witness or victim or a member of the witness's or victim's family, except to the extent that disclosure is (i) of the site of the crime, (ii) required by law or the Rules of Supreme Court, (iii) necessary for law-enforcement purposes or preparation for court proceedings, or (iv) permitted by the court for good cause. Current law provides this protection to all crime victims but to witnesses only when the prose-

cutions involve violations of § 18.2-46.2 or 18.2-46.3 (criminal street gang offenses).

Patron - Miller

HB1821 Child Pornography Images Registry; exemptions from disclosure, etc. Provides that records related to child abuse and exploitation that are in the possession of the Department of State Police pursuant to its duties in maintaining the Child Pornography Images Registry are exempt from the Virginia Freedom of Information Act and the Government Data Collection and Dissemination Practices Act and that the Registry is not subject to the Virginia Information Technologies Agency.

Patron - Iaquinto

HB1897 Search of electronic device without warrant prohibited. Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.

Patron - Carr

HB1903 Cellular phone used as tracking device. Provides that a cellular phone is a tracking device when it is used to track the movement of a person, and that such use requires a warrant issued by a judicial officer.

Patron - Carr

HB1904 Warrant requirement for certain telecommunications records. Provides that the "location data" of a customer of an electronic communication service or a remote computing service may only be retrieved from the provider by warrant or consent of the customer. Location data is defined as any data or information that tracks, at either a point in time or over a period of time, the location of a subscriber to or customer of a provider of electronic communication service or a remote computing service as determined by the location of an electronic device to which the subscriber or customer has legal title, claim, right, or ultimate control. The bill contains technical clarifications and cross-references.

Patron - Carr

HB1919 Joint motion for writ of actual innocence. Provides that the attorney for the Commonwealth of the jurisdiction wherein a person was convicted of a felony may join in a petition for a biological or nonbiological writ of actual innocence. When such petition is so joined, the petitioner may file a copy of the petition and attachments thereto with the circuit court that entered the felony conviction and move the court for a hearing to consider release of the person on bail pending a ruling by the appellate court on the writ.

Patron - Herring

HB1920 Plea required for issuance of a writ of actual innocence. Provides that a convicted person may petition for a writ of actual innocence regardless of the type of plea he entered at trial. Under current law, a person may petition for a writ based on nonbiological evidence if he entered a plea of not guilty; a person may petition for a writ based on biological evidence if he (i) entered a plea of not guilty, or (ii) is convicted of murder, or (iii) is convicted of a felony for which the maximum punishment is imprisonment for life.

Patron - Herring

HB1924 Conservators of the peace; inspectors general of the U.S. Department of HUD and the FHFA. Includes any criminal investigator within the Offices of Inspectors General of the U.S. Department of Housing and Urban

Development and the Federal Housing Finance Agency among those agents designated as a conservator of the peace.

Patron - Brink

HB1925 Expungement of nonviolent misdemeanor convictions. Provides that any person who has been convicted of only one nonviolent misdemeanor offense that is not a violation of § 18.2-266 (DUI) or an offense for which registration is required under § 9.1-902 (sex offender registry offenses), when more than five years have passed from the date of conviction, all terms and conditions of probation have been satisfied and completed, and all fines, costs, and restitution have been paid, may file a petition with the proper district court in the jurisdiction where the conviction was obtained for expungement of the conviction.

Patron - Ware, O.

HB2007 Testimony by custodians of records, lab analysts, etc.; use of two-way electronic video and audio communication. Allows for the use of two-way electronic video and audio communication to obtain the testimony of custodians of records, lab analysts, or certain other witnesses, upon motion of the attorney for the Commonwealth, if the defendant objects to the admission of an affidavit, certificate of analysis, or other similar document into evidence, if certain standards for the use of such technology are met.

Patron - Cline

HB2050 Search and seizure of computer and contents. Provides that any search warrant issued for the search and seizure of a computer, computer network, or other device containing electronic or digital information shall be deemed to include the search and seizure of the physical components and the electronic or digital information contained in any such device or network. The bill also provides that the search of the contents of any such device or network may be done in any location and is not limited to the location where such device or network was seized.

Patron - Webert

HB2053 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 the principal's property is guilty of embezzlement.

Patron - Ware, O.

HB2234 Expungement for misdemeanors deferred and dismissed. Provides that expungement of a criminal record is available to a petitioner whose misdemeanor charges are dismissed without adjudication of guilt following a deferral of proceedings and satisfaction of terms and conditions imposed by the court. Currently, expungement is only available for an acquittal, a nolle prosequi, a pardon, or an accord and satisfaction.

Patron - Ware, O.

HB2267 Proceeds of criminal activity; freeze of assets. Authorizes the attorney for the Commonwealth to petition the circuit court to freeze an account or safe deposit box owned or held by a person charged with a crime. The court shall enter an order freezing such account or safe deposit box if it finds probable cause that the account or safe deposit box contains the proceeds of the crime or offense with which the person has been charged and there is reason to believe that the contents of the account or safe deposit box are likely to be removed and could not be recovered if the person is ultimately convicted of the crime or offense charged. The initial freeze order cannot exceed 90 days, though additional 30-day extensions may be granted. The bill also provides that the owner or

holder of the frozen account or safe deposit box may petition the circuit court to unfreeze the account or safe deposit box at any time prior to the expiration of the order. The bill further provides that no financial institution or officer or employee of such institution shall be liable for complying with a freeze order.

Patron - Ramadan

HB2293 Minimum financial conditions of bail. Provides that any judicial officer fixing terms of bail shall presume, subject to rebuttal, that the following minimum financial conditions are necessary to assure the appearance of the accused and to assure his good behavior pending trial: any person charged with a Class 1 or Class 2 misdemeanor shall have bail fixed at an amount not less than \$1,000, secured or unsecured; any person charged with a Class 6 felony shall have bail fixed at an amount not less than \$5,000, secured; any person charged with a Class 5 felony shall have bail fixed at an amount not less than \$10,000, secured; any person charged with a Class 4 felony shall have bail fixed at an amount not less than \$25,000, secured; any person charged with a Class 3 felony shall have bail fixed at an amount not less than \$50,000, secured; any person charged with a Class 1 or Class 2 felony shall have bail fixed at an amount not less than \$100,000, secured; and any person charged with a felony that is unclassified shall have bail fixed at an amount not less than \$10,000, secured.

Patron - Wilt

SB725 Expungement of certain misdemeanors. Allows a person convicted of certain misdemeanors who has successfully completed all terms of probation to file a petition for expungement 10 years after the conviction if he has never been convicted of any other offense. DUI, child abuse or neglect, domestic violence, sex offenses, and crimes that caused serious bodily injury do not qualify for expungement. Any conviction that is expunged will be considered a prior conviction for purposes of prosecution of any subsequent offense for which the prior conviction aggravates punishment.

Patron - Black

SB738 Indigent defense; appellate defender office. Creates an appellate defender office under the Virginia Indigent Defense Commission.

Patron - Petersen

SB795 Forensic Toxicology Fund created. Creates the Forensic Toxicology Fund and provides that a convicted defendant who demanded the testimony of a forensic analyst rather than relying on the certificate of analysis is subject to an additional court cost of \$50 payable to the Fund. The Fund will be used for expenses of the Department of Forensic Science related to analyzing controlled substances and breath alcohol tests.

Patron - Garrett

SB796 Spousal privilege. Creates a statutory exception to the spousal privilege in criminal cases where the spouses conspired or acted jointly in the commission of the crime.

Patron - Garrett

SB823 Petitions for writs of actual innocence; joint motion for writ of actual innocence. Provides that the attorney for the Commonwealth of the jurisdiction wherein a person was convicted of a felony may join in a petition for a biological or nonbiological writ of actual innocence. When such petition is so joined, the petitioner may file a copy of the petition and attachments thereto with the circuit court that entered the felony conviction and move the court for a hearing to consider

release of the person on bail pending a ruling by the appellate court on the writ.

The bill also provides that petitions for writs of actual innocence in the case of either biological or nonbiological evidence may be brought for any felony and upon any plea. 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 - Alexander

SB836 Vacation of criminal conviction for fraud upon the court. Provides that notwithstanding any provision of the Code or any rule of court to the contrary, upon hearing of a motion by a person convicted of a felony or adjudicated delinquent of a felony offense in the proper court of the jurisdiction where the person was convicted, following notice to the Commonwealth, a court may at any time after the person's conviction or adjudication vacate the judgment of the criminal conviction or adjudication of the person when the court finds that the conviction or adjudication was obtained by the commission of a material fraud upon the court or perjured testimony. The bill was incorporated into SB 840.

Patron - Alexander

SB840 Vacation of criminal conviction for fraud upon the court. Provides that notwithstanding any provision of the Code or any rule of court to the contrary, a person convicted of a felony or a juvenile found delinquent of an offense that would be a felony if committed by an adult may, with the consent of the attorney for the Commonwealth, at any time after his conviction or adjudication petition the proper court in the jurisdiction where the conviction or adjudication was obtained for an order vacating the conviction or adjudication on the basis of material fraud upon the court or perjured testimony. Upon hearing on the petition, the court may vacate the judgment of the criminal conviction or adjudication if it finds by clear and convincing evidence that the conviction or adjudication was obtained by the commission of a material fraud upon the court or perjured testimony. The bill incorporates SB 836.

Patron - Locke

SB845 Expungement of certain misdemeanors. Allows a person convicted of certain misdemeanors who has successfully completed all terms of probation to file a petition for expungement 10 years after the conviction if he has not been convicted of any other offense. DUI, child abuse or neglect, domestic violence, sex offenses, and crimes against persons do not qualify for expungement. Any conviction that is expunged will be considered a prior conviction for purposes of prosecution of any subsequent offense for which the prior conviction statutorily enhances punishment.

Patron - Carrico

SB868 Criminal history record checks; barrier crimes. Clarifies the list of barrier crimes for individuals seeking employment or seeking to provide contract services at nursing homes, home care organizations, hospices, state facilities and private providers licensed by the Department of Behavioral Health and Developmental Services, community services boards, behavioral health authorities, assisted living facilities, adult day care centers, children's welfare agencies, family day homes approved by family day systems, and children's residential facilities; applicants for licensure, registra-

tion, or approval as assisted living facilities, child welfare agencies, or family day homes approved by family day systems; individuals with whom a local board of social services or child-placing agency is considering placing a child on an emergency, temporary, or permanent basis; foster and adoptive homes seeking approval from child-placing agencies; and providers of adult services and adult foster care seeking approval by the Department of Social Services by setting out each of the crimes included in the definition of "barrier crime." This bill also reorganizes and consolidates sections governing background checks for facilities and individuals licensed or regulated by the Departments of Health, Behavioral Health and Developmental Services, and Social Services. The bill also makes technical changes and updates obsolete language.

Patron - Edwards

SB907 Asset forfeiture; task forces. Provides that property forfeited from drug cases, which under current law may be used to promote law enforcement, may be used to fund salary and benefits for non-sworn personnel who are members of a law-enforcement task force.

Patron - Reeves

SB1002 Emergency protective orders; expungement. Provides the mechanism for a person who is the subject of an emergency protective order issued in connection with a warrant for the arrest of such person to expunge the order from the record if the warrant did not result in a criminal charge against such person or if no subsequent preliminary protective order was issued against such person. The bill also permits a person who is the subject of an emergency protective order who was charged with a crime to expunge the order if the person was acquitted of the charge or the charge was otherwise dismissed.

Patron - Marsden

SB1030 Search and seizure of computer and contents. Provides that any search warrant issued for the search and seizure of a computer, computer network, or other device containing electronic or digital information shall be deemed to include the search and seizure of the physical components and the electronic or digital information contained in any such device or network. The bill also provides that the search of the contents of any such device or network may be done in any location and is not limited to the location where such device or network was seized.

Patron - Reeves

SB1146 Destruction of controlled substances, etc.; Department of State Police. Requires law-enforcement reports on the destruction of seized controlled substances and other drugs and paraphernalia that under current law have to be submitted to the Board of Pharmacy to be submitted instead to the Department of State Police. The bill also requires the Department to maintain a listing of such submissions, make the list publicly available on the Department's website, and submit an annual report with such information to the General Assembly.

Patron - McEachin

SB1211 Child Pornography Images Registry; exemptions from disclosure, etc. Provides that records related to child abuse and exploitation that are in the possession of the Department of State Police pursuant to its duties in maintaining the Child Pornography Images Registry are exempt from the Virginia Freedom of Information Act and the Government Data Collection and Dissemination Practices Act and that the Registry is not subject to the Virginia Information Technologies Agency.

Patron - Stuart

SB1273 Forced prostitution; expungement. Provides for expungement of a prostitution charge and vacation of a prostitution conviction when the person was abducted for the purpose of prostitution in violation of § 18.2-48.

Patron - Ebbin

SB1312 Release of accused to pretrial services only when indigent. Provides that, when a person is arrested for either a felony or a misdemeanor, any judicial officer may place the person in the custody and supervision of a designated person, organization, or pretrial services agency but that no person shall be released to a pretrial services agency without a secured bond unless he is determined by a court to be indigent.

Patron - Martin

Domestic Relations

Passed

HB1723 Child support; imputation of income; attendance in educational or vocational program. Provides that a parent's decision to attend and complete an educational or vocational program that is likely to maintain or increase the parent's earning potential may be considered as a factor in determining whether to impute income to such parent for purposes of the parent's child support obligation. The bill also provides that any child care costs incurred by a custodial parent due to the parent's decision to attend such an education program may also be considered. This bill is identical to SB 718.

Patron - Toscano

HB1837 Testimony in open court in divorce cases; notice. Allows the court to conduct ore tenus hearings in divorce cases without providing further notice to the defendant if the defendant has been personally served and has failed to appear. Under current law, the court may take depositions without further notice to the defendant if the defendant has been personally served and has failed to appear. As introduced, this bill was a recommendation of the Judicial Council of Virginia. This bill is identical to SB 1046.

Patron - McClellan

SB718 Child support; imputation of income; attendance in educational or vocational program. Provides that a parent's decision to attend and complete an educational or vocational program that is likely to maintain or increase the parent's earning potential may be considered as a factor in determining whether to impute income to such parent for purposes of the parent's child support obligation. The bill also provides that any child care costs incurred by a custodial parent due to the parent's decision to attend such an education program may also be considered. This bill is identical to HB 1723.

Patron - Howell

SB1046 Testimony in open court in divorce cases; notice. Allows the court to conduct ore tenus hearings in divorce cases without providing further notice to the defendant if the defendant has been personally served and has failed to appear. Under current law, the court may take depositions without further notice to the defendant if the defendant has been personally served and has failed to appear. As introduced, this bill was a recommendation of the Judicial Council of Virginia. This bill is identical to HB 1837.

Patron - Edwards

Failed

HB1322 Application of foreign law in Virginia courts; domestic relations. Provides that if a court, arbitrator, administrative agency, or other adjudicative or enforcement authority bases its decision in a domestic relations matter on foreign law, and such decision violates a person's rights guaranteed by the United States Constitution and Constitution of Virginia, then such decision will be void as violative of the public policy of the Commonwealth.

Patron - Morris

HB1549 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 and name as beneficiary the other party, the parties' children, or a person in trust for the children. The court may order that the cost of the premiums of such insurance be allocated between the parties.

Patron - Iaquinto

HB2187 Spousal support; termination upon cohabitation. Provides that a supported spouse has an affirmative duty to notify the payor spouse after commencing to habitually cohabit with another and, if the supported spouse does not provide the notification, the payor spouse is entitled to restitution equal to the amount of any current support and maintenance paid after that date, together with interest from that date and reasonable attorney fees and costs.

Patron - Herring

Education

Passed

HB1344 Special education; children who are deaf or hard of hearing. Permits local school divisions to ensure that individualized education program (IEP) teams consider the specific communication needs of children who are deaf or hard of hearing and address those needs as appropriate in the child's IEP.

Patron - Bell, Richard P.

HB1350 Mathematics assessments; targeted remediation and intervention for computational deficiencies. Requires local school divisions to provide targeted mathematics remediation and intervention to students in grades six through eight who show computational deficiencies on any diagnostic or grade-level Standards of Learning mathematics test that measures non-calculator computational skills.

Patron - Albo

HB1388 Principals, assistant principals, and supervisors; reassignment. Changes the deadline for a school board to notify principals, assistant principals, or supervisors under continuing contract of their reassignment to teaching positions from April 15 to June 15. This bill is identical to SB 936.

Patron - Habeeb

HB1406 Parent educational information for public school students; eating disorders. Requires each school board to annually provide parent educational information on eating disorders for public school students in grades five through 12. The bill also requires the Department of Education

and the Department of Health to develop and implement policies for providing parent educational information on eating disorders.

Patron - Bell, Richard P.

HB1420 Board of Education; definition of "intervener." Requires the Board of Education to promulgate regulations defining "intervener" as an individual with knowledge and skill in the mode of communication of a deaf-blind student and who can communicate to the deaf-blind student what is occurring in the student's educational setting.

Patron - Pogge

HB1468 Public schools; possession and administration of epinephrine. Adds employees of local governing bodies and employees of local health departments to the lists of individuals who are permitted to possess and administer epinephrine and not be held liable for civil damages when certain conditions are met. The bill also requires local school boards to include in policies for the possession and administration of epinephrine a provision adding any employee of a local governing body or an employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to administer the drug to any student believed to be having an anaphylactic reaction. This bill contains an emergency clause. This bill is identical to SB 893.

Patron - Greason

HB1497 Participation in public school interscholastic programs by students in military families. Prohibits public elementary or secondary schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student (i) who moved out of the school's attendance area because his parent is a full-time, active duty member of the uniformed services and received orders to relocate and who subsequently moved back into the school's attendance area or (ii) who continues to live in the school's attendance area but whose parent moved out of the school's attendance area because that parent is a full-time, active duty member of the uniformed services and received orders to relocate. The bill does not affect a school board's discretion to admit a student and charge tuition for his attendance at a public school in the local school division if the student is not deemed to reside in the local school division.

Patron - Stolle

HB1735 Local school boards; salary increases. Specifies that salary increases for local school boards representing a city or town established in a year preceding a year in which members are to be appointed or elected shall become effective on July 1 of the year in which the election or appointment occurs if the election or appointment occurs prior to July 1 and shall become effective January 1 of the following year if the election or appointment occurs after June 30.

Patron - Toscano

HB1750 Participation in interscholastic programs; students residing on a military or naval reservation. Requires any student who resides on a military or naval reservation with military-owned housing located wholly or partly within the geographical boundaries of multiple school divisions to be deemed eligible for interscholastic programs immediately upon enrollment in a public elementary or secondary school in any of the aforementioned school divisions, provided that such persons (i) satisfy all other requirements for eligibility and (ii) are dependents of a military service member required by the military to live on the military installation as evidenced by a statement on command letterhead signed by, or

by direction of, the service member's commanding officer. This bill is identical to SB 1191.

Patron - Tata

HB1858 Career and technical occupational experiences for secondary school students; model waiver form. Requires the Board of Education to develop, by July 1, 2014, a model waiver form for use by any entity providing a career and technical occupational experience for public secondary school students.

Patron - Orrock

HB1864 School-based offenses; delinquency charges. Clarifies that a local law-enforcement agency is not required to file delinquency charges against a student and that a school and a local law-enforcement agency may deal with school-based offenses through graduated sanctions or educational programming after a school principal reports to a local law-enforcement agency certain acts by such student that may constitute a criminal offense. The bill also requires the Board of Education and the Department of Criminal Justice Services to develop a model cooperative agreement between schools and local law-enforcement agencies for dealing with school-based offenses.

Patron - Robinson

HB1866 Public schools; expulsion of students. Removes certain weapons from the definition of "firearm" the possession of which by a student on school property or at a school-sponsored activity is punishable by mandatory expulsion from school for at least one year. These are weapons that are not included in the definition of "firearm" in the federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994).

Patron - Robinson

HB1871 Student and school employee conduct; bullying. Defines the term "bullying" and requires school boards to include in their codes of student conduct policies and procedures that include a prohibition against bullying. The bill also requires the Board of Education to develop model policies and procedures and school boards to adopt policies and procedures to educate school board employees about bullying and the need to create a bully-free environment.

Patron - McClellan

HB1889 Public schools; personnel files. Requires performance indicators, or other data used by the local school board to judge the growth or quality of a teacher, to be kept confidential but permits such information to be disclosed pursuant to court order, for the purposes of a grievance proceeding involving the teacher, or as otherwise required by state or federal law.

Patron - LeMunyon

HB1999 Public schools; individual school performance grading system. Requires the Board of Education, by July 31, 2013, to approve student growth indicators for use in the accreditation of schools and the evaluation of teachers. The bill also defines "student growth" and requires the Board, by October 1, 2014, to report individual school performance using an A-to-F grading system that includes the standards of accreditation, state and federal accountability requirements, and student growth indicators. This bill is identical to SB 1207.

Patron - Greason

HB2019 Public schools; policies and regulations. Requires that a current copy of all school division policies and regulations approved by the local school board must be posted on the division's website and available to employees and to the

public. Printed copies of such policies and regulations are required to be available as needed to citizens who do not have online access.

Patron - LeMunyon

HB2028 Public schools; cardiopulmonary resuscitation and automated external defibrillators. Allows school boards to require current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR), and the use of automated external defibrillators (AEDs) for bus drivers; increases the number of staff required to have such training; and requires such training for those seeking initial teacher licensure, renewal of a license to teach, or a provisional teaching license, with a waiver for teachers with disabilities. For students, beginning with first-time ninth grade students in the 2016-2017 school year, the bill adds a requirement that recipients of the standard and advanced diplomas must receive training in emergency first aid, CPR, and the use of AEDs. The bill allows each local school board to develop a plan for the placement, care, use, and funding of an automated external defibrillator in each school. This bill is identical to SB 986.

Patron - Dudenhefer

HB2066 Standards of Quality; assignment of certain staff. Permits local school divisions that employ a sufficient number of librarians, guidance counselors, and school-based clerical personnel to meet the staffing requirements that are prescribed in Standard 2 of the Standards of Quality to assign librarians, guidance counselors, and school-based clerical personnel to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary. This bill is identical to SB 1172.

Patron - Peace

HB2068 Public schools; early intervention services for reading and mathematics. Adds kindergarten and grades one and two to the requirement that local school divisions provide early intervention services to students in grade three who demonstrate deficiencies based on their individual performance on diagnostic reading tests. The bill requires local school divisions to provide algebra readiness intervention services to students in grades six through nine who are at risk of failing the Algebra I end-of-course test as demonstrated by their individual performance on diagnostic tests. This bill is identical to SB 1171.

Patron - LeMunyon

HB2076 Charter schools; applications. Provides that charter school applications that are initiated by one or more local school boards are not subject to review by the Board of Education. This bill is identical to SB 1131.

Patron - Stolle

HB2083 Teacher performance; Strategic Compensation Grant Initiative created. Establishes the Strategic Compensation Grant Initiative and Fund, which provide that local school divisions may submit proposals to the Board of Education to receive grants that may be used as incentives to improve teacher and school performance. School divisions must include in their proposals a compensation model and designate groups or types of teachers to receive awarded funds. The bill sets forth eligibility requirements for teachers receiving funds. This bill is identical to SB 1185.

Patron - Cox, M.K.

HB2084 Teacher licensure; Teach For America license. Creates a two-year provisional license for participants in Teach For America, a nationwide nonprofit organization focused on closing the achievement gaps among students in

low-income areas, who meet certain criteria, including having an offer of employment from a school division in the Commonwealth. The Board of Education may extend each Teach For America license for one additional year and may issue each licensee a renewable license upon completion of two full years of teaching experience, satisfaction of all other requirements for such a license, achievement of satisfactory scores on all professional teachers assessments required by the Board, and achievement of satisfactory end-of-year evaluations. The bill also provides for reciprocity to Teach For America teachers in other states upon satisfaction of certain conditions. This bill is identical to SB 1175.

Patron - Cox, M.K.

HB2098 School boards; releases from state regulations. Requires any school board that has requested a release from certain state regulations to provide a description of how the release from the state regulation is designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The bill permits the Board of Education to grant and renew such releases for a period of up to five years. The bill also permits the Board of Education to grant local school boards waivers of specific staffing requirements that would permit the school board to assign instructional personnel to the schools with the greatest needs, provided that the local school board provides a description of how the waiver is designed to increase the quality of instruction and improve the achievement of students in the affected school or schools.

Patron - Tata

HB2101 Career and technical education; High School to Work Partnerships. Directs the Board of Education to develop guidelines for the establishment of High School to Work Partnerships between public high schools and local businesses to create apprenticeships, internships, and job shadow programs in a variety of trades and skilled labor positions. The bill also provides that local school boards may encourage the local school division's career and technical education administrator to work with the guidance counselor office of each public high school to establish such partnerships. This bill is identical to SB 1248.

Patron - Ramadan

HB2144 Standards of Quality; waivers from third grade Standards of Learning assessments in certain scenarios. Allows a public elementary school that had an adjusted pass rate of less than 75 percent on the third grade Standards of Learning reading assessment administered during the previous school year to apply to the Board of Education for a two-year waiver from the science or history and social science Standards of Learning assessment requirement, or both, for third grade students. Elementary schools that apply for a two-year waiver must satisfy certain conditions to be granted the waiver. The bill will expire on July 1, 2015.

Patron - Landes

HB2151 Public schools; evaluation policies and grievance procedures. Makes several changes to the processes by which teachers and certain administrators are evaluated. The bill requires teachers, assistant principals, and principals to be evaluated every year, either formally or informally, and such evaluations to include student academic progress as a significant component and an overall summative rating. The bill allows local school boards to increase from three years to five years the term of probationary service required before a teacher becomes eligible for a continuing contract.

The bill also changes the grievance procedure for teachers by giving local school boards the option to assign a grievance hearing to be heard by an impartial hearing officer designated by the local school board and by removing the option for a grievance to be heard in front of a fact-finding panel. This bill is identical to SB 1223.

Patron - Bell, Richard P.

HB2176 Northampton County School Board; terms. Shortens or lengthens the terms of the currently appointed members of the Northampton County School Board so they all expire on December 31, 2013, and provides for the initial staggering of terms of the members elected to the board in the November 2013 general election. This bill contains an emergency clause.

Patron - Lewis

HB2343 Public School Security Equipment Grant Act of 2013. Requires the Virginia Public School Authority to issue bonds for the funding of matching grants to local public school divisions for the purchase and installation of security equipment in public schools. The security equipment must be designed to improve and help ensure the safety of students attending public schools in Virginia. The Authority cannot issue more than \$6 million in bonds in any fiscal year of the Commonwealth, and no more than an aggregate principal amount of \$30 million in bonds may be outstanding at any time under the program. A local school division would be eligible to receive up to \$100,000 in security equipment grants each fiscal year. Local school divisions would apply to the Department of Education for the grants, which would be awarded on a competitive basis. The local school division would be required to match 25 percent of the grant amount. The Superintendent of Public Instruction would be authorized to reduce the required match for local school divisions with a composite index of local ability-to-pay less than 0.2000. The provisions of the bill are made contingent upon funding in the general appropriation act.

Patron - Sherwood

HB2346 Yearly school lock-down drills, school safety audits, and school crisis, emergency management, and medical emergency response plans. Requires each school safety audit committee to conduct a school inspection walk-through using a standardized checklist and make the completed walk-through checklist available to the chief law-enforcement officer of the locality or his designee upon request. The bill requires the division superintendent to make the results of each school safety audit available to the chief law-enforcement officer of the locality and requires the local school board to provide copies of each school crisis, emergency management, and medical emergency response plan to the chief law-enforcement officer of the locality upon request. The bill also requires each school division to designate an emergency manager. The bill finally requires each public school to conduct at least two lock-down drills: one in September and one in January of each school year.

Patron - Ransone

SB846 Dual enrollment; certain community colleges. Requires Danville Community College, Patrick Henry Community College, Southside Virginia Community College, Virginia Western Community College, and Wytheville Community College, under the terms of their existing dual enrollment agreements, to develop policies to encourage greater dual enrollment in career and technical education courses when such courses are not at full capacity.

Patron - Stanley

SB893 Public schools; possession and administration of epinephrine. Adds employees of local governing bodies and employees of local health departments to the lists of individuals who are permitted to possess and administer epinephrine and not be held liable for civil damages when certain conditions are met. The bill also requires local school boards to include in policies for the possession and administration of epinephrine a provision adding any employee of a local governing body or an employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to administer the drug to any student believed to be having an anaphylactic reaction. This bill contains an emergency clause. This bill is identical to HB 1468.

Patron - Howell

SB899 Bumper stickers on school buses. Authorizes local school divisions to place decals on the rear of school buses noting that the buses stop at railroad crossings.

Patron - Reeves

SB936 Principals, assistant principals, and supervisors; reassignment. Changes the deadline for a school board to notify principals, assistant principals, or supervisors under continuing contract of their reassignment to teaching positions from April 15 to June 15. This bill is identical to HB 1388.

Patron - Smith

SB960 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 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 adult relative to make educational decisions regarding the child. The provisions of this bill will sunset on June 30, 2016.

Patron - Barker

SB986 Public schools; cardiopulmonary resuscitation and automated external defibrillators. Allows school boards to require current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR), and the use of automated external defibrillators (AEDs) for bus drivers; increases the number of staff required to have such training; and requires such training for those seeking initial teacher licensure, renewal of a license to teach, or a provisional teaching license, with a waiver for teachers with disabilities. For students, beginning with first-time ninth grade students in the 2016-2017 school year, the bill adds a requirement that recipients of the standard and advanced diplomas must receive training in emergency first aid, CPR, and the use of AEDs. The bill allows each local school board to develop a plan for the placement, care, use, and funding of an automated external defibrillator in each school. This bill is identical to HB 2028.

Patron - Stuart

SB1097 Deaf and hearing-impaired children; special education. Permits 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

SB1131 Charter schools; applications. Provides that charter school applications that are initiated by one or more local school boards are not subject to review by the Board of Education. This bill is identical to HB 2076.

Patron - McWaters

SB1167 Student growth indicators. Requires the Board of Education to develop student growth indicators by October 1, 2014, to be used in the accreditation of schools and the evaluation of teachers.

Patron - Barker

SB1171 Public schools; early intervention services for reading and mathematics. Adds kindergarten and grades one and two to the requirement that local school divisions provide early intervention services to students in grade three who demonstrate deficiencies based on their individual performance on diagnostic reading tests. The bill requires local school divisions to provide algebra readiness intervention services to students in grades six through nine who are at risk of failing the Algebra I end-of-course test as demonstrated by their individual performance on diagnostic tests. This bill is identical to HB 2068.

Patron - Blevins

SB1172 Standards of Quality; assignment of certain staff. Permits local school divisions that employ a sufficient number of librarians, guidance counselors, and school-based clerical personnel to meet the staffing requirements that are prescribed in Standard 2 of the Standards of Quality to assign librarians, guidance counselors, and school-based clerical personnel to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary. This bill is identical to HB 2066.

Patron - Blevins

SB1175 Teacher licensure; Teach For America license. Creates a two-year provisional license for participants in Teach For America, a nationwide nonprofit organization focused on closing the achievement gaps among students in low-income areas, who meet certain criteria, including having an offer of employment from a school division in the Commonwealth. The Board of Education may extend each Teach For America license for one additional year and may issue each licensee a renewable license upon completion of two full years of teaching experience, satisfaction of all other requirements for such a license, achievement of satisfactory scores on all professional teacher assessments required by the Board, and achievement of satisfactory end-of-year evaluations. The bill also provides for reciprocity to Teach For America teachers in other states upon satisfaction of certain conditions. This bill is identical to HB 2084.

Patron - Ruff

SB1185 Teacher performance; Strategic Compensation Grant Initiative created. Establishes the Strategic Compensation Grant Initiative and Fund, which provide that local school divisions may submit proposals to the Board of Education to receive grants that may be used as incentives to improve teacher and school performance. School divisions must include in their proposals a compensation model and designate groups or types of teachers to receive awarded funds. The bill sets forth eligibility requirements for teachers receiving funds. This bill is identical to HB 2083.

Patron - Vogel

SB1189 School boards; releases from state regulations. Requires any school board that has requested a release from certain state regulations to provide a description of how the release from the state regulation is designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The bill permits the Board of Education to grant and renew such releases for a period of up to five years. The bill also permits the Board of Education to grant local school boards waivers of specific staffing requirements that would permit the school board to assign instruc-

tional personnel to the schools with the greatest needs, provided that the local school board demonstrates that the waiver will increase the quality of instruction and improve the achievement of students in the affected school or schools.

Patron - Martin

SB1191 Participation in interscholastic programs; students residing on a military or naval reservation. Requires any student who resides on a military or naval reservation with military-owned housing located wholly or partly within the geographical boundaries of multiple school divisions to be deemed eligible for interscholastic programs immediately upon enrollment in a public elementary or secondary school in any of the aforementioned school divisions, provided that such persons (i) satisfy all other requirements for eligibility and (ii) are dependents of a military service member required by the military to live on the military installation as evidenced by a statement on command letterhead signed by, or by direction of, the service member's commanding officer. This bill is identical to HB 1750.

Patron - Martin

SB1194 Juvenile alleged to be truant; development of truancy plan. Provides that in cases in which a school attendance officer files a complaint alleging that a juvenile is a truant and the juvenile has not previously been proceeded against informally or adjudicated in need of supervision for failure to comply with compulsory school attendance laws, the intake officer may defer filing of a petition alleging that the child is in need of supervision for 90 days and proceed informally by implementing a truancy plan developed by a school-based multidisciplinary team, a locally based multidisciplinary team, the appropriate public agency, or an interagency interdisciplinary team. The provisions of this act shall not become effective unless reenacted by the 2014 Session of the General Assembly.

Patron - Alexander

SB1196 Board of Education; report to include information on school choice. Requires the Board of Education to include information regarding school choice in its annual report to the Governor and the General Assembly.

Patron - Locke

SB1201 Board of Education; regulations. Removes the requirement that the Board of Education promulgate regulations concerning the process for submitting proposals for the consolidation of school divisions and temporarily employed teachers. The bill also removes the requirement that the Board promulgate emergency regulations regarding division-level academic reviews.

Patron - McDougle

SB1207 Public schools; individual school performance grading system. Requires the Board of Education, by July 31, 2013, to approve student growth indicators for use in the accreditation of schools and the evaluation of teachers. The bill also defines "student growth" and requires the Board, by October 1, 2014, to report individual school performance using an A-to-F grading system that includes the standards of accreditation, state and federal accountability requirements, and student growth indicators. This bill is identical to HB 1999.

Patron - Stanley

SB1223 Public schools; evaluation policies and grievance procedures. Makes several changes to the processes by which teachers and certain administrators are evaluated. The bill requires teachers, assistant principals, and principals to be evaluated every year, either formally or informally, and such evaluations to include student academic prog-

ress as a significant component and an overall summative rating. The bill allows local school boards to increase from three years to five years the term of probationary service required before a teacher becomes eligible for a continuing contract.

The bill also changes the grievance procedure for teachers by giving local school boards the option to assign a grievance hearing to be heard by an impartial hearing officer designated by the local school board and by removing the option for a grievance to be heard in front of a fact-finding panel. The bill incorporates SB 935 and is identical to HB 2151.

Patron - Norment

SB1248 Career and technical education; High School to Work Partnerships. Directs the Board of Education to develop guidelines for the establishment of High School to Work Partnerships between public high schools and local businesses to create apprenticeships, internships, and job shadow programs in a variety of trades and skilled labor positions. The bill also provides that local school boards may encourage the local school division's career and technical education administrator to work with the guidance counselor office of each public high school to establish such partnerships. This bill is identical to HB 2101.

Patron - Black

SB1324 Opportunity Educational Institution and Board established. Creates the Opportunity Educational Institution to be administered and supervised by the Opportunity Educational Institution Board. The bill requires any school that has been denied accreditation and permits any school that has been accredited with warning for three consecutive years to be transferred to the Institution and remain in the Institution for five years or until the school achieves full accreditation. The bill also sets forth requirements for student attendance, staffing, and funding for the Institution.

Patron - McDougle

SB1345 Teacher licensure; renewal requirements. Requires the Board of Education to amend its regulations to require any individual licensed and endorsed to teach (i) middle school civics or economics or (ii) high school government or history who is seeking renewal of such license to demonstrate knowledge of Virginia history or state and local government by completing a module or professional development course specifically related to Virginia history or state and local government that has a value of five professional development points. This requirement applies for purposes of the individual's next or initial renewal occurring after July 1, 2014.

Patron - Petersen

Failed

HB1309 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 - Comstock

HB1310 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

HB1312 Board of Education; administration. Requires the Board of Education to adopt regulations providing for an additional testing period, to occur prior to March 1 of each year, for the administration of Standards of Learning assessments to students. Local school boards may elect to participate in such additional testing period. Any student who does not achieve a passing score during such additional testing period shall be permitted to retake the test during another a subsequent testing period.

Patron - Habeeb

HB1317 Board of Education; administration. Requires the Board of Education to adopt regulations providing for an additional testing period, to occur prior to March 1 of each year, for the administration of Standards of Learning assessments to students. Local school boards may elect to participate in such additional testing period. Any student who does not achieve a passing score during such additional testing period shall be permitted to retake the test during another testing period.

Patron - Habeeb

HB1319 Opening of the school year in certain school divisions. Authorizes the school boards of the City of Danville, 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

HB1321 Public schools; possession and administration of epinephrine. Requires local school boards to include in policies for the possession and administration of epinephrine a provision allowing any local health department employee approved by the local governing body to provide health services pursuant to § 22.1-274 who is authorized and trained in the administration of epinephrine to administer the drug to any student believed to be having an anaphylactic reaction.

Patron - Kory

HB1369 School bus stops; sex offenders. Provides that local school boards shall develop and implement policies for minimizing the number of school bus stops located within 500 feet of the residence of a registered sex offender and shall notify the parent of each student enrolled in the school division of any school bus stop located within 500 feet of such a residence.

Patron - Marshall, R.G.

HB1377 Care of students who have been diagnosed with diabetes. Requires the parents of any public school student who has been diagnosed with diabetes to designate in a diabetes care plan a delegated care aide to provide diabetes care for the student, including the administration of insulin and glucagon, when a school nurse or physician is not present in the school or at a school-sponsored activity. The bill also requires the delegated care aide to receive training in diabetes care and every school employee to receive basic training in responses to emergency situations. The bill further allows a student of suitable age and discretion to perform certain tasks in the management of his diabetes. The bill provides that no school board shall prohibit a student who has been diagnosed with diabetes from attending a school or a school-sponsored activity on the basis of his diabetes. The bill finally prohibits a school nurse or delegated care aide from being disciplined for ordinary negligence in acts or omissions made during the care of a student who has been diagnosed with diabetes. The bill contains technical amendments.

Patron - Cole

HB1442 Students receiving home instruction; 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 consecutive academic years; (iii) is in compliance with immunization requirements; (iv) is entitled to free tuition in a public school; (v) has not reached the age of 19 by August 1 of the current academic year; (vi) is an amateur who receives no compensation but participates solely for the educational, physical, mental, and social benefits of the activity; (vii) complies with all disciplinary rules and is subject to all codes of conduct applicable to all public high school athletes; and (viii) complies with all other rules governing awards, all-star games, maximum consecutive semesters of high school enrollment, parental consents, physical examinations, and transfers 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 July 1, 2018.

Patron - Bell, Robert B.

HB1467 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening day 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. The bill contains technical amendments.

Patron - Greason

HB1470 Public charter schools; costs and applications. Establishes that public charter schools are not required to pay the costs of necessary renovations to school facilities and clarifies that the negotiations between the public charter school and the local school board over the costs of operation and maintenance of school facilities shall occur after approval of the public charter school application. The bill also provides that the procedures for receiving, reviewing, and ruling upon charter school applications shall provide that (i) if any group or individual other than the school board or its members reviews a charter school application, that group or individual shall provide regular reports to the school board on the progress of the review and (ii) the local school board shall deliver its decision within 90 days of the submission of the application to the local school board for review. The bill additionally requires the Board of Education to establish guidelines containing best practices for receiving, reviewing, and ruling upon public charter school applications and to post the guidelines on its website and make a copy of the guidelines available to all interested parties upon request. The bill further requires the local school board to provide written notification of the reasons for its denial of a public charter school application without conditions or reservations or acceptance of a public school charter application with conditions or reservations. The satisfaction of conditions or reservations shall be deemed an application amended by negotiation, and such application shall be exempt from the procedures for petitions of reconsideration and subject to the process for reviewing applications pursuant to § 22.1-212.9. The bill finally requires the local school board to submit all documents to the Board of Education that the local school board used in its decision to deny the charter school application or revoke or fail to renew the charter agreement. The law previously required the local school board to submit documentation to the Board of Education as to the rationale for the denial or revocation of the charter school application.

Patron - Kory

HB1491 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening day 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. The bill contains technical amendments.

Patron - Kory

HB1498 School expulsions; reversal. Removes a provision prohibiting the reversal of a decision to expel a student on the grounds that certain enumerated factors were not considered.

Patron - Kory

HB1502 Virginia Index of Performance incentive program; raising the achievement of students in proficiency gap groups. Adds to the existing Virginia Index of Performance incentive program guidelines the requirement that the Board of Education recognize and reward all schools and school divisions that make significant progress toward raising the achievement of students in the English language learners subgroup, students with disabilities subgroup, economically disadvantaged students subgroup, African American students subgroup, or Hispanic students subgroup, identified pursuant to the Elementary and Secondary Education Act of 1965 (ESEA) while narrowing gaps in achievement among all student subgroups identified pursuant to ESEA. The bill also requires the Board of Education to take into account in its guidelines improvements of at least two letter grades from the previous school year in the English language learners subgroup, students with disabilities subgroup, economically disadvantaged students subgroup, African American students subgroup, or Hispanic students subgroup; higher than average participation in advanced testing in any such student subgroup; and an annual increase in the percentage of students in kindergarten through second grade, in any such student subgroup, who meet the benchmark on the Phonological Awareness Literacy Screening (PALS) assessment.

Patron - Krupicka

HB1503 Standards of Accreditation. Adds high school graduation rates, the college and career readiness of graduates, the rate of student academic progress in all student subgroups identified pursuant to the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended, and progress toward narrowing gaps in student proficiency on Standards of Learning assessments among all student subgroups to the list of special school division accomplishments that the Board of Education shall consider in its criteria for recognizing educational performance. The bill also requires the Board to establish a range of accreditation rankings to identify achievements, progress, and gaps in school performance and prohibits the Board from awarding a school the highest level of accreditation if any such student subgroup in the school fails to demonstrate proficiency on any Standards of Learning assessment. The bill finally alters the objectives of Standards of Learning Assessments. The bill contains technical amendments.

Patron - Krupicka

HB1504 Commonwealth Teaching Fellows Program established. Creates a Commonwealth Teaching Fellows Program in which the Board of Education or a local school division in conjunction with a Virginia college or university with an approved education preparation program may create and serve as Administrator of intensive programs of at least eight weeks in length to prepare career-switchers and recent college graduates who have not completed coursework in education to teach in areas including science, technology, engineering, and math (STEM) and critical teaching shortage areas in public elementary and secondary schools in the Commonwealth. The Administrator would assist Fellows to secure teaching positions. Any Fellow hired as a teacher by a local school division would be awarded a three-year provisional

license to teach, would receive such further training as the Board prescribes, and would have the opportunity to obtain a permanent license upon completion of three years of teaching.

Patron - Krupicka

HB1537 Student teachers and student teacher supervisors; fingerprinting, criminal history records check, and child abuse and neglect data. Requires any student teacher at an accredited public or private institution of higher education, as a condition of participation in a classroom teaching, internship, clinical, or field experience in a public elementary or secondary school or a private elementary or secondary school in the Commonwealth, to submit to fingerprinting and a criminal history records check. The bill provides that the governing board of the institution of higher education, the local school board, or the governing board of the private school may deny a student teacher or student teacher supervisor placement in an elementary or secondary school if the criminal history records check reveals that the student teacher or student teacher candidate has been convicted of a felony or Class 1 misdemeanor in the Commonwealth or an equivalent offense in another state. The bill further requires a student teacher or student teacher supervisor to provide the necessary personal information to conduct a search of the registry of founded complaints of child abuse and neglect in the Commonwealth and to obtain such information from other states if the student teacher has lived in another state in the past five years. The governing board of the institution of higher education, the local school board, or the governing board of the private school may deny a student teacher or student teacher supervisor placement in an elementary or secondary school if he is the subject of a founded case of child abuse or neglect.

Patron - Yost

HB1555 Virginia State Virtual School; created as school division. Establishes the Virginia State Virtual School as a statewide school division, to be supervised and administered by the Board of Education, for the delivery of full-time online educational programs and services to school-age persons in the Commonwealth. The bill also sets out procedures for (i) student enrollment, (ii) participation by multidivision online providers, and (iii) calculation of the state and local share of funding per participating student.

Patron - Bell, Richard P.

HB1556 Divisionwide ratios of students to teachers. Changes the ratio of students in average daily membership to full-time equivalent teaching positions from a divisionwide ratio to a schoolwide ratio.

Patron - Comstock

HB1596 Opening of the school year; alternative schedules in school divisions containing low-performing schools. Permits a division superintendent, with the approval of the local school board, to (i) set the academic calendar for any school within the local school division that has failed to achieve full accreditation status and (ii) set the academic calendar for the entire local school division if more than 15 percent of all public schools within the local school division have failed to achieve full accreditation status.

Patron - Stolle

HB1651 Unified Innovation Fund established. Consolidates funding for virtual school programs, charter schools, college partnership laboratory schools, and other innovative education projects by repealing the Public Charter School Fund and the College Partnership Laboratory School Fund and creating the Unified Innovation Fund to be disbursed by the Board

of Education for the award of grants to individuals and entities on a competitive basis to fund education innovation projects.

Patron - Krupicka

HB1673 Opening of the school year; alternative schedules in school divisions offering additional instruction time. Permits the Board of Education to waive the requirement for a school board to set the first day that students are required to attend school after Labor Day in any school division that is providing (i) a minimum of 190 days or 1,045 hours of instructional time for grades one through 12 and 190 days or 570 hours of instructional time for kindergarten or (ii) extensive and high-quality teacher collaboration, preparation, or professional development time as determined by the Board pursuant to regulation.

Patron - Krupicka

HB1674 Board of Education; releases from state regulations. Requires the Board of Education to grant to each public elementary or secondary school the same release granted to any charter school in the same local school division, and permits the respective local school board to apply such release to any school in the school division.

Patron - Bulova

HB1719 Concussion education, awareness, and management. Replaces the current requirements of Board of Education regarding policies on concussion in student-athletes and requires the Board to develop and deliver to each local school division and each local youth sports organization guidelines for developing a concussion education, awareness, and management plan to include (i) annual training for employees and coaches; (ii) information on concussions and consent forms to be sent to the parents of student-athletes and signed by the parents and, in some cases, by the student-athletes; (iii) procedures to be followed based on certain signs and symptoms manifested by student-athletes; and (iv) a return to play protocol.

Patron - Anderson

HB1730 Standards of Quality; full-time uniformed school resource officer. Requires each local school board to establish a collaborative agreement with local law-enforcement agencies to employ one full-time uniformed school resource officer in every school in the local school division.

Patron - Cole

HB1782 Policies on concussion in student-athletes. Requires local school divisions to provide to organizations sponsoring athletic activity for student-athletes on school property the Board of Education's guidelines on policies to inform and educate coaches, student-athletes, and their parents or guardians of the nature and risk of concussions, criteria for removal from and return to play, and risks of not reporting the injury and continuing to play.

Patron - Filler-Corn

HB1808 Virginia Public School Improvement Program. Creates the Virginia Public School Improvement Program to offer maximum 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; (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 - McQuinn

HB1827 Citizens Standards of Learning Review Board established. Creates the Citizens Standards of Learning Review Board to independently review the Standards of Learning established by the Board of Education as often as the Board of Education reviews the Standards pursuant to § 22.1-253.13:1 and as often as the Citizens Standards of Learning Review Board determines that a review is necessary.

Patron - Lingamfelter

HB1867 Expulsion of students for certain drug offenses. Permits local school boards to consider for expulsion from school attendance students determined to have brought certain drugs onto school property or to a school-sponsored activity. Under current law, expulsion is mandatory under such scenarios unless the school board determines that special circumstances exist and that another disciplinary action is appropriate. The bill further permits a school administrator to consider certain special circumstances and the facts of such a case and determine that no disciplinary action or another disciplinary action is appropriate but also permits the school board to require a school administrator to refer such a case to the school board.

Patron - Robinson

HB1880 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening day 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. The bill contains technical amendments.

Patron - Morrissey

HB1894 Public school programs; opening of the school day. Requires local school boards to set the daily school calendar so that programs of instruction and school activities shall start no earlier than 8:00 a.m.

Patron - Kory

HB1915 Access to electronic textbooks. Prohibits school boards from making electronic textbooks available for use by students in their residence or residences unless the school board implements measures to ensure that every student in the local school division has access to a personal computing device approved by the Board and access to Internet service in his residence or residences. The bill permits a local school board to establish a pilot program for the use of electronic textbooks at any secondary school in the local school division provided that (i) each student at the secondary school has access to a personal computing device approved by the Board and access to Internet service in his residence or residences and (ii) the secondary school is receiving federal funds pursuant to Title I of the federal Elementary and Secondary Education Act of

1965, P.L. 89-10, as amended, or no more than 5% of the students in the local school division or 300 children, whichever is greater, participate in the pilot program.

Patron - Surovell

HB1926 Selection of local school boards; school board selection commissions. Abolishes school board selection commissions in school divisions composed of a single county and gives the county governing body all powers and duties previously held by the school board selection commission, including selection of the school board. The bill also eliminates, in single-county school divisions, referendums as a method of authorizing school board appointment by the county governing body or abolishing the school board selection commission. The bill finally specifies that the appointment of a tie breaker by an elected school board shall be made at the annual organizational meeting of the school board.

Patron - Morris

HB1970 Exemplary Teacher Grant Fund established. Creates the Exemplary Teacher Grant Fund to award grants on a competitive basis to any exemplary teacher in a public elementary or secondary school who subsequently accepts an offer for employment in a critical teaching shortage area as defined in the Board of Education's Regulations Governing the Determination of Critical Teacher Shortage Areas. The bill requires any exemplary teacher applying for a grant from the Fund to (i) agree to a three-year employment contract in the critical teacher shortage area, (ii) develop a program for mentoring other teachers in the school in which the exemplary teacher is employed, and (iii) serve as a mentor in the mentoring program that he develops.

Patron - Yancey

HB1971 STEM Summer Learning Center Fund established. Creates the STEM Summer Learning Center Fund to award competitive grants to local school divisions to train public high school teachers in STEM education and project-based learning and to provide teachers with skills to conduct workshops to engage public high school students in hands-on, project-based learning in science, technology, engineering, and mathematics.

Patron - Yancey

HB1972 Advanced and Precision Manufacturing Education Fund established. Creates the Advanced and Precision Manufacturing Education Fund to award grants on a competitive basis to public high schools to establish programs of training and education to prepare students for science, technology, engineering, or mathematics (STEM) careers in the fields of advanced and precision manufacturing.

Patron - Yancey

HB2060 Juvenile alleged to be truant; development of truancy plan. Provides that in cases in which a school attendance officer files a complaint alleging that a juvenile is a truant and the juvenile has not previously been proceeded against informally or adjudicated in need of supervision for failure to comply with compulsory school attendance laws, the intake officer shall defer filing of a petition alleging that the child is in need of supervision for 90 days and shall refer the child to the family assessment and planning team for development of a truancy plan. If the juvenile or his parent, guardian, or other person standing in loco parentis refuses to participate in the truancy plan, or if at the end of the 90-day period the child has failed to comply with the truancy plan, the intake officer shall file a petition alleging that the child is in need of supervision.

Patron - Yancey

HB2094 Public schools; Virginia Longitudinal Data System established. Requires the Board of Education to establish the Virginia Longitudinal Data System to track and examine student progress from early childhood to postsecondary education to the student entering the workforce. The bill also establishes the Virginia Longitudinal Data System Advisory Council to advise the Board of Education on all matters related to the Virginia Longitudinal Data System.

Patron - Watson

HB2096 Opportunity Educational Institution established. Creates the Opportunity Educational Institution to be administered and supervised by the Opportunity Educational Institution Board. The bill requires any school that has been denied accreditation and permits any school that has been accredited with warning for three consecutive years to be transferred to the Institution and remain in the Institution for five years or until the school achieves full accreditation. The bill also sets forth requirements for student attendance, staffing, and funding for the Institution.

Patron - Habeeb

HB2164 Unexpended or unencumbered local school and educational funds. Requires all moneys derived from local funds unencumbered in any year in any school division to be available for use the next year by the governing body that appropriated the funds. Under current law, only moneys derived from local funds unexpended in any year are required to be available for use the next year by the governing body that appropriated the funds.

Patron - Morris

HB2171 School safety audits; school crisis, emergency management, and medical emergency response plans. Requires each local school board to conduct a school safety audit and review its school crisis, emergency management, and medical emergency response plans bimonthly. Under current law, each local school board is required to complete such tasks annually.

Patron - McQuinn

HB2199 Public schools; Standards of Learning tests. Directs the Board of Education to promulgate regulations to increase the number of students and the number of grade levels that are eligible for an expedited retake of an end-of-course Standards of Learning test.

Patron - Filler-Corn

HB2201 Public school buildings; carbon monoxide detectors. Directs the Board of Education to include in its regulations a provision requiring that all new construction of, additions to, and alterations of public school buildings include the installation of at least one carbon monoxide detector.

Patron - Filler-Corn

HB2286 Elementary and secondary schools; electronic textbooks. Specifies that a local school board's contracts and purchase orders with publishers of textbooks approved by the Board for use in kindergarten through grade 12 shall allow for the purchase of printed textbooks, printed textbooks with electronic files, or electronic textbooks separate and apart from printed versions of the same textbook. Under current law, contracts and purchase orders for textbooks in these three forms is only permitted for textbooks to be used in grades six through 12. The bill also specifies that if a local school board decides to purchase an electronic textbook, it shall provide it to each student free of charge. The bill finally requires the Board, in conjunction with the Center for Innovative Technology, to annually report to the General Assembly on the level of broadband connectivity of each local school divi-

sion as well as the level of computer ownership and access to broadband services for each student and make the data available through the Commonwealth's broadband connectivity map for the purpose of aiding each local school board in its decision to purchase electronic textbooks.

Patron - Kory

HB2287 Local school boards; mental health first aid training plan. Requires each local school board, in conjunction with a local community services board located in the local school division, to seek to complete development of a mental health first aid training plan by July 1, 2014, whereby each teacher in the local school division would be required to participate in a 12-hour interactive course initially provided by community services board staff members on the risk factors, warning signs, symptoms, and treatment of depression, anxiety disorders, trauma, psychotic disorders, eating disorders, and substance use disorders.

Patron - Krupicka

HB2337 Public schools; school crisis, emergency management, and medical emergency response plans; parent involvement. Directs each local school board to hold and require the parents of each student in the local school division to attend an informational session no later than August 31 of each year at which the school board shall distribute and present an overview of the school crisis, emergency management, and medical emergency response plan. The bill requires each parent to sign a form to certify that he attended the informational session and received a copy of the plan.

Patron - Kory

HB2339 Department of Education; character education program. Requires the Board of Education to identify, in establishing criteria for character education programs, core objective moral values that apply to all mankind. The bill also permits school boards to include objective values as a basic character trait taught in character education programs.

Patron - Marshall, R.G.

SB782 Standards of Accreditation. Adds high school graduation rates, the rate of student academic progress in all student subgroups identified pursuant to the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended, and progress toward narrowing gaps in student proficiency on Standards of Learning assessments among all student subgroups to the list of special school division accomplishments that the Board of Education shall consider in its criteria for recognizing educational performance. The bill also prohibits the Board from identifying a school as fully accredited if any such student subgroup in the school fails to demonstrate proficiency on any Standards of Learning assessment. The bill finally alters the objectives of Standards of Learning Assessments. The bill contains technical amendments.

Patron - McEachin

SB792 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 or is attending a private school that does not offer the interscholastic program in which the student wishes to participate; (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 ath-

letes; 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 this Bill will expire on June 30, 2018.

Patron - Garrett

SB812 Students receiving home instruction; 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 consecutive academic years; (iii) is in compliance with immunization requirements; (iv) is entitled to free tuition in a public school; (v) has not reached the age of 19 by August 1 of the current academic year; (vi) is an amateur who receives no compensation but participates solely for the educational, physical, mental, and social benefits of the activity; (vii) complies with all disciplinary rules and is subject to all codes of conduct applicable to all public high school athletes; and (viii) complies with all other rules governing awards, all-star games, maximum consecutive semesters of high school enrollment, parental consents, physical examinations, and transfers applicable to all high school athletes. The bill allows such students to be charged reasonable fees for participation.

Patron - Garrett

SB900 Sale of commercial advertising space on school buses and real property. Permits a school board to sell advertising space on the exterior of school buses and real property with certain limitations. The limitations include requirements for the size and placement of advertisements on buses and prohibitions on any political, religious, or age-inappropriate advertisement. The bill requires the board to devote revenue from bus advertisements to the costs of transporting students and revenue from real property advertisements to the costs of constructing and maintaining school buildings.

Patron - Reeves

SB934 Charter schools; personnel. Allows public charter schools to designate in their application whether their employees will participate in the Virginia Retirement System. The bill directs the Board of Trustees of the Virginia Retirement System to develop procedures allowing school boards who approve such applications to exempt the charter school employees from participation. The bill also (i) requires at least 75 percent of public charter elementary school teachers to be licensed and at least 50 percent of public charter middle and high school teachers to be licensed and (ii) specifies that all teachers otherwise be "highly qualified," as defined by the federal Elementary and Secondary Education Act.

Patron - Obenshain

SB935 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, principals, and supervisors who have not achieved continuing contract status prior to the 2014-2015 school year may be eligible for three-year term contracts. Under the bill, 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 2014-2015 school year will retain their continuing contract status. Teachers, assistant principals, and principals with continuing 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, 2014. The bill was incorporated into SB 1223.

Patron - Obenshain

SB940 School resource officers; local law-enforcement agencies to provide. Requires every school board throughout the Commonwealth to coordinate with the local law-enforcement agency to provide at least one school resource officer for every public elementary, middle, and high school within the local school division. The bill provides that funding for these school resource officers shall be provided through the general appropriation act and not by any locality or school board.

Patron - Stuart

SB951 Student and school employee conduct; bullying. Defines the term "bullying" and requires school boards to prohibit students and school employees from engaging in any act of bullying. The bill also requires local school boards to implement policies and procedures for reporting, investigating, and addressing acts of bullying by July 1, 2014. The bill contains technical amendments.

Patron - Favola

SB955 Public schools; teacher licensure. Directs the Board of Education to establish criteria in its regulations governing licensure that exempts any person seeking initial licensure from coursework and professional teacher's assessment requirements if such person graduated with a baccalaureate degree in science, technology, engineering, or mathematics in the top 10 percent of his graduating class from a regionally accredited institution of higher education.

Patron - Ruff

SB993 Public schools; physical activity requirement. Requires at least 30 minutes of physical activity per day during the regular school year for students in grades kindergarten through eight. This requirement becomes effective beginning with the 2015-2016 school year.

Patron - Miller

SB998 Virginia Public School Improvement Program. Creates the Virginia Public School Improvement Program to offer maximum 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; (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 implement-

ing the Program in the school division and provide technical assistance to school boards upon request.

Patron - Marsh

FSB999 **Temporarily employed teachers.** Provides that no school board shall hire temporarily employed or unlicensed teachers to fill vacancies at the elementary grade levels or in the core subjects of English, mathematics, science, and history and social studies at the middle and high school grade levels in a manner that results in the staffing of elementary grade levels or core subject areas with a majority of temporarily employed or unlicensed teachers or shall employ such teachers for consecutive or alternating teaching assignments for more than 90 teaching days in the same class during a school year.

Patron - Marsh

FSB1069 **Public schools; Virginia Longitudinal Data System established.** Requires the Board of Education to establish the Virginia Longitudinal Data System to track and examine student progress from early childhood to postsecondary education to the student entering the workforce. The bill also establishes the Virginia Longitudinal Data System Advisory Council to advise the Board of Education on all matters related to the Virginia Longitudinal Data System. The provisions of the bill are contingent upon funding in a general appropriation act passed by the 2013 Session of the General Assembly.

Patron - Carrico

FSB1099 **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 - Smith

FSB1151 **Virginia Student Achievement Fund; established.** Establishes the Virginia Student Achievement Fund that shall be used solely for the purposes of awarding grants on a competitive basis to any local school division or other qualified entity to fund student achievement improvement initiatives. At least 50 percent of the annual funds shall be granted to local school divisions or other qualified entities applying for funds for initiatives aimed at closing student achievement gaps among local school divisions, individual schools, and among all student subgroups identified pursuant to the federal Elementary and Secondary Education Act of 1965. The provisions of the bill are contingent upon funding in a general appropriation act passed by the 2013 Session of the General Assembly.

Patron - Barker

FSB1153 **Public schools; kindergarten instructional time.** Directs the Board of Education to promulgate regulations, by July 1, 2015, establishing standards for accreditation that include a requirement that the standard school day for students in kindergarten must average at least 5.5 instructional hours in order to qualify for full accreditation. The bill has a delayed effective date of July 1, 2015.

Patron - Barker

FSB1156 **Teacher compensation; goal.** States that it is a goal of the Commonwealth that its public school teachers be compensated at a rate that is competitive with the national average teacher salary.

Patron - Barker

FSB1158 **Public schools; Standards of Learning assessments.** Requires the Board of Education to promulgate regulations authorizing local school divisions to determine the date for administering Standards of Learning assessments.

Patron - Barker

FSB1162 **Public schools; Standards of Learning tests.** Directs the Board of Education to promulgate regulations to provide the same criteria for eligibility for an expedited retake of any Standards of Learning test to each student regardless of grade level or course.

Patron - Barker

FSB1240 **School resource officers; local law-enforcement agencies to provide.** Requires every school board throughout the Commonwealth to coordinate with the local law-enforcement agency to provide at least one school resource officer for every public elementary school within the district. The bill provides that funding for these school resource officers shall be provided through the general appropriation act and not by any locality or school board.

Patron - Deeds

FSB1252 **Policies on concussions in student-athletes.** Requires each non-interscholastic youth sports program utilizing public school property to establish policies and procedures based on either the local school division's guidelines or the Board of Education's guidelines regarding the identification and handling of suspected concussions in student-athletes. The bill also directs the Board of Education to review and revise the Board's guidelines on concussions as necessary.

Patron - Northam

FSB1300 **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. 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.

Patron - Barker

FSB1326 **Public schools; policies on concussion prevention.** Requires the Board of Education to develop and distribute to local school divisions by July 1, 2014, guidelines for policies limiting the amount of contact experienced by student-athletes playing contact sports and requires each local school division to develop policies and procedures regarding the same, including a limitation on the amount of contact practices allowed per week for student-athletes playing football.

Patron - Marsden

FSB1354 **Virtual school programs; regulations.** That the Board of Education shall promulgate regulations requiring (i) any enrollment form for full-time virtual school programs to include an opportunity for the parents of nonresident students to provide the reason or reasons for wanting to enroll in the full-time virtual program and (ii) reporting to the Department of Education the number of and resident school divisions of nonresident students who are enrolled in full-time virtual school programs and any responses given on enrollment forms regarding the reasoning behind enrollment.

Patron - Ebbin

FSB1364 **Standards of Quality; waivers from third grade Standards of Learning assessments.** Requires the Board of Education to grant a two-year waiver from the science and the history and social science Standards of Learning assessment requirement for third grade students in certain schools and requires elementary schools that have been granted a two-year waiver to use the additional instruction time for study in reading and mathematics. The bill also directs the

Board to study the effect of the two-year waivers on student achievement in reading and mathematics.

Patron - Miller

FSB1374 Schools that have been denied accreditation and fail to make progress toward accreditation; turnaround specialist. Requires local school boards, when a school has been denied accreditation and has failed to make satisfactory progress toward full accreditation, to implement meaningful interventions designed to improve academic achievements. The interventions shall be provided in an agreement between the Board of Education and the local school board and shall be consistent with the following principals: (i) reviewing the performance of the current principal and either (a) replacing the principal if such a change is necessary to ensure strong and effective leadership or (b) demonstrating to the Board that the current principal has a track record in improving achievement and has the ability to lead the turnaround effort; (ii) providing the principal with operational flexibility in the areas of scheduling, staff, curriculum, and budget; (iii) reviewing the quality of all staff and retaining only those who are determined to be effective and have the ability to be successful in the turnaround effort; (iv) providing ongoing professional development informed by the teacher evaluation and support systems and tied to teacher and student needs; (v) redesigning the school day, week, or year, as deemed necessary, to include additional time for student learning and teacher collaboration; (vi) strengthening the school's instructional program based on students' needs and ensuring that the instructional program is research-based, rigorous, and aligned with state academic content standards; (vii) using data to inform instruction and for continuous improvement, including by providing time for collaboration on the use of data; (viii) establishing a school environment that improves school safety and discipline and addressing other non-academic factors that impact student achievement, such as students' social, emotional, and health needs; and (ix) providing ongoing mechanisms for family and community engagement. In addition, the bill requires the Board to appoint an experienced external educational consultant to work with the local school board and principal in implementing the interventions. The Board shall determine whether additional state or local resources are necessary to implement the interventions. In lieu of implementing these interventions, the local school board may convert the school or close it and reopen it as a charter school or under an education management organization.

Patron - Alexander

Educational Institutions

Passed

PHB1461 Eligibility for in-state tuition charges; military. Clarifies eligibility for in-state tuition of current and former military personnel and their dependents. The bill also grants eligibility for in-state tuition charges to veterans residing within the Commonwealth. This bill is identical to SB 1242.

Patron - Lingamfelter

PHB1609 Higher education; mental health treatment coordination. Requires the governing board of each public four-year institution of higher education to establish a written memorandum of understanding with its local community services board or behavioral health authority and with local hospitals and other local mental health facilities in order

to expand the scope of services available to students seeking treatment. The bill requires each public four-year institution of higher education to 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. The bill requires the memorandums to 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 - Hugo

PHB1617 Higher education; student organizations. Permits, to the extent allowed by law, religious or political student organizations at public institutions of higher education to determine that only persons committed to the organization's mission may conduct certain activities. The bill also prohibits, to the extent allowed by law, public institutions of higher education from discriminating against a student organization that makes such a determination. This bill is identical to SB 1074.

Patron - Gilbert

PHB1767 Grants for donation of machinery and equipment to certain schools; fund established. Establishes a fund for a grant program for business donations of new machinery and equipment, purchased within the last 12 months by the business, to Virginia's community colleges and vocational schools. The machinery and equipment are to be principally used in Virginia in teaching or training students of the donee community college or vocational school, and the recipient community college or school must certify that the machinery or equipment was needed. The grant would equal 20 percent of the purchase price paid by the business for the machinery and equipment. However, a business would not be allowed more than an aggregate of \$5,000 of grants in any year for such donations. The bill is contingent upon funding in a general appropriation act passed by the 2013 Session of the General Assembly, which becomes law.

Patron - Watson

PHB1952 Boards of visitors of public institutions of higher education; public access to information and governance. Adds specific topics to be covered during the educational programs for governing boards and requires such programs to be delivered by the State Council of Higher Education annually. The bill also requires each board of visitors to adopt bylaws with certain provisions relating to the Freedom of Information Act; annually meet with the president of the institution to deliver a review of the president's performance; designate its executive committee to organize the working processes of the board and recommend best practices for board governance; and annually deliver an executive summary of its interim activities to the General Assembly and the Governor.

Patron - Landes

PHB2027 In-state tuition; active duty members. Allows any active duty member, activated guard or reservist member, or guard or reservist member mobilized or on temporary active orders for six months or more to pay no more than the in-state tuition rate to attend a public institution of higher education if he resides in Virginia. Currently, such an individual is required to be stationed or assigned to work in Virginia and reside in Virginia to receive the rate of no more than in-state tuition.

Patron - Dudenhefer

PHB2057 Public institutions of higher education; memoranda of understanding. Clarifies the procedure for adopting new measures to be followed by institutions of higher

education that seek to enter into memoranda of understanding for additional operational authority.

Patron - Jones

HB2088 Postsecondary schools; student records and closures. Provides that in the event of a postsecondary school closure, the school shall transfer the academic and financial records of its students to the State Council of Higher Education for Virginia or enter an agreement with another school to preserve such records. The bill also requires that a closing school develop and submit to the Council a "teachout plan," which is a written agreement between or among postsecondary schools that provides for the equitable treatment of students if one of those institutions stops offering an educational program before all students enrolled in that program complete the program. The bill finally requires the Council to deny owners certification to operate another postsecondary school in the Commonwealth if the owner does not provide an adequate teachout plan or adequate preservation of records.

Patron - Tata

HB2127 Board of the Virginia College Savings Plan; elected positions. Eliminates the position of secretary from the Board of the Virginia College Savings Plan. The bill also changes the time frame for the election of Board positions from each calendar year to annually. The bill contains technical amendments. This bill is identical to SB 1221.

Patron - O'Bannon

HB2231 Virginia Military Survivors and Dependents Education Fund; amount of financial assistance. Specifies that qualified survivors and dependents are eligible for financial assistance from the Virginia Military Survivors and Dependents Education Fund in an amount up to \$2,000 or as provided in the appropriation act for board and room charges, books and supplies, and other expenses at any public institution of higher education or other public accredited postsecondary institution granting a degree, diploma, or certificate in the Commonwealth. The bill is contingent upon funding in the general appropriation act adopted by the 2013 Session of the General Assembly, which becomes law.

Patron - Rush

HB2249 Management agreement between the Commonwealth and College of William and Mary; responsibilities of Building Official. Removes the responsibility for building code compliance at Richard Bland College from the designated Building Official at the College of William and Mary. This bill is identical to SB 912.

Patron - Cox, M.K.

HB2311 State Council of Higher Education for Virginia. Changes the State Council of Higher Education by (i) expanding its purpose, (ii) altering its membership and setting forth the qualifications of appointees, (iii) requiring the presidents of the public institutions of higher education in the Commonwealth to present information and comment on issues of common interest at each meeting of the Council, and (iv) permitting the Council to involve other groups in its meeting agendas.

Patron - Cox, M.K.

HB2322 State Board for Community Colleges; mental health policies. Requires the State Board for Community Colleges to develop a mental health referral policy that would require community colleges to designate at least one individual at each college to serve as a point of contact with an emergency services system clinician at a local community services board, or another qualified mental health services provider, for screenings and referrals of students who may have

emergency or urgent mental health needs. This bill is identical to SB 1078.

Patron - Surovell

HB2344 School safety; threat assessment teams and oversight committees. Requires local school divisions to establish policies and procedures for the establishment of threat assessment teams in each school, to be overseen by a division-level committee. The bill requires each threat assessment team to (i) provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community; (ii) identify members of the school community to whom threatening behavior should be reported; and (iii) develop policies and procedures for the assessment of individuals whose behavior may present a threat, appropriate means of intervention with such individuals, and sufficient means of action to resolve potential threats. The bill requires threat assessment teams to report to the division superintendent upon a preliminary determination that an individual poses a threat of violence to self or others; the superintendent is then permitted to obtain that individual's criminal history record information and health information.

Patron - Cole

SB857 Higher education; in-state tuition for military dependents. Expands eligibility for in-state tuition to certain dependents of active duty military personnel, or activated or temporarily mobilized reservists or guard members, who are either (i) assigned unaccompanied orders and immediately prior to receiving such unaccompanied orders were assigned to a permanent duty station or workplace geographically located in Virginia, or in a state contiguous to Virginia or the District of Columbia, and resided in Virginia or (ii) assigned unaccompanied orders with Virginia listed as the designated place move.

Patron - Blevins

SB912 Management agreement between the Commonwealth and the College of William and Mary; responsibilities of building official. Removes the responsibility for building code compliance at Richard Bland College from the designated building official at the College of William and Mary. This bill is identical to HB 2249.

Patron - Ruff

SB1074 Higher education; student organizations. Permits, to the extent allowed by law, religious or political student organizations at public institutions of higher education to determine that only persons committed to the organization's mission may conduct certain activities. The bill also prohibits, to the extent allowed by law, public institutions of higher education from discriminating against a student organization that makes such a determination. This bill is identical to HB 1617.

Patron - Obenshain

SB1078 State Board for Community Colleges; mental health policies. Requires the State Board for Community Colleges to develop a mental health referral policy that would require community colleges to designate at least one individual at each college to serve as a point of contact with an emergency services system clinician at a local community services board, or another qualified mental health services provider, for screenings and referrals of students who may have emergency or urgent mental health needs. This bill is identical to HB 2322.

Patron - Barker

SB1221 Board of the Virginia College Savings Plan; elected positions. Eliminates the position of secretary from the Board of the Virginia College Savings Plan. The bill also changes the time frame for the election of Board positions from

each calendar year to annually. The bill contains technical amendments. This bill is identical to HB 2127.

Patron - Norment

SB1242 Eligibility for in-state tuition charges; military. Clarifies eligibility for in-state tuition of current and former military personnel and their dependents. The bill also grants eligibility for in-state tuition charges to veterans residing within the Commonwealth. This bill is identical to HB 1461.

Patron - Stuart

SB1330 Eastern Virginia Medical School; board of visitors. Reduces the minimum number of required meetings of the Board of Visitors of the Eastern Virginia Medical School from six per year to four per year.

Patron - Northam

SB1333 Jamestown-Yorktown Foundation; membership. Authorizes the Senate Committee on Rules to determine if the Chairman of the Senate Finance Committee or the Chairman Emeritus of the Senate Finance Committee will serve on the Jamestown-Yorktown Foundation Board of Trustees. Currently, the Chairman must serve.

Patron - Norment

SB1342 Higher education; mental health treatment coordination. Provides that the governing board of each public four-year institution of higher education may establish written memoranda of understanding with its local community services board or behavioral health authority and with local hospitals and other local mental health facilities in order to expand the scope of services available to students seeking treatment. The bill requires each memorandum to designate a contact person to be notified when a student is involuntarily committed or when a student is discharged from a facility and consents to such notification. The bill also requires each memorandum to include the institution 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

Failed

HB1389 Higher education; allocation of in-state undergraduate tuition and state funds. Requires the board of visitors or other governing body of every public institution of higher education to ensure that all funds received from in-state undergraduate tuition are dedicated to the purpose of undergraduate education, that 65 percent of such funds are dedicated to undergraduate instructional expenses, and that 65 percent of all funds received from the Commonwealth for the education and general programs of instruction, academic support, student services, institutional support, and operation and maintenance of the physical plant are dedicated to undergraduate instructional expenses.

Patron - Ramadan

HB1490 In-state tuition; Deferred Action for Childhood Arrivals. Establishes that a student shall be eligible for in-state tuition if he meets the following criteria: (i) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth, (ii) he has resided in the Commonwealth for at least one year immediately preceding his registration as an entering student in a public institution of higher education in the Commonwealth, and (iii) he has pro-

vided an affidavit to the public institution of higher education for which he has registered stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security.

Patron - Kory

HB1496 Senior citizens; reduced tuition for attendance at public institutions of higher education in the Commonwealth. Permits a senior citizen whose taxable income exceeded \$15,000 in the year preceding the year in which enrollment is sought to pay reduced tuition at a rate of 25 percent of the total cost for enrollment in courses as a full-time or part-time student for academic credit at a public institution of higher education in the Commonwealth if total student enrollment for the course or courses in which the senior citizen seeks enrollment has not reached 75 percent of the maximum course capacity as of the first day of the academic term. Current law waives tuition for senior citizens whose taxable income was \$15,000 or less in the year preceding the year in which enrollment is sought.

Patron - Stolle

HB1525 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 (i) entered and began residing in the United States prior to his sixteenth birthday; (ii) has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) has registered as an entering student in a public institution of higher education in the Commonwealth; (iv) has resided in the Commonwealth for at least five years immediately preceding his registration as an entering student in an institution of higher education in the Commonwealth; (v) has provided an affidavit to the institution stating that he has filed an application to become a permanent resident of the United States, is actively pursuing such permanent residency or will do so as soon as he is eligible, and that no grounds exist for the denial of such permanent residency; and (vi) 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 one year prior to the date of enrollment.

Patron - Rust

HB1543 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 additional eligibility requirements for the Two-Year College Transfer Grant Program remain the same.

Patron - Tata

HB1605 Admission of students domiciled in Virginia 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 by the start of the 2018-2019 academic year, at least 75 percent of students admitted and enrolled at the institution are domiciled in Virginia.

Patron - Hugo

HB1700 Admission of students domiciled in Virginia 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 the Virginia Military Institute, Norfolk State University, and Virginia State University, must establish rules and regulations requiring that by the start of the 2018-2019 academic year, at least 75 percent of students admitted and enrolled at the institution are domiciled in Virginia.

Patron - Comstock

HB1777 Virginia Open Education Resources Council and Virginia Digital Open Source Textbook Library. Establishes the Virginia Open Education Resources Council to (i) identify and acquire digital open source textbooks to be used in 50 undergraduate courses in public institutions of higher education in the Commonwealth and (ii) develop the Virginia Digital Open Source Textbook Library as the digital repository of such open source textbooks. The Council shall be staffed by one faculty member from each public institution of higher education in the Commonwealth.

Patron - Filler-Corn

HB1875 Boards of visitors and the State Board for Community Colleges; faculty member. Adds one faculty member to the board of visitors of each public institution of higher education and of the State Board for Community Colleges to be appointed by the other members of the board for a four-year term after election by the respective institution's faculty senate. The faculty member has voting privileges. Currently, each board of visitors and the State Board for Community Colleges may appoint one or more nonvoting advisory faculty members for a term of at least one year from a list of individuals elected by the respective institution's faculty senate. The bill contains technical amendments.

Patron - McClellan

HB1881 University of Virginia Board of Visitors; composition. Adds two members to the University of Virginia Board of Visitors: one member of the faculty senate, nominated by the faculty senate and approved by the remainder of the board, and one currently enrolled student, nominated by the dean of students and approved by the remainder of the board.

Patron - Morrissey

HB1934 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 the Commonwealth; (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) he has registered as an entering student in an institution of higher education in the Commonwealth; (iv) he has resided in the Commonwealth for at least three years immediately preceding his registration as an entering student in an institution of higher education in the Commonwealth or for one year if he is a veteran or an active duty member of the United States armed forces; (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

HB1940 Faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors; student representatives to boards of visitors. Requires the State Board for Community Colleges, local community college boards, and boards of visitors of any four-year public institution of higher education to appoint one or more nonvoting, advisory faculty representatives to their respective boards. Current law permits, but does not require, such appointments. The bill removes the option for local community college boards and boards of visitors to choose faculty representatives from individuals elected by the institution's faculty. The bill further requires boards of visitors to choose nonvoting, advisory student representatives from individuals elected by the institution's student government or student body.

Patron - Landes

HB1976 Virginia Commission on Higher Education Board Appointments. Clarifies that the Virginia Commission on Higher Education Board Appointments is required to evaluate potential appointees to higher education governing boards and to make recommendations to the Governor. Currently, these actions are considered powers and duties of the Commission and the Commission only makes recommendations upon the request of the Governor. The bill also requires the Commission to consider each list of qualified persons submitted to the Governor by the alumni association of any public institution of higher education.

Patron - Toscano

HB1978 University of Virginia Board of Visitors; composition and quorum. Requires at least one member of the University of Virginia Board of Visitors to have administrative experience at an institution of higher education or have experience as a professor in the study of higher education. The bill also requires the board of visitors to appoint a faculty representative to serve in a nonvoting advisory capacity. The bill changes the number of board members that constitutes a quorum from five members to a majority of members. Finally, the bill removes the requirement that the vice-rector automatically succeeds the rector upon expiration of the rector's term.

Patron - Toscano

HB2159 In-state tuition; Deferred Action for Childhood Arrivals. Establishes that a student shall be eligible for in-state tuition if (i) he has provided an affidavit to the public institution of higher education for which he has registered stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security, (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth, (iii) he has resided in the Commonwealth for at least three years immediately preceding his registration as an entering student in a public institution of higher education in the Commonwealth, and (iv) 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

SB856 Boards of visitors; rectors and terms. Requires members of boards of visitors of four-year public institutions of higher education to have served four years on the board prior to being elected or appointed rector. The bill stipulates that such rectors shall serve four-year terms. The bill also changes the terms of all visitors from four years to six years. The bill contains technical amendments.

Patron - Petersen

SB1085 Virginia Commission on Higher Education Board Appointments. Clarifies that the Virginia Commission on Higher Education Board Appointments is required to evaluate potential appointees to higher education governing boards and to make recommendations to the Governor. Currently, these actions are considered powers and duties of the Commission and the Commission only makes recommendations upon the request of the Governor. The bill also requires the Commission to consider each list of qualified persons submitted to the Governor by the alumni association of any public institution of higher education.

Patron - Deeds

SB1086 University of Virginia Board of Visitors; quorum. Changes the number of board members that constitutes a quorum from five members to a majority of members.

Patron - Deeds

SB1087 The University of Virginia; board of visitors. Changes the composition of the Board of Visitors of the University of Virginia from 17 visitors appointed by the Governor to 13 visitors appointed by the Governor and four visitors directly elected by the alumni of the University of Virginia.

Patron - Edwards

SB1090 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 the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) he has registered as an entering student in a public institution of higher education in the Commonwealth; (iv) he has resided in the Commonwealth for at least three years immediately preceding his registration as an entering student in an institution of higher education in the Commonwealth or for at least one year if he is a veteran or an active duty member of the United States armed forces; (v) he has provided an affidavit to the institution stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security; 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. The bill incorporates SB 1233.

Patron - McEachin

SB1098 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 additional eligibility requirements for the Two-Year College Transfer Grant Program remain the same. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Hanger

SB1157 Commonwealth Teaching Fellows Program established. Creates a Commonwealth Teaching Fellows Program in which the Board of Education or a local school division in conjunction with a Virginia college or university with an approved education preparation program may create and

serve as Administrator of intensive programs of at least eight weeks in length to prepare career-switchers and recent college graduates who have not completed coursework in education to teach in areas including science, technology, engineering, and math (STEM) and critical teaching shortage areas in public elementary and secondary schools in the Commonwealth. The Administrator would assist Fellows to secure teaching positions. Any Fellow hired as a teacher by a local school division would be awarded a three-year provisional license to teach, would receive such further training as the Board prescribes, and would have the opportunity to obtain a permanent license upon completion of three years of teaching.

Patron - Barker

SB1233 In-state tuition; Deferred Action for Childhood Arrivals. Establishes that a student shall be eligible for in-state tuition if (i) he has provided an affidavit to the public institution of higher education for which he has registered stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security, (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth, (iii) he has resided in the Commonwealth for at least three years immediately preceding his registration as an entering student in a public institution of higher education in the Commonwealth, and (iv) 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. The bill was incorporated into SB 1090.

Patron - Ebbin

SB1290 Higher education; tuition waiver for dependent children of faculty. Authorizes public institutions of higher education to grant full or partial tuition waivers to dependent students of faculty members employed by the institution, to be paid for out of the institution's nongeneral funds. The bill would also authorize public institutions to enter into reciprocal agreements that would allow the dependents of faculty to use waivers at other public institutions that are party to the agreement.

Patron - Edwards

SB1344 The State Council of Higher Education; accrediting agencies. Prohibits the State Council of Higher Education from recognizing or relying on the ratings of any national or regional accrediting agency unless such agency is certified by the Council.

Patron - Petersen

Elections

Passed

HB1335 Electoral board; temporary appointment. Allows the senior judge, for good cause, to appoint a temporary member to the electoral board in order to maintain a quorum.

Patron - Bell, Richard P.

HB1337 Elections; polling place procedures; voter identification requirements. Removes several items from the list of acceptable identification documents that a voter must present when voting at the polls on election day: a copy of a current utility bill, bank statement, government check, or pay-

check that shows the name and address of the voter and a voter's social security card. The bill also requires that all forms of acceptable identification contain a photograph of the voter or the voter's name and address, which conforms to the identification requirements under the Help America Vote Act of 2002 and harmonizes the identification requirements for state and federal elections. The bill has a delayed effective date of July 1, 2014, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2014 Session of the General Assembly. This bill incorporates HB 1787 and HB 1788.

Patron - Cole

HB1339 Local election districts and redistricting.

Permits any county, city, or town governing body to exclude from the census population used in decennial redistricting the adult inmate populations of federal, state, or regional adult correctional facilities located in the localities. Current law allows the exclusion of such inmate populations only if they exceed 12 percent of the ideal population of a local election district.

Patron - Ware, R.L.

HB1346 Presidential elections and primaries; petition requirements. Reduces the number of signatures required for groups other than the major parties to gain access to the presidential election ballot from 10,000 to 5,000 signatures in the Commonwealth and from 400 to 200 signatures in each congressional district. The bill makes similar reductions to 5,000 and 200 in the number of signatures required for a person to qualify for a presidential primary ballot. The bill also provides a method for substituting persons listed as electors for presidential candidates for groups other than the major parties in the event such persons die or become incapacitated.

Patron - Cole

HB1764 State Board of Elections; Virginia Voter Registration System. Directs the State Board to cooperate with other states to develop systems to compare voters and registration lists in order to ensure accuracy of voter registration rolls, prevent duplicate registration, and determine eligibility of individuals to vote.

Patron - Bell, Robert B.

HB1765 Disqualification of voters; felons; procedure. Codifies the State Board of Elections current practice to check the monthly list of felony convictions received from the Central Criminal Records Exchange (CCRE) against the registered voters maintained on the voter registration system and notify the appropriate general registrar of any voter who is disqualified to vote due to a felony conviction. The bill also requires that the CCRE provide annually a list of all persons convicted of a felony to the State Board and that the annual list shall be checked against the registered voters maintained on the voter registration system. The bill also provides that the general registrar, in determining the qualification of an applicant to register to vote, shall determine whether the applicant has ever been convicted of a felony and, if so, under what circumstances the applicant's right to vote has been restored.

Patron - Bell, Robert B.

HB1813 City of Bedford reversion; special election for certain council members. Requires a special election for members of council for any town that, on July 1, 2013, is both created by a transition from city to town status and enlarged by annexing territory into the town. In an election held on the Tuesday after the first Monday in November 2014, a council member is to be elected to fill the unexpired portion of the term of each council member whose term extends beyond December 31, 2014. The bill provides that no such election is to be held unless the annexation increases the population of the town by

more than five percent. The bill also requires the town to conduct a census in order to determine whether the annexation has in fact increased its population by more than five percent. This bill is identical to SB 1042.

Patron - Joannou

HB2022 Voter registration exchange. Directs the State Board of Elections to request voter registration information and lists of persons voting at primaries and elections, if available, from the states that border the Commonwealth in order to identify duplicate registrations, voters who no longer reside in the Commonwealth, and other persons no longer entitled to be registered to vote. The State Board shall report annually to the Committees on Privileges and Elections on its progress, including the number of duplicate registrations discovered and the steps taken by the Board to eliminate duplicate registrations.

Patron - Rush

HB2107 Elections; absentee ballot procedures and count. Requires the prompt counting of absentee ballots immediately after the close of the polls and advance steps by the general registrar to prepare for the prompt counting of absentee ballots.

Patron - Spruill

HB2143 Provisional ballot envelopes. Specifies that provisional ballot envelopes are to be placed in the ballot container promptly.

Patron - Keam

HB2147 Primaries; candidate petition signatures, certification by party chairman. Provides that in furnishing to the State Board of Elections or local electoral boards the names of candidates for nomination in a primary, including a presidential primary, the party chairman shall certify that a review of the candidate petitions found the required minimum number of signatures of qualified voters for the particular office to have been met. The bill also provides that the State Board shall transmit declarations of candidacy, petitions, and receipts for the payment of filing fees filed with the State Board to the state chairman of the party of the candidate filing such materials within 72 hours of the filing and not later than the seventy-fourth day before a primary. Currently, the State Board must transmit such materials on the seventy-fourth day before a primary.

Patron - Anderson

HB2158 Officers of election; multiple precincts. Provides that the local electoral board may reassign an officer of election from the precinct in which he was originally assigned to work to another precinct for the remaining portion of election day. This bill is identical to SB 963.

Patron - Lopez

HB2255 Voter lists. Requires a local electoral board to submit the list of persons who voted at any election to the State Board of Elections within 60 days after each election unless such list is not available due to a pending recount or election contest. The State Board shall make available such lists no later than seven days after receiving them from the electoral board.

Patron - Comstock

HB2331 Election laws; enforcement and prosecution. Gives the Attorney General the independent authority to enforce and prosecute violations of election laws in addition to the existing authority granted to the Attorney General pursuant to a unanimous vote of all members of the Board of Elections

requesting the Attorney General to assist an attorney for the Commonwealth.

Patron - Bell, Robert B.

HB2341 Electronic transmission of voter registration information. Provides that a person who is qualified to register to vote may apply to register to vote by electronic means authorized by the State Board of Elections.

Patron - Ramadan

SB690 Presidential elections and primaries; petition requirements. Reduces the number of signatures required for groups other than the major parties to gain access to the presidential election ballot from 10,000 to 5,000 signatures in the Commonwealth and from 400 to 200 signatures in each congressional district. The bill makes similar reductions to 5,000 and 200 in the number of signatures required for a person to qualify for a presidential primary ballot.

Patron - Black

SB802 Electoral boards; meetings. Provides that a telephone call between two members of an electoral board or a telephone call between two members of the State Board of Elections in preparation for a meeting shall not constitute a meeting for Virginia Freedom of Information Act purposes if the discussion otherwise would not constitute a meeting.

Patron - Garrett

SB957 Electoral boards, meetings. Provides that electoral boards need to meet the first week of February only in the year in which terms of officers of election expire and new officers must be appointed. Electoral boards are currently required to meet during the first week of February each year.

Patron - Obenshain

SB958 Voter registration; final day of registration and mail registration application. Provides that the principal office of the registrar shall close for registration purposes at 5:00 p.m. on the final day for registration before an election. The same deadline shall apply to receiving mail registration, other than applications returned through the United States Postal Service.

Patron - Obenshain

SB963 Officers of election; multiple precincts. Provides that the local electoral board may reassign an officer of election from the precinct in which he was originally assigned to work to another precinct for the remaining portion of election day. This bill is identical to HB 2158.

Patron - Ebbin

SB967 Application for absentee ballot. Eliminates certain additional information that a person applying for an absentee ballot must submit regarding the reason the applicant will be absent or cannot vote at his polling place on the day of the election, including (i) in the case of a person, or the spouse or dependent of a person, who is on active duty in the military, the person's or his spouse's rank, grade, or rate, and service identification number; (ii) in the case of a student, the address of his school; (iii) in the case of a person with a disability or who is ill or pregnant, the nature of the disability, illness, or pregnancy; (iv) in the case of a person confined awaiting trial, the address of the institution of confinement; (v) in the case of a person caring for an ill or disabled family member, the name of the ill or disabled family member and the nature of the disability or illness; (vi) in the case of a person with a religious obligation, his religion; (vii) in the case of a person who will be at work for 11 or more hours when the polls are open, the address of his place of work; and (viii) in the case of a person

designated as a poll watcher, the name of the party chairman or candidate who designated him.

Patron - Ebbin

SB1008 Voter registration; registration activities by third parties. Requires individuals and groups conducting voter registration drives, when obtaining 25 or more voter registration applications from the State Board of Elections or local offices, to register with the State Board or local offices, provide information as required by the State Board, receive training, and execute a sworn affidavit that they will abide by all Virginia voter registration laws and rules. The bill also prohibits pre-populating registration applications with information unless directed by the applicant to do so. Finally, the bill reduces the time limit for mailing or delivering such completed applications from 15 to 10 days.

Patron - Stanley

SB1027 Voting; overvoted ballots. Provides, in the case of ballots that are inserted into an electronic counting device, that if a ballot is found to have voted for a greater number of names for one office than the number of persons required to fill the office, the ballot shall be considered void only for that office and the votes for other offices on the ballot are to be counted. In the case of an electronic counting device, an election official is authorized to cause the device to receive the ballot. Paper ballots already are handled in this manner.

Patron - Edwards

SB1042 City of Bedford reversion; special election for certain council members. Requires a special election for members of council for any town that, on July 1, 2013, is both created by a transition from city to town status and enlarged by annexing territory into the town. In an election held on the Tuesday after the first Monday in November 2014, a council member is to be elected to fill the unexpired portion of the term of each council member whose term extends beyond December 31, 2014. The bill provides that no such election is to be held unless the annexation increases the population of the town by more than five percent. The bill also requires the town to conduct a census in order to determine whether the annexation has in fact increased its population by more than five percent. This bill is identical to HB 1813.

Patron - Newman

SB1049 Candidate petitions; qualifications to have candidate's name appear on the ballot. Provides that the signatures of qualified voters who have been assigned inactive status shall be deemed valid for purposes of candidate petitions. The bill also requires the State Board of Elections to develop standards and procedures for determining whether petition signatures are valid and an appeal procedure from a determination by the electoral board or the State Board that the number of valid signatures is insufficient.

Patron - Edwards

SB1077 Registered voters; citizenship; SAVE Program. Authorizes the State Board of Elections to apply to participate in the Systematic Alien Verification for Entitlements Program (SAVE Program) operated by the U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security. The SAVE Program enables access to immigration status and citizenship status information possessed by the U.S. Department of Homeland Security. If the application is approved, the State Board will utilize the SAVE Program for the purposes of verifying that voters listed in the Virginia Voter Registration System are United States citizens and shall promulgate rules and regulations governing the use of the immigration status and citizenship status information received from the SAVE Program. The bill also requires that when a person

applying for a license, permit, or identification card from the Department of Motor Vehicles presents a document to prove legal presence other than citizenship, the Department shall record the applicant's document number and provide this number on the monthly list of noncitizens submitted by the Department to the State Board.

Patron - Obenshain

SB1100 Elections; in-person absentee voting. Removes the requirement that the general registrar's office be open for eight hours on the second Saturday before a May election and retains the requirement that the office be open on the Saturday before the May election. This imposes the same requirement on city general registrars as is currently imposed on town general registrars. Since this is a minimum requirement, the general registrar retains authority to provide additional office hours for in-person absentee voting on the second Saturday before the May election, but is not required to do so.

Patron - Smith

SB1145 Absentee ballots; confirmation of receipt. Requires the Secretary of the State Board of Elections, in coordination with local election officials, to implement a free-access system by which a voter may determine whether his application for an absentee ballot has been received and accepted and whether his absentee ballot has been received and the current status of the absentee ballot.

Patron - McEachin

SB1229 State Board of Elections; Director of Elections. Changes the name of the State Board of Elections (the agency that administers election law) to the Department of Elections. The bill also changes the title of the Secretary of the State Board of Elections (who acts as the agency head) to the Commissioner of Elections. The bill has a delayed effective date of July 1, 2014.

Patron - Vogel

SB1256 Voter identification requirements; photo ID. Requires photo ID at the polls by eliminating all forms of identification that do not contain a photograph of the voter from the list of forms of identification any one of which a voter must present in order to be allowed to vote. The bill also adds a valid United States passport to the list and requires that a student identification card issued by an institution of higher education in the Commonwealth contain a photograph in order to be used by a voter. The bill does not affect the right of a voter who does not present one of the required forms of identification to cast a provisional ballot. The bill also provides that the State Board shall provide free voter registration cards that contain a voter's photograph and signature if the voter does not possess other satisfactory photo ID. The bill has a delayed effective date of July 1, 2014, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2013 Session of the General Assembly.

Patron - Obenshain

Failed

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 per-

cent deviation of the ideal population. The bill incorporates HB 295, HB 574, HB 808, and HB 838.

Patron - Cole

HB1340 Compensation and expenses of electoral boards and general registrars. Provides for reimbursement by the state to the localities of the entire costs of compensation and expenses of the electoral boards and general registrars.

Patron - Ware, R.L.

HB1341 Presidential primary costs. Provides that localities shall be reimbursed by the state for all costs incurred in conducting the presidential primary.

Patron - Ware, R.L.

HB1342 Elections; costs of primaries. Provides that the state will reimburse the localities for the costs of primary elections as funded by the general appropriation act.

Patron - Ware, R.L.

HB1348 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, 93, 94, 95, 96, 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.

Patron - Cole

HB1353 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.

Patron - Morrissey

HB1361 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.

Patron - Scott, J.M.

HB1394 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 incorporates HB 1938.

Patron - Marshall, D.W.

HB1421 Convention to amend the United States Constitution; delegates. Provides for the selection by the General Assembly of delegates, alternate delegates, and observers to attend a convention called for by the states to amend the United States Constitution and grants the General Assembly the power to recall delegates, alternate delegates, and observers and appoint new delegates, alternate delegates, and observers. The bill provides that delegates must take an oath to adhere to the instructions of the General Assembly and a delegate who violates his oath is guilty of a Class 6 felony.

Patron - Pogge

HB1428 Appointment, compensation, and offices of general registrars. Provides that all general registrars shall serve on a full-time basis.

Patron - O'Quinn

HB1456 House of Delegates districts; technical adjustments. Moves four census blocks in Fairfax County from the Fifty-third to the Thirty-ninth District in order to place all of the Camelot Precinct in the Thirty-ninth District. Camelot Precinct currently is split between the two districts. The deviation from the ideal district population will be plus 1.4 percent.

Patron - Watts

HB1471 Voting by assisted living facility residents. Provides that residents of assisted living facilities are permitted to vote absentee. The bill also provides that localities may establish absentee voter precincts at assisted living facilities that will be open prior to an election to allow in-person absentee voting by the residents. The bill further provides that upon the request of an administrator of an assisted living facility in which at least 50 registered voters reside, at least two officers of election will be sent to the facility on election day to assist persons 65 years old or older or physically disabled with voting.

Patron - Watts

HB1520 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.

Patron - Villanueva

HB1592 Elections; early voting. Provides that any registered voter qualified to vote in the election may vote in person from 19 to three days before the election at specified times and at the sites provided in the locality. The provisions for absentee voting remain in effect except that the provisions for in-person absentee voting are superseded by the early voting process during the early voting period.

Patron - Ware, O.

HB1599 Vote centers; pilot program. Authorizes the State Board of Elections to provide for a pilot program in which localities may establish vote centers for use in primary elections instead of having to operate a polling place for every precinct in the locality. A vote center will consist of a location where voters from two or more designated precincts may vote. The State Board shall publish a report on the program by August 15 of any year in which a vote center is used. The provisions of the bill expire on December 31, 2016. The bill incorporates HB 1942.

Patron - Anderson

HB1688 House of Delegates Districts; technical adjustment. Changes district assignments of certain census blocks between Districts 10 and 33 in Clarke County in order to reflect a new precinct line. District 10 will have a deviation of 1.1 percent from the ideal district population.

Patron - Minchew

HB1710 Elections; absentee voting. Provides that the parent or legal custodian of a child four years of age or younger and who is caring for such child in the home shall be entitled to vote absentee.

Patron - Plum

HB1725 Delivery of completed absentee ballot applications by third parties. Provides that no person, with certain exceptions, shall offer to mail or deliver 25 or more completed absentee ballot applications on behalf of voters for any election.

Patron - Rust

HB1747 Voter registration; registration activities by third parties. Requires individuals and groups conducting voter registration drives, when obtaining 25 or more voter registration applications from the State Board of Elections or local offices, to register with the State Board or local offices, provide information as required by the State Board, receive training, and execute a sworn affidavit that they will abide by all Virginia voter registration laws and rules. The bill also prohibits pre-populating registration applications with information unless directed by the applicant to do so. Finally, the bill reduces the time limit for mailing or delivering such completed applications from 15 to 10 days.

Patron - Cosgrove

HB1774 Hours polls to be open. Provides that polls shall close at 8:00 p.m. rather than 7:00 p.m.

Patron - Filler-Corn

HB1787 Elections; identification required to vote. Amends the type of identification a voter must present to vote at the polls. All such identification must contain the voter's name, date of birth, and photograph; must be issued by the United States or the Commonwealth; and must contain an expiration date that is unexpired or that expired only after the most recent general election. The bill also requires that the Department of Motor Vehicles issue a free special identification card to voters who do not possess and cannot afford the necessary photo identification. The bill has a delayed effective date of July 1, 2014. This bill was incorporated into HB 1337.

Patron - Bell, Robert B.

HB1788 Elections; identification to register to vote and to vote. Requires that an applicant to register to vote must present proof of citizenship with his registration application. The bill provides that any person who is registered in Virginia as of January 1, 2014, is deemed to have provided satisfactory proof of citizenship and provides a method for applicants who do not possess and cannot afford a document proving citizenship to obtain such proof for free. The bill also amends the type of identification a voter must present to vote at the polls. All such identification must contain the voter's name, date of birth, and photograph; must be issued by the United States or the Commonwealth; and must contain an expiration date that is unexpired or that expired only after the most recent general election. The bill also requires that the Department of Motor Vehicles shall issue a free special identification card to voters who do not possess and cannot afford the necessary photo identification. The bill has a delayed effective date of July 1, 2014. This bill was incorporated into HB 1337.

Patron - Bell, Robert B.

HB1891 Officers of election. Provides that electoral boards shall appoint officers of election at a regular board meeting held at least 30 days before the November general election date, rather than during the first week of February as is currently required.

Patron - LeMunyon

HB1898 Candidate petitions; circulator requirements. Provides that a person who circulates a petition to place a candidate's name on the ballot and witnesses the signatures thereon shall include in his affidavit on the petition his name, age, residence address, and, if different, mailing address and the name of the organization, if any, that he represents in circulating the petition. The bill also eliminates the requirement that the circulator be a resident of the Commonwealth, but provides that a circulator who is not a resident shall be deemed to have submitted to the jurisdiction of the Commonwealth.

Patron - Brink

HB1899 Candidate petitions; appeal of disqualification for insufficient signatures. Provides standards and procedures for determining whether petition signatures are valid and an appeal procedure from a determination by the electoral board that the number of valid signatures is insufficient. The process applies in the case of candidates for county, city, and town office who are not party nominees.

Patron - Carr

HB1910 Voter registration; Department of Motor Vehicles; changes of address. Provides an online option for a registered voter to change his registered voter address while changing his address on his driver's license or special identification card online through the DMV. The bill directs the DMV to transmit notice of the change of address to the State Board of Elections electronically. The bill also directs the DMV to implement a system for providing the change of registration address form to the voter by July 1, 2014, with hard copy to be forwarded by the voter to his general registrar for final verification.

Patron - Surovell

HB1921 Absentee voting; declared state of emergency. Provides that in case of an emergency declared by the Governor, or declared by the President of the United States or the governor of another state and confirmed by the Governor, any registered voter whose precinct is affected by the emergency may vote absentee by mail or in person without giving one of the standard authorized reasons for voting absentee.

Patron - Herring

HB1922 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.

Patron - Herring

HB1937 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.

Patron - Lopez

HB1938 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 was incorporated into HB 1394.

Patron - Lopez

HB1942 Vote centers; pilot program. Authorizes the State Board of Elections to provide for a pilot program in which localities may establish vote centers for use in primary elections instead of having to operate a polling place for every precinct in the locality. A vote center will consist of a location where voters from two or more designated precincts may vote. The State Board shall publish a report on the program by August 15 of any year in which a vote center is used. The provisions of the bill expire on December 31, 2016. The bill was incorporated into HB 1599.

Patron - Landes

HB1956 Paying for special elections; General Assembly members. Provides that the Commonwealth shall pay the costs of conducting a special election to fill a vacancy

in the General Assembly if such election is held on a day other than the day of a general election.

Patron - Brink

HB2013 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.

Patron - Torian

HB2015 Voting by paper ballot. Provides that a voter is entitled to cast his vote using a paper ballot, even though mechanical or direct electronic voting systems are used where he votes.

Patron - Torian

HB2016 Elections; polling hours. Extends the hour that polls close on election day from 7:00 p.m. to 8:00 p.m.

Patron - Torian

HB2017 Voting devices; number required. Provides that there shall be at least one voting device for each 500 registered voters in a precinct. The current requirement is for one device for each 750 registered voters.

Patron - Torian

HB2046 General Assembly; filling vacancies in membership. Provides that the Governor, when issuing a writ of election to fill a vacancy in General Assembly membership when the Assembly is not in session, shall order the election to be held at the November general election date if the vacancy occurs not more than 180 days and not less than 50 days before the general election date.

Patron - Brink

HB2119 Elections; early voting. Provides that any registered voter qualified to vote in the election may vote in person from 10 to three days before the election, or eight to three days before a special election, at the office of the general registrar or secretary of the electoral board and other approved locations. The provisions for absentee voting remain in effect except that the provisions for in-person absentee voting are superseded by the early voting process during the early voting period. The bill takes effect January 1, 2014.

Patron - Spruill

HB2166 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

HB2204 Polling places. Provides that no polling place shall be located in a public or private school building.

Patron - Marshall, D.W.

HB2208 Party nominating methods. Provides that no political party shall determine its candidates for statewide or General Assembly district office, the U.S. House of Representatives, or the U.S. Senate by a method that has the practical effect of excluding participation in the nominating process by active duty military personnel and military reservists or by individuals who are unable to attend meetings because of military service-related injuries, regardless of their duty station or location.

Patron - Cosgrove

HB2213 Candidate petitions; requirements, review of signatures, appeals. Provides that independent candidates for office and groups of qualified voters seeking to have slates of electors placed on the presidential ballot have a right to appeal a determination by the State Board of Elections or local electoral board, as the case may be, that their petitions lack the minimum number of signatures of qualified voters required for the particular office. Notice of disqualification must be provided by regular mail or email, and the candidate or group has seven calendar days from the issue of the notice to file an appeal. The State Board is to develop procedures for the conduct of appeals. The bill also reduces the required number of petition signatures from 10,000 statewide and 400 per congressional district to 5,000 statewide and 200 per congressional district for candidates in presidential primaries, independent groups seeking to have slates of electors placed on the presidential ballot, and independent candidates for statewide offices

Patron - Morrissey

HB2264 Early voting in anticipation of certain emergencies. Provides that the Governor, Speaker of the House of Delegates, and President pro tempore of the Senate, acting jointly, may declare a weather-related emergency and order polls opened for early voting for one to three days during the five days before an election.

Patron - Krupicka

HB2299 Elections; sample ballots and other information to be available in languages other than English. Provides that an electoral board that reasonably should expect a group of voters who cannot read or communicate in English to seek to vote at a precinct shall cause official sample ballots and any other instructions or notices that are posted or made available in English to also be printed in the language of the group.

Patron - Kory

SB702 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.

Patron - Howell

SB719 Elections; polling place procedures; voter identification requirements. Removes several items from the list of acceptable identification documents that a voter must present when voting at the polls on election day: a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter and a voter's social security card. The bill also requires that all forms of acceptable identification contain a photograph of the voter or the voter's name and address, which conforms to the identification requirements under the Help America Vote Act of 2002 and harmonizes the identification requirements for state and federal elections. The bill has a delayed effective date of July 1, 2014, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2014 Session of the General Assembly.

Patron - Black

SB722 Emergency absentee ballots; hospitalized voters; electoral board representative. Permits an electoral board to designate a hospital administrator to serve as its representative and to provide applications for emergency absentee ballots to hospitalized voters.

Patron - Carrico

SB723 Electoral College. Provides that the Commonwealth's electoral votes shall be allocated by congressional dis-

trict. Receipt by a slate of presidential electors of the highest number of votes in a congressional district constitutes the election of the congressional district elector of that slate. Receipt by a slate of electors of the highest number of votes in a majority of congressional districts constitutes the election of the two at-large electors of that slate. In the event no slate receives the highest number of votes in a majority of districts, receipt by a slate of the highest number of votes statewide shall constitute election of the two at-large electors of that slate.

Patron - Carrico

SB724 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. This bill incorporates SB 873.

Patron - Miller

SB739 Voting devices; number required. Provides that there shall be at least one voting device for each 500 registered voters in a precinct. The current requirement is for one device for each 750 registered voters. The bill has a delayed effective date of July 1, 2016, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2013 Session of the General Assembly.

Patron - Petersen

SB742 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 on the fifth member 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.

Patron - Miller

SB743 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 an absentee ballot application electronically but may not submit the completed 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.

Patron - Miller

SB793 Solicitation of election fraud; penalty. Makes it a Class 6 felony to solicit five or fewer violations of the election law provisions governing illegal voting and illegal registration activities and a Class 5 felony to solicit more than five such violations.

Patron - Garrett

SB805 Elections; costs of primaries. Provides that the state will reimburse the localities for the costs of primary elections as funded by the general appropriation act.

Patron - Garrett

SB806 Presidential primary costs. Provides that localities shall be reimbursed by the state for all costs incurred in conducting the presidential primary.

Patron - Garrett

SB813 Compensation and expenses of electoral boards and general registrars. Provides for reimbursement by the state to the localities of the entire costs of compensation and expenses of the electoral boards and general registrars.

Patron - Garrett

SB830 Elections; absentee voting and procedures; secure return of voted military-overseas ballots. Directs the State Board of Elections to provide instructions and procedures so that uniformed-service voters can return voted military-overseas ballots securely by electronic format. The bill also provides for expedited procedures when a ballot is requested but not sent by the deadline for making ballots available. This bill incorporates SB 874.

Patron - Puller

SB873 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. This bill was incorporated into SB 724.

Patron - McWaters

SB874 Elections; absentee voting and procedures; secure return of voted military-overseas ballots. Directs the State Board of Elections to provide instructions and procedures so that uniformed-service voters can return voted military-overseas ballots securely by electronic format. The bill also provides for expedited procedures when a ballot is requested but not sent by the deadline for making ballots available. The bill was incorporated into SB 830.

Patron - McWaters

SB883 Voter registration cards. Provides that the general registrar shall issue and mail a new Virginia voter registration card to all registered voters in his county or city no later than October 1 of each year.

Patron - Deeds

SB906 Vote centers; pilot program. Authorizes the State Board of Elections to provide for a pilot program in which localities may establish vote centers for use in primary elections instead of having to operate a polling place for every precinct in the locality. A vote center will consist of a location where voters from two or more designated precincts may vote. The State Board shall publish a report on the program by August 15 of any year in which a vote center is used. The provisions of the bill expire on December 31, 2016.

Patron - Deeds

SB962 Officers of election. Provides that a local electoral board may appoint a person 17 years of age as an officer of election, provided such person is a citizen of the United States, a resident of the Commonwealth, and, to the extent practicable, a resident of the precinct he is appointed to serve.

Patron - Ebbin

SB964 Hours polls to be open. Provides that polls shall close at 8:00 p.m. rather than 7:00 p.m.

Patron - Ebbin

SB968 Absentee ballots. Provides that officers of election shall not reject an absentee ballot on the basis that the voter failed to include a middle name or initial on the ballot

envelope if such failure is not material to determining whether the individual is entitled to vote absentee.

Patron - Ebbin

SB989 Vote centers; pilot program. Authorizes the State Board of Elections to provide for a pilot program in no more than 10 localities in which localities may establish vote centers for use in elections instead of having to operate a polling place for every precinct in the locality. A vote center will consist of a location where voters from two or more designated precincts may vote. The State Board shall submit a report on the program by July 1, 2014, to the House and Senate Privileges and Elections Committees. The provisions of the bill expire on July 1, 2014.

Patron - Miller

SB1062 Elections; voter access reforms. Provides for numerous reforms to improve voter access to the polls, including (i) extending the hour that polls close on election day from 7:00 p.m. to 8:00 p.m.; (ii) allowing for early voting by qualified voters for a period from 10 to three days before the election, or eight to three days before a special election, at the office of the general registrar or secretary of the electoral board and other approved locations; (iii) shortening the deadline to register to vote from 21 days before a general or primary election and either six or 13 days before special elections to three days before any election, which would be the last day of the early voting period; and (iv) authorizing the Secretary of the State Board of Elections to establish a pilot program to allow members of the military on active duty and their spouses, citizens residing outside of the United States, and military voters with disabilities or injuries to vote absentee by secure electronic means or other new technologies. The bill also provides that the State Board 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 also requires the State Board, in conjunction with the Department of Emergency Management, to create a written plan addressing the continuity of operations of elections in the event of an emergency. The bill also requires that the State Board perform periodic reviews of the conduct of elections and, based on the findings of such reviews, develop a written plan for minimizing the amount of time a voter has to wait to cast his vote on election day.

Patron - Herring

SB1072 Elections; electronic pollbooks; photographs. Provides that electronic pollbooks shall contain a photograph of and identifying information for each voter either received from the Department of Motor Vehicles or taken by an officer of election when the voter presents himself to vote that shall be accessed by the officer of election when the voter presents himself to vote. If the voter does not appear to be the same person depicted in the photograph in the pollbook, any qualified voter may and the officer of election shall challenge the vote of such voter. A voter with religious objections to being photographed may refuse to have his photograph taken.

Patron - Obenshain

SB1150 Elections; minimizing voting lines. Requires each electoral board to develop a plan to ensure that no voter waits for more than one hour to cast his vote on election day. Each board would submit to the State Board of Elections and the governing body of the city or county of the electoral board a list of resources necessary, including the optimum number of officers of election, pollbooks, ballots, and other voting equipment, to implement the plan. The bill also provides that officers of election may work in multiple precincts throughout election day.

Patron - Barker

SB1155 Electoral boards, appointment. Provides that appointments to local electoral boards shall be on a non-partisan basis, eliminating current provisions for party representation on boards and submission of appointment recommendations by the political parties.

Patron - Barker

SB1168 Elections; method of nominating party candidates. Removes the power of incumbent officeholders in some cases to insist on a primary as the method of nominating political party candidates and removes the power of General Assembly incumbents seeking reelection to determine the method of nomination. The bill leaves the power to determine the method of nominating party candidates to the duly constituted authorities of the political party.

Patron - Smith

SB1260 Party nominating methods. Provides that no political party shall determine its candidates for statewide or General Assembly district office by a method that has the practical effect of excluding participation in the nominating process by active duty military personnel and military reservists or by individuals who are unable to attend meetings because of military service-related injuries, regardless of their duty station or location.

Patron - Wagner

SB1294 Senate districts; technical adjustment. Reassigns the Fairways Precinct in the City of Chesapeake from District 5 to District 14.

Patron - Blevins

Eminent Domain

Passed

HB2306 Eminent domain; just compensation; tax assessments. Provides that just compensation paid for real property taken pursuant to eminent domain shall not be less than the appraisal of the fair market value of such property, if such an appraisal is required, or the current assessed value of such property for real estate tax purposes when the entire parcel for which the assessment has been made is to be acquired, whichever is greater. Nothing in the bill makes evidence of tax assessments admissible as proof of value in an eminent domain proceeding. Under current law, just compensation shall not be less than the appraisal of fair market value if such an appraisal is required.

Patron - Ramadan

Financial Institutions and Services

Passed

HB1573 Financial institutions; contract provision requiring amendment or waiver to be in writing. Provides that if any written contract to which a financial institution is a party contains a provision to the effect that no amendment or waiver of any terms or provisions of the contract is valid unless it is in writing, then any amendment or waiver of any terms or provisions of that contract by conduct, course of practice or

dealing, or otherwise shall not apply to future rights and obligations under that contract unless it is in writing. This bill is identical to SB 917.

Patron - Comstock

HB1610 Financial institutions; joint accounts. Eliminates the requirement that financial institutions maintain or make available forms for the creation of both joint accounts with survivorship and joint accounts without survivorship. A financial institution may elect to make one or both forms available to persons opening joint accounts.

Patron - Hugo

HB1686 Credit unions; retained earnings. Increases the maximum amount of a credit union's funds that may be invested in its real estate, office buildings, equipment, and furnishings, without the prior written authorization of the Commissioner of Financial Institutions. The measure sets the maximum amount of such investments at five percent of the total of members' share accounts and retained earnings. Currently, the cap is five percent of only such share accounts. Finally, the measure defines "retained earnings" as undivided earnings, regular reserve, reserve for contingencies, supplemental reserves, reserves for losses, and other appropriations from undivided earnings as designated by management or the Bureau of Financial Institutions. This bill is identical to SB 769.

Patron - Miller

HB1739 Banks; deposits of securities. Authorizes banks to deposit securities for the purpose of securing deposits of any other state where the bank has a branch office or any agency or political subdivision of such state. Under current law, banks may deposit securities to secure deposits by the Commonwealth and its agencies and political subdivisions.

Patron - Merricks

HB1803 Mortgage loan originators. Conforms Virginia statutory law to federal regulations implementing the Secure and Fair Enforcement for Mortgage Licensing Act. Changes include (i) expanding the definition of a mortgage loan originator to include an individual who represents to the public that he can or will take an application for, or offer or negotiate the terms of, a residential mortgage loan; (ii) clarifying that when an individual acts as a loan originator in financing the sale of his own residence, he is exempt from licensing requirements; (iii) specifying conditions under which an attorney engaged in mortgage loan origination activities is exempt from licensing requirements; (iv) removing the definition of "federal banking agencies"; and (v) defining the term "employee." This bill is a recommendation of the Virginia Housing Commission. This bill is identical to SB 994.

Patron - Marshall, D.W.

HB2104 Banks; derivative transactions. Provides for the treatment of derivative transactions with regard to the requirement that the total obligations of any person to any bank shall at no time exceed 15 percent of the sum of the capital, surplus, and loan loss reserve of a bank. An "obligation" is defined in this measure as including any credit exposure to a person arising from a derivative transaction between the bank and the person. "Derivative transaction" is defined as including any transaction that is a contract, agreement, swap, warrant, note, or option that is based, in whole or in part, on the value of, any interest in, or any quantitative measure or the occurrence of any event relating to, one or more commodities, securities, currencies, interest or other rates, indices, or other assets. The Commission is authorized to adopt regulations to further define the term "derivative transaction" and to set forth the

rules for calculating credit exposures arising from derivative transactions. This bill is identical to SB 1034.

Patron - Kilgore

HB2157 Financial institutions; checks. Repeals the requirement that checks and similar instruments of a financial institution located in the Commonwealth display the month and year in which the account was opened. This bill is identical to SB 1249.

Patron - Keam

HB2162 Money order sales and money transmission services. Exempts from requirements governing the business of selling money orders or transmitting money (i) any state, or any department, instrumentality, agency, locality, municipality, or political subdivision thereof, and (ii) any entity that has been explicitly designated in a written agreement as an agent of any governmental authority or unit. Any funds collected by the agent shall be deemed to be received by the governmental authority or unit. Such a governmental authority or unit will not be barred from seeking indemnification from its agent for any direct losses incurred due to the agent's failure to remit funds in accordance with its agreement.

Patron - Comstock

HB2237 Voluntary regulatory self-assessments by banks; privilege. Creates a privilege for self-assessment reports of a bank or its holding company, affiliates, and subsidiaries. The privilege makes a self-assessment report not admissible or subject to discovery in civil or administrative proceeding. The privilege shall not apply if it is waived; if the report is disclosed to certain third parties; if it is determined that the privilege is being asserted for a fraudulent purpose or that the report was prepared to avoid disclosure of information in a proceeding that was underway at the time of its preparation, or the report addresses a matter reasonably expected to cause imminent and substantial harm to bank customers or consumers; or if the report is requested by a bank regulator under certain circumstances. This bill is identical to SB 988.

Patron - Miller

SB769 Credit unions; retained earnings. Increases the maximum amount of a credit union's funds that may be invested in its real estate, office buildings, equipment, and furnishings, without the prior written authorization of the Commissioner of Financial Institutions. The measure sets the maximum amount of such investments at five percent of the total of members' share accounts and retained earnings. Currently, the cap is five percent of only such share accounts. Finally, the measure defines "retained earnings" as undivided earnings, regular reserve, reserve for contingencies, supplemental reserves, reserves for losses, and other appropriations from undivided earnings as designated by management or the Bureau of Financial Institutions. This bill is identical to HB 1686.

Patron - Wagner

SB917 Financial institutions; contract provision requiring amendment or waiver to be in writing. Provides that if any written contract to which a financial institution is a party contains a provision to the effect that no amendment or waiver of any terms or provisions of the contract is valid unless it is in writing, then any amendment or waiver of any terms or provisions of that contract by conduct, course of practice or dealing, or otherwise shall not apply to future rights and obligations under that contract unless it is in writing. This bill is identical to HB 1573.

Patron - Stuart

SB988 Voluntary regulatory self-assessments by banks; privilege. Creates a privilege for self-assessment reports of a bank or its holding company, affiliates, and subsidiaries. The privilege makes a self-assessment report not admissible or subject to discovery in civil or administrative proceeding. The privilege shall not apply if it is waived; if the report is disclosed to certain third parties; if it is determined that the privilege is being asserted for a fraudulent purpose or that the report was prepared to avoid disclosure of information in a proceeding that was underway at the time of its preparation, or the report addresses a matter reasonably expected to cause imminent and substantial harm to bank customers or consumers; or if the report is requested by a bank regulator under certain circumstances. This bill is identical to HB 2237.

Patron - Stuart

SB994 Mortgage loan originators. Conforms Virginia statutory law to federal regulations implementing the Secure and Fair Enforcement for Mortgage Licensing Act. Changes include (i) expanding the definition of a mortgage loan originator to include an individual who represents to the public that he can or will take an application for, or offer or negotiate the terms of, a residential mortgage loan; (ii) clarifying that when an individual acts as a loan originator in financing the sale of his own residence, he is exempt from licensing requirements; (iii) specifying conditions under which an attorney engaged in mortgage loan origination activities is exempt from licensing requirements; (iv) removing the definition of "federal banking agencies"; and (v) defining the term "employee." This bill is a recommendation of the Virginia Housing Commission. This bill is identical to HB 1803.

Patron - Watkins

SB1034 Banks; derivative transactions. Provides for the treatment of derivative transactions with regard to the requirement that the total obligations of any person to any bank shall at no time exceed 15 percent of the sum of the capital, surplus, and loan loss reserve of a bank. An "obligation" is defined in this measure as including any credit exposure to a person arising from a derivative transaction between the bank and the person. "Derivative transaction" is defined as including any transaction that is a contract, agreement, swap, warrant, note, or option that is based, in whole or in part, on the value of, any interest in, or any quantitative measure or the occurrence of any event relating to, one or more commodities, securities, currencies, interest or other rates, indices, or other assets. The Commission is authorized to adopt regulations to further define the term "derivative transaction" and to set forth the rules for calculating credit exposures arising from derivative transactions. This bill is identical to HB 2104.

Patron - Watkins

SB1249 Financial institutions; checks. Repeals the requirement that checks and similar instruments of a financial institution located in the Commonwealth display the month and year in which the account was opened. This bill is identical to HB 2157.

Patron - Garrett

Failed

HB1359 Consumer finance companies; rate of interest. Adjusts the caps on the annual rate of interest that a consumer finance company may charge on loans. This measure allows a consumer finance company to charge interest at a rate not exceeding 78 percent annually on loans of not more than \$1,500 and not exceeding 36 percent annually on loans of more than \$1,500. Currently, a consumer finance company may

charge interest at a rate not exceeding 36 percent annually on loans of not more than \$2,500, and may charge interest at any rate agreed to in its contract with the borrower on loans of more than \$2,500.

Patron - Ware, R.L.

HB1454 Safe deposit boxes. Requires the bank or other entity renting a safe deposit box to permit limited access to the box by the deceased lessee's spouse, next of kin, guardian, conservator, agent under a power of attorney, or agent in an advance medical directive, or by a court clerk, 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. Before allowing entry, the company shall require a person given limited access to a box to provide an affidavit and documentation regarding his relationship to the deceased person. A company that complies with these requirements shall not be liable for any loss or damage to the estate of the decedent resulting in the removal of any item from the box, unless the company acts in bad faith or permits the removal of items other than the will or other testamentary instrument. Any person who removes the will or other testamentary instrument from a box is answerable or accountable to the decedent's estate or to any other successor for such action.

Patron - Watts

HB1678 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 make a copy of the customer's valid identification document or obtain the customer's thumbprint. Records for each transaction are required to be retained for one year and made available to law-enforcement officials. A violation of these requirements is punishable by a civil penalty not to exceed \$200.

Patron - Ingram

HB1977 Open-end credit plans. Prohibits anyone other than the seller of goods to be used for personal, family, or household purposes from extending credit under an open-end plan at interest rates that exceed the legal rate of interest. To extend credit under such a plan, the loan must be for the sole purpose of financing the bona fide purchase price of such goods.

Patron - Yancey

HB1986 Open-end credit plan loans. Establishes requirements for open-end credit plan loans, which are revolving loans made under an open-end credit or similar plan under which a finance charge is imposed only if the obligor fails to repay the loan in full prior to the next billing date, which must be at least 25 days after the date the agreement is entered into and at least 25 days after the prior billing date. Persons making open-end credit plan loans are required to be licensed by the State Corporation Commission and are required to post a bond or equivalent instrument approved by the Commission. A violation of the measure is a prohibited practice under the Consumer Protection Act. The existing provision authorizing certain open-end loans to be at unlimited interest rates is limited to loans for the sole purpose of financing the bona fide purchase price of goods to be used for personal, family, or household purposes. The measure becomes effective on October 1, 2013.

Patron - Helsel

SB741 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

SB755 Payday lending. Repeals provisions authorizing payday lending in the Commonwealth.

Patron - Locke

Fire Protection

Passed

HB2301 Volunteer fire departments; billing by localities. Allows localities to directly bill homeowners on behalf of local volunteer fire departments under certain circumstances. This bill is identical to SB 881.

Patron - Cline

SB881 Volunteer fire departments; billing by localities. Allows localities to directly bill homeowners on behalf of local volunteer fire departments under certain circumstances. This bill is identical to HB 2301.

Patron - Deeds

Failed

HB1835 Firefighters; emergency medical technicians; cap on damages. Imposes a \$250,000 cap on damages that may be recovered against firefighters and emergency medical technicians in a civil action arising out of the provision of fire-fighting and emergency medical services.

Patron - Poindexter

HB2140 Statewide Fire Prevention Code; State Fire Marshal; fees. Changes approval authority over fees that may be charged by the State Fire Marshal to recover enforcement costs from the Board of Housing and Community Development to the Virginia Fire Services Board.

Patron - Morefield

SB822 Statewide Fire Prevention Code; State Fire Marshal; fees. Changes approval authority over fees that may be charged by the State Fire Marshal to recover enforcement costs from the Board of Housing and Community Development to the Virginia Fire Services Board.

Patron - Puckett

SB910 Statewide Fire Prevention Code; permissible fireworks. Redefines what constitutes permissible fireworks in Virginia, also known as consumer fireworks, to be ground or hand-held sparkling devices as defined in §§ 3.1.1, 3.2, and 3.5 of the 2001 Edition of the American Pyrotechnic Association's Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics.

Patron - Garrett

SB961 Board of Housing and Community Development; Statewide Fire Prevention Code; annual operational permits for certain open burning. Provides for the Board of Housing and Community Development to promulgate regulations to allow food vendors servicing community events to obtain an annual operational permit for open burning when the permit is limited to community events and the open flame that the vendor uses at such events is limited to flammable hydrocarbon jelly packaged in a small can for use as a portable heat source for cooking.

Patron - Ebbin

Fisheries and Habitat of the Tidal Waters

Passed

HB1400 Oyster replenishment tax; penalties. Reorganizes, clarifies, and renames the oyster replenishment tax system as a system of oyster resource user fees. In addition to repealing four Code sections, the bill replaces the former price-based replenishment tax with a volume-based oyster resource user fee, specifying that no harvester shall pay more than one such fee per year. The bill removes the exemption from licensing requirements for an oyster grounds leaseholder, distinguishes from other fees the license fee to be paid by a person who buys from the catcher oysters caught from the public grounds, simplifies the description of the fisheries data that harvesters and others are required to record, simplifies the prohibition on carrying oysters out of state without a permit, and removes certain oyster inspection tax provisions. The bill also makes technical amendments.

Patron - Ransone

HB1531 Sand replenishment for public beaches. Authorizes the Marine Resources Commission and the Department of Environmental Quality to establish an expedited application review process for dredging of sand and beach replenishment on the public beaches abutting the waters of the Chesapeake Bay. The bill requires the agencies to establish a working group, consisting of representative stakeholders, to assist in the development of the expedited review process. The working group is to consider a requirement that the application for the sand replenishment project permit include the submission of a dredging plan by the locality for areas within the Chesapeake Bay from which the dredged material will be taken and the location of the beach replenishment project. The bill provides several types of information that such a plan would include, such as the analysis of benthic, marine, and fishery resources; impact on any historical artifacts; and impact on other uses of the state waters and bottomlands at the dredge site. This bill is identical to SB 946.

Patron - Stolle

HB1805 Lifetime saltwater recreational fishing license. Allows Virginia residents 65 years of age and older to purchase a lifetime saltwater recreational fishing license for \$5. This bill is identical to SB 1213.

Patron - Ransone

HB2254 Management of the menhaden fishery. Establishes a total allowable landings of 144,272.84 metric tons per year for Atlantic menhaden landed in Virginia by the purse seine menhaden reduction sector, the purse seine menhaden bait sector, and the non-purse seine menhaden bait sector. This legislation authorizes the Commission to establish and administer a limited entry purse seine menhaden bait license according to specific criteria. This total allowable landings represents a 20 percent reduction from the average 2009, 2010, and 2011 landings, as mandated by the Atlantic States Marine Fisheries Commission. Any overage of the total allowable landings in the current year will result in a reduction of the total allowable landings in the following year. The Commissioner may administer the interstate transfer of menhaden landings. The total allowable landings for menhaden shall be allocated in proportion to each sector's share of average landings in 2002 through 2011, with the Commission authorized to establish an Individual Transferable Quota System for any

purse seine menhaden bait licensee according to specific requirements. Guidelines for the monitoring of all sectors of the menhaden fishery that may result in a closure of any or all sectors are established. Upon the closing of the non-purse seine sector, any person may possess and land up to 6,000 pounds of menhaden per day, and such landings shall be reported to the Commission but shall not count against the annual total allowable landings. All licensees of the three menhaden sectors shall report to the Commission according to the requirements established by the Commission. The Commission shall establish a biological sampling program to include development of an adult menhaden survey index from Virginia pound nets. License fees are established for the purse seine menhaden reduction and purse seine menhaden bait sectors, according to fees adjusted in 2005 as \$249 for vessels under 70 gross tons and \$996 for vessels 70 gross tons or over. The Commission may limit the number of gear licenses or permits to fish, except for those licenses in the purse seine reduction sector. The annual menhaden harvest cap for the purse seine menhaden reduction sector shall be 87,216 metric tons, subject to annual adjustments for under-harvest or over-harvest of the cap. The bill contains a sunset date of January 1, 2015. The bill states that an emergency exists and that the bill is in force from its passage. The bill incorporates HB 1840 and is identical to SB 1291.

Patron - Scott, E.T.

SB946 Sand replenishment for public beaches. Authorizes the Marine Resources Commission and the Department of Environmental Quality to establish an expedited application review process for dredging of sand and beach replenishment on the public beaches abutting the waters of the Chesapeake Bay. The bill requires the agencies to establish a working group, consisting of representative stakeholders, to assist in the development of the expedited review process. The working group is to consider a requirement that the application for the sand replenishment project permit include the submission of a dredging plan by the locality for areas within the Chesapeake Bay from which the dredged material will be taken and the location of the beach replenishment project. The bill provides several types of information that such a plan would include, such as the analysis of benthic, marine, and fishery resources; impact on any historical artifacts; and impact on other uses of the state waters and bottomlands at the dredge site. This bill is identical to HB 1531.

Patron - Wagner

SB1106 Revocation of fishing licenses. Authorizes the Virginia Marine Resources Commission to revoke a person's fishing privileges within the tidal waters if he violates any tidal fishing law and to withdraw all privileges to fish in tidal waters during the period in which any Commission-issued license has been revoked. The revocation can be for a period of up to two years.

Patron - Hanger

SB1108 Illegal fishing in the Potomac River; penalty. Amends the Potomac River Compact by changing the penalty for violating the fishing laws in the Potomac River from the current \$1,000 maximum penalty to a maximum penalty of \$3,000. The bill also requires the alleged offender, if he is a resident of Virginia or Maryland, to be tried in the state in which he resides.

Patron - Hanger

SB1110 Oyster inspection tax. Authorizes the Potomac River Fisheries Commission to impose an oyster inspection tax not to exceed \$2 per bushel. Currently, under the Potomac River Compact, the Commission can impose an inspection tax that cannot exceed the higher severance tax per

bushel on oysters that is imposed by Virginia or Maryland within their respective jurisdictions. The Commission's current per bushel inspection tax for oysters taken from the Potomac River is \$1. The bill provides that the proceeds from the tax are purchased to be used for planting seed or shell oysters on the working bottom. Both Virginia and Maryland must enact similar acts in order for the change to the Compact to go into effect.

Patron - Hanger

SB1213 Lifetime saltwater recreational fishing license. Allows Virginia residents 65 years of age and older to purchase a lifetime saltwater recreational fishing license for \$5. This bill is identical to HB 1805.

Patron - Stuart

SB1291 Management of the menhaden fishery. Establishes a total allowable landings of 144,272.84 metric tons per year for Atlantic menhaden landed in Virginia by the purse seine menhaden reduction sector, the purse seine menhaden bait sector, and the non-purse seine menhaden bait sector. This legislation authorizes the Commission to establish and administer a limited entry purse seine menhaden bait license according to specific criteria. This total allowable landings represents a 20 percent reduction from the average 2009, 2010, and 2011 landings, as mandated by the Atlantic States Marine Fisheries Commission. Any overage of the total allowable landings in the current year will result in a reduction of the total allowable landings in the following year. The Commissioner may administer the interstate transfer of menhaden landings. The total allowable landings for menhaden shall be allocated in proportion to each sector's share of average landings in 2002 through 2011, with the Commission authorized to establish an Individual Transferable Quota System for any purse seine menhaden bait licensee according to specific requirements. Guidelines for the monitoring of all sectors of the menhaden fishery that may result in a closure of any or all sectors are established. Upon the closing of the non-purse seine sector, any person may possess and land up to 6,000 pounds of menhaden per day, and such landings shall be reported to the Commission but shall not count against the annual total allowable landings. All licensees of the three menhaden sectors shall report to the Commission according to the requirements established by the Commission. The Commission shall establish a biological sampling program to include development of an adult menhaden survey index from Virginia pound nets. License fees are established for the purse seine menhaden reduction and purse seine menhaden bait sectors, according to fees adjusted in 2005 as \$249 for vessels under 70 gross tons and \$996 for vessels 70 gross tons or over. The Commission may limit the number of gear licenses or permits to fish, except for those licenses in the purse seine reduction sector. The annual menhaden harvest cap for the purse seine menhaden reduction sector shall be 87,216 metric tons, subject to annual adjustments for under-harvest or over-harvest of the cap. The bill contains a sunset date of January 1, 2015. The bill states that an emergency exists and that the bill is in force from its passage. This bill is identical to HB 2254.

Patron - Stuart

Failed

HB1840 Total allowable catch for menhaden landed in Virginia. Establishes a total allowable catch for menhaden landed in Virginia by the reduction and other menhaden fisheries. The annual menhaden harvest cap in the Chesapeake Bay for the reduction fishery is reduced from 109,020 to 87,216 metric tons. The reduction fishery includes those vessels that harvest menhaden for the purpose of manufactur-

ing menhaden into fertilizer, fish meal, or oil. The bill provides that if the harvest of the reduction fishery does not reach the cap, the difference between the actual harvest and the cap is applied as credit to the allowable harvest for the following year. The bill establishes an annual total allowable catch for menhaden landed in Virginia at 144,272.84 metric tons, 80 percent of which can come from the reduction fishery with all other menhaden fisheries authorized to land 20 percent of the allowable catch. The Marine Resources Commission is authorized to adopt regulations consistent with the Atlantic States Marine Fisheries Compact and Amendment 2 of the Atlantic Menhaden Fishery Management Plan of the Atlantic States Marine Fisheries Commission. The bill authorizes an increase in the license fee on each vessel fishing with a purse net for the harvest of menhaden to be used as bait from \$3 to \$5 and extends the current \$5 fee that has been charged on vessels harvesting menhaden for reduction that are over 70 gross tons to all vessels harvesting for reduction regardless of size. The bill provides that anyone who lands menhaden in Virginia after the date of closure of the fishery is guilty of a Class 1 misdemeanor. In addition, the bill repeals the scheduled January 1, 2014, sunset date for the establishment of a total allowable catch of menhaden and the closure date announcement process. The bill was incorporated into HB 2254.

Patron - Ware, R.L.

SB926 Adoption of wetlands zoning; governmental activity in wetlands. Removes from Virginia's standard wetlands zoning ordinance the condition that wetlands be owned or leased by the Commonwealth if a governmental activity occurring there is to be authorized. The current standard ordinance, which may be adopted by any locality and is the only wetlands zoning ordinance under which any wetlands board may operate, authorizes an otherwise-permitted governmental activity only if the wetlands in which the activity is to take place are owned or leased by the Commonwealth or a political subdivision of the Commonwealth.

Patron - McWaters

Game, Inland Fisheries and Boating

Passed

HB1629 Eel pots. Authorizes the Board of Game and Inland Fisheries to issue an annual permit to use eel pots in the waters of Back Bay and the North Landing River and their tributaries. The annual permit fee to catch eels for commercial purposes is \$50 and the annual permit fee to take eels for personal use is \$17.50. The bill requires a nonresident to purchase a harvester's license for each boat used in taking eels at a cost of \$350 per boat, unless he already holds a nonharvester's license to take other types of finfish in inland waters. This fee is in addition to the permit fee for eel pots.

Patron - Knight

HB1929 Deer kill permits. Authorizes the chief law-enforcement officer of a town to report to the Director of the Department of Game and Inland Fisheries that deer are creating a traffic hazard in the jurisdiction. If after an investigation the Director finds that such a hazard exists, he may authorize responsible persons, or their representatives, to kill the deer.

Patron - Morris

HB2099 Shooting of muskrats and raccoons. Allows a landowner to trap or shoot fur-bearing animals including muskrats and raccoons upon his own land during the closed season when these animals are causing damage to his crops or property, or are posing a threat to human health or safety, or are causing a nuisance.

Patron - Wilt

HB2184 Trip hunting and fishing licenses. Authorizes the Board of Game and Inland Fisheries to issue trip hunting licenses to nonresidents and trip fishing licenses to residents and nonresidents for time periods and at costs determined by the Board. Current law allows nonresidents to purchase a three-day trip hunting license at a cost of \$40 and a five-day trip fishing license at a cost of \$10 and allows residents to purchase a five-day trip fishing license at a cost of \$5.

Patron - Edmunds

SB985 Conveyance of land in G. Richard Thompson Wildlife Management Area to Warren County. Authorizes the Board of Game and Inland Fisheries to convey to Warren County two parcels of land located in the G. Richard Thompson Wildlife Management Area. The two parcels are located on Route 638 and measure 3.19 acres in total area.

Patron - Obenshain

SB1053 Boating safety education. Exempts United States Navy qualified surface warfare officers or qualified enlisted surface warfare specialists from having to pass a boating safety education course in order to operate a motorboat.

Patron - Wagner

SB1117 Watercraft titling certificates; adoption of uniform act; penalty. Repeals Virginia's existing watercraft titling law and enacts in its place the Uniform Certificate of Title for Vessels Act as adopted in 2011 by the National Conference of Commissioners on Uniform State Laws. The new act uses the term "watercraft" instead of "vessels" where appropriate to conform to Virginia law. The bill requires the owner of every watercraft of a particular size and type to apply for and obtain a certificate of title, lowering the minimum boat length for which a title is required from 18 feet to 16 feet for boats owned or purchased after July 1, 2014. The bill also details the methods of creation or cancellation of certificates by the Department of Game and Inland Fisheries and describes the contents and effects of a certificate, including the availability of a title brand, a permanent designation indicating that a watercraft's hull has been damaged. The bill applies some of the principles of the Uniform Commercial Code to the realm of watercraft by defining the rights of secured parties and purchasers other than secured parties and providing the method for perfecting a security interest. Finally, the bill also establishes the rules for transferring ownership of a watercraft by a transfer statement or by operation of law, sets out the means of acquiring title to an abandoned watercraft, states the duties of the Department, and provides several general provisions. The bill also makes technical amendments. The bill contains an enactment clause making it effective on July 1, 2014.

Patron - Wagner

SB1277 Wildlife exhibitor permit. Requires the Board of Game and Inland Fisheries to establish standards for the possession and display of wildlife by elementary and secondary school teachers for educational purposes. The bill exempts such exhibits from the wildlife exhibitor permit application and fee so long as the Department of Game and Inland Fisheries is notified of the display of wildlife and such display complies with the standards established by the Board.

Patron - Stuart

Failed

HB1413 Nonresident freshwater fishing license. Establishes a one-day fishing license for nonresidents to fish in the inland waters of the Commonwealth. The license will specify the date on which the license is valid. The Board of Game and Inland Fisheries will establish the cost of the license.

Patron - Crockett-Stark

HB1597 Personal flotation devices required for children; civil penalty. Requires children 12 years of age or younger to wear a Type I, II, III, or V U.S. Coast Guard-approved personal flotation device. Any person who violates the bill's provisions may be assessed a civil penalty of \$100. However, this penalty may be waived if the person completes a boating safety education course. All penalties collected are to be paid to the Motorboat and Water Safety Fund of the Game Protection Fund. The provisions of the bill do not apply to a recreational vessel that is moored or anchored, or to children below deck or in an enclosed cabin. The bill defines "recreational vessel" as a vessel manufactured or operated for leisure or recreational purposes, or a vessel leased, rented, or chartered for noncommercial use. "Recreational vessel" includes motorboats, sailboats, canoes, kayaks, rowboats, and any other vessel capable of being used for transportation on water, when the vessel is being used for other than commercial purposes. This bill contains a delayed effective date of January 1, 2014.

Patron - Ward

HB1762 Hunting on Sunday. Allows any person to hunt or kill wild animals on Sunday, on private lands in the Counties of Fairfax, Fauquier, Loudoun, and Prince William. However, the hunting or killing of wild birds on Sunday in these localities would continue to be prohibited.

Patron - Ramadan

HB1947 Authority to create separate special hunting licenses. Authorizes the Board of Game and Inland Fisheries to create separate special licenses for the hunting of deer or turkey. Under current law, the Board is authorized to create a separate special license for the hunting of bear.

Patron - Wilt

HB1954 Antique motorboats. Establishes a special one-time \$100 registration fee for antique motorboats, defined as vessels that are essentially as originally constructed, used for noncommercial purposes, and at least 30 years old. The registration has to be renewed every three years but at no additional cost. Instead of having identification numbers painted on the bow of the motorboat, the owner will be given two antique motorboat identification plates by the Department of Game and Inland Fisheries that display the identification number and language designating the vessel as an antique motorboat, to affix to each side of the bow.

Patron - Poindexter

HB2036 Hunting with bow and arrow or crossbow. Allows persons who hunt with a bow and arrow or a crossbow to hunt wild birds or wild animals, including any nuisance species, on Sunday.

Patron - Webert

HB2037 Hunting nuisance species on Sunday. Allows the hunting or killing of nuisance species on Sunday.

Patron - Webert

HB2112 Hunting on Sunday. Allows hunting on Sunday on state and federal military bases, installations, and

facilities with the approval of the commanding officer of the base, installation, or facility.

Patron - Lingamfelter

FHB2149 Sale of freshwater fish. Allows the sale and purchase of freshwater fish that are grown in an aquaculture facility, so long as the fish is of the same species as a fish found in Virginia waters. The person selling or offering for sale such fish is required to maintain documentation establishing the source of the fish and to provide signage or other notice to the consumer that the fish was propagated in an aquaculture facility.

Patron - Keam

FHB2225 Hunting on Sundays. Allows any person to hunt on private lands on Sunday, with the permission of the owner of the lands.

Patron - Morefield

FSB737 Recreational floating upon second-order streams. Provides that no person shall be liable for trespass if he floats upon a second-order stream in a nonmotorized vehicle for purposes of recreation. The bill defines a stream of the first order as one indicated by a solid blue line on a U.S.G.S. topographic quadrant map and a stream of the second order as one formed by the confluence of two streams of the first order.

Patron - Petersen

FSB803 Hunting nuisance species. Makes it lawful to hunt or kill coyotes on Sunday.

Patron - Garrett

FSB954 Impeding hunting; drones; penalty. Provides that the use of a drone by a private person to monitor and photograph persons lawfully hunting on private property, when the drone is used by a private person without the permission of the landowner, constitutes impeding hunting, a Class 3 misdemeanor.

Patron - Ruff

FSB1280 Fox and coyote enclosures; penalty. Makes it unlawful for any person to (i) stage or participate in any competition where a fox or coyote is pursued by dogs in an enclosure or (ii) award or accept any prize, money, or compensation resulting from participating in such competition. The bill limits the number of dogs allowed in an enclosure to no more than five per acre. Any person who violates the provisions of the bill is guilty of Class 3 misdemeanor for a first offense, a Class 2 misdemeanor for a second offense, and a Class 1 misdemeanor for a third or subsequent offense.

Patron - Marsden

General Assembly

Passed

PHB1384 Joint Commission on Transportation Accountability. Removes obsolete provision requiring the Commonwealth to provide the Commission with "adequate office space."

Patron - May

PHB1601 Commission on Civics Education; sunset extended. Extends the sunset date for the Commission on Civics Education to July 1, 2016. The bill also repeals the provi-

sion that made the existence of the Commission contingent on continued funding in a general appropriation act.

Patron - Anderson

PHB2138 Health Insurance Reform Commission created. Establishes the Health Insurance Reform Commission as a legislative commission. The duties of the Commission include monitoring the implementation of the Patient Protection and Affordable Care Act; determining whether Virginia should establish a state-run health benefit exchange; recommending what health benefits should be required to be included within the scope of the essential health benefits provided under health insurance products offered in the Commonwealth; providing assessments of existing and proposed mandated health insurance benefits and providers; and developing recommendations to increase access to health insurance coverage, ensure that the costs of health insurance coverage are reasonable, and encourage a robust market for health insurance products. Committees of the General Assembly are directed to request the Commission to assess the impact and efficacy of legislation proposing a mandated health insurance benefit or provider. The Commission will expire on July 1, 2017. The measure also repeals the Special Advisory Commission on Mandated Health Insurance Benefits.

Patron - Byron

PSB891 Joint Commission on Administrative Rules. Expands the powers and duties of the Joint Commission on Administrative Rules to include review of proposed rules and regulations to ensure that they contain no mandate that improperly burdens businesses.

Patron - Stuart

Failed

FHB1306 Commission on Federal Oversight; established; report. Creates the Commission on Federal Oversight, consisting of eight 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 Division of Legislative Services will provide staff support, and other state agencies will provide technical assistance upon request. The act establishing the Commission will not become effective unless an appropriation of funds effectuating the purpose of the act is included in the general appropriation act passed during the 2013 Regular Session of the General Assembly that becomes law.

Patron - Landes

FHB1538 Virginia Code Commission; periodic review of the Code of Virginia. Requires, beginning July 1, 2014, and every two years thereafter, the Commission to review the Code of Virginia and uncodified acts in the Virginia Acts of Assembly to identify chapters, articles, sections, or enactments that have been superseded by decisions of the Supreme Court of Virginia or the Supreme Court of the United States.

Patron - Yost

FHB1665 Prohibited conduct; General Assembly members. Prohibits a member of the General Assembly from accepting an appointment to serve on a body or board of any political action committee where the committee engages or employs a registered lobbyist in Virginia.

Patron - Hope

HB2001 Refundable state tax credits. Provides that no committee of the General Assembly shall report any bill that creates a new refundable state tax credit.

Patron - Cline

HB2156 Requests for drafting bills or resolutions; bills to conform to request; public access. Allows the director and employees of the Division of Legislative Services to reveal the contents of a bill request to the Clerk of the House of Delegates, the Clerk of the Senate, their designees, or the Division of Legislative Automated Systems in fulfilling its drafting duties as provided in § 30-34.14 of the Code.

Patron - Cox, M.K.

SB810 Bills requiring expenditures by localities. Prohibits any committee of the General Assembly from reporting any bill impacting localities that does not fully fund any net expenditures that otherwise would have to be paid by localities.

Patron - Garrett

SB1129 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

SB1143 Compensation of members of the General Assembly. Prohibits compensation to legislators for attending conferences for which the agenda and materials are not available to the public.

Patron - McEachin

SB1161 General Assembly; consideration of the conference committee report on the biennial budget or general appropriation act. Provides that no legislative action shall be taken on the conference committee report on the biennial budget until the conference committee report has been posted on the General Assembly's website for at least 48 hours.

Patron - Smith

General Provisions

Passed

HB1642 Rights of parents. Provides that a parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parent's child. The bill further provides that the provisions of the bill codify the opinion of the Supreme Court of Virginia in *L.F. v. Breit*, issued on January 10, 2013, as it relates to parental rights. This bill is identical to SB 908.

Patron - Pogge

SB908 Rights of parents. Provides that a parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parent's child. The bill further provides that the provisions of the bill codify the opinion of the Supreme Court of Virginia in *L.F. v. Breit*, issued on January

10, 2013, as it relates to parental rights. This bill is identical to HB 1642.

Patron - Reeves

SB1123 State Shakespeare Festival designated. Designates the Virginia Shakespeare Festival held in Williamsburg as the official Shakespeare festival of the Commonwealth.

Patron - Norment

Failed

HB2340 Assisting federal gun control efforts. Prevents any agency, political subdivision, or employee of Virginia from assisting the federal government of the United States in any investigation, prosecution, detention, arrest, search, or seizure, under the authority of any federal statute enacted, or Executive Order or regulation issued, after December 31, 2012, infringing the individual right to keep and bear arms by imposing new restrictions on private ownership or private transfer of firearms, firearm magazines, ammunition, or components thereof.

Patron - Marshall, R.G.

Health

Passed

HB1383 Criminal history checks of emergency medical services personnel. Provides that the State Board of Health shall require each person who, on or after July 1, 2013, applies to be a volunteer with or employee of an emergency medical services agency to submit fingerprints and provide personal descriptive information for the purpose of a state and national criminal history record check. This bill is identical to SB 1288.

Patron - Pogge

HB1445 Home care organizations. Requires every licensed home care organization to maintain a liability insurance policy and third-party crime insurance policy or blanket fidelity bond in an amount sufficient to compensate patients or individuals for injuries and losses resulting from negligent or criminal acts of the licensee. The bill also provides for operation of branch offices by a single licensee.

Patron - Head

HB1622 Emergency medical care services; recertification and appeals. Eliminates the requirement that the Board of Health's regulations governing recertification of emergency medical services providers include certain provisions related to testing and other requirements. This bill is identical to SB 790.

Patron - Pogge

HB1726 Non-gravel effluent drain systems for onsite sewage systems; regulations. Directs the Board of Health to promulgate regulations for chamber and bundled expanded polystyrene effluent distribution systems for onsite sewage systems and other effluent distribution system technologies for onsite sewage systems as may be deemed necessary by the Board. The bill contains an emergency clause.

Patron - Scott, E.T.

HB1778 Mammography results; information about dense breast tissue. Clarifies the conditions under which a

mammography services provider must notify a patient of dense breast tissue. The bill provides that such notice must be sent to patients who are determined by the interpreting physician to have heterogeneously dense or extremely dense tissue, as defined in nationally recognized guidelines or systems for breast imaging reporting of mammography screening, including the Breast Imaging Reporting and Data System and any equivalent new terms, and modifies the existing language of the notice.

Patron - Filler-Corn

HB1796 Death certificate; timely return to funeral director. Adds the medical director of an institution in which a death occurred, the chief medical officer or medical director of a hospice or nursing home in which a death occurred, or an individual to whom the physician in charge of a patient's care for the illness or condition that resulted in death has delegated such authority to the list of individuals who may complete and sign a death certificate in the absence of the physician in charge of a patient's care for the illness or condition that resulted in death, or with such physician's approval.

Patron - Cosgrove

HB1856 Emergency medical services; procedures and practice. Requires the Board of Health to direct the State Emergency Medical Services Advisory Board to develop and facilitate implementation of (i) a process for informing an emergency medical services provider who has received an adverse decision relating to his authority to provide emergency medical care on behalf of an agency of the process for appealing that decision and (ii) a standard operating procedure template to be used in the development of local protocols for emergency medical services personnel for basic life support services. The bill also requires the Board, in cooperation with the State Emergency Medical Services Advisory Board, to review training for emergency medical services personnel and address disparities in the delivery of training to and availability of training for emergency medical services personnel. The Board shall report on its progress no later than December 1, 2013.

Patron - Orrock

HB1933 Lyme disease; disclosure of information to patients. Requires physicians to provide to each patient for whom a test for the presence of Lyme disease is ordered a written notice about Lyme disease, about testing for Lyme disease, and about the need for the patient to contact his physician with questions or concerns about Lyme disease. The bill also provides that licensees are immune from civil liability for providing such notice absent gross negligence or willful misconduct. The bill has an expiration date of July 1, 2018.

Patron - Comstock

HB1975 Certificate of public need; continuing care retirement communities; admissions to nursing home beds. Adds persons who are employees or members of the board of trustees or board of directors of a continuing care retirement community, family members of employees or members of the board of trustees or board of directors of a continuing care retirement community, and accredited practitioners of the religious organization or denomination with which a continuing care retirement community is affiliated to the list of individuals who may be admitted to nursing home beds of a continuing care retirement community after expiration of the initial one-time, three-year open admission period.

Patron - Toscano

HB2130 Nursing homes; electronic monitoring by patients. Directs the Board of Health to promulgate regulations governing the implementation of voluntary electronic

monitoring in the rooms of residents of nursing homes, which shall include existing policies and procedures set forth in the Board's guidelines governing electronic monitoring of nursing home residents' rooms. This bill is identical to SB 974.

Patron - Spruill

HB2189 Home care organizations; proof of initial reserve operating funds. Requires every applicant for an initial license to operate a home care organization to submit proof of sufficient initial reserve operating funds in an amount determined by the State Board of Health, which shall be sufficient to ensure operation of the home care organization for at least three months after licensure. Funds may include a mix of cash, cash equivalents, borrowed funds, and funds available through a line of credit.

Patron - Hodges

HB2292 Certificates of public need. Establishes a procedure for acceptance and review, by the Commissioner of Health, of applications (i) for the transfer of nursing facility beds from one planning district to another planning district in the absence of a Request for Applications and (ii) for an open admissions period for nursing home beds of a continuing care retirement community.

Patron - Orrock

HB2315 Virginia Association of Volunteer Rescue Squads; report to the State Emergency Medical Services Advisory Board. Requires the Virginia Association of Volunteer Rescue Squads to submit an annual financial report on the use of funds received from the special emergency medical services fund to the State Emergency Medical Services Advisory Board Executive Committee.

Patron - O'Bannon

SB790 Emergency medical care services; recertification and appeals. Eliminates the requirement that the Board of Health's regulations governing recertification of emergency medical services providers include certain provisions related to testing and other requirements. This bill is identical to HB 1622.

Patron - Stuart

SB916 Exhumations; basis for. Requires that a party petitioning a court to order the exhumation of the body of any dead person provide a sworn statement that sets forth facts establishing a reasonable possibility of a biological relationship between the petitioner and his alleged ancestors.

Patron - Stuart

SB931 Disposition of unclaimed dead bodies. Provides that in cases in which the next of kin of a deceased person fails or refuses to claim the body of the deceased person within 30 days, the sheriff or other person having initial custody of the dead body may dispose of the body, and provides that, absent bad faith or malicious intent, a sheriff who accepts a dead body for disposition shall be immune from civil liability.

Patron - Vogel

SB933 Movable Soccer Goal Safety Act created. Requires every organization that owns and controls a movable soccer goal to establish a soccer goal safety and education policy that outlines how the organization will address any safety concern related to movable soccer goals, including the dangers of unanchored or improperly anchored soccer goals tipping over and the care that must be taken to ensure proper installation, setup, maintenance, and transportation of movable soccer goals; prohibits the sale of movable soccer goals that are not tip-resistant beginning July 1, 2014; and requires the Depart-

ment of Conservation and Recreation and the Division of State Parks to convene a work group to examine safety issues related to moveable soccer goals. This bill contains a reenactment clause.

Patron - Vogel

SB942 Certificate of public need; amendment of charity care provisions upon expansion of the state program of medical assistance. Provides that the Commissioner of Health may accept and approve requests for amendments to certain conditions of existing certificates of public need. The bill also requires the Department of Health, in consultation with the Virginia Department of Veterans Services, Virginia Health Information Exchange, Virginia Hospital and Healthcare Association, and other industry stakeholders, to review the provisions of § 32.1-102.4 as amended by this act and the Patient Protection and Affordable Care Act, P.L. 111-148, as both relate to the Commissioner's imposition of conditions on certificates of public need.

Patron - Reeves

SB974 Nursing homes; electronic monitoring by patients. Directs the Board of Health to promulgate regulations governing the implementation of voluntary electronic monitoring in the rooms of residents of nursing homes, which shall include existing policies and procedures set forth in the Board's guidelines governing electronic monitoring of nursing home residents' rooms. This bill is identical to HB 2130.

Patron - Blevins

SB1039 Access to vital records; certified copies of vital records. Directs the Commissioner of the Department of Health and the Commissioner of the Department of Motor Vehicles to enter into a memorandum of understanding to develop a program to allow DMV to issue certified copies of vital records. Beginning July 1, 2014, DMV is authorized to issue certified copies of birth records from 1912 onward and beginning July 1, 2015, DMV is authorized to issue certified copies of all other birth records and all death, marriage, and divorce records. The bill further provides that DMV is subject to the State Registrar's rules, regulations, audit requirements, and penalties and that vital records must be on security paper. The bill also raises the cap on the fee for certified copies and provides that DMV will keep a processing fee.

Patron - Newman

SB1186 State Medical Assistance Plan; investigatory powers of the Attorney General. Provides that subpoenas issued by the Attorney General or his authorized representative during an investigation of providers of services under the State Medical Assistance Plan are excepted from certain provisions related to health records privacy and notice provisions, and information developed during a civil investigation is privileged.

Patron - Vogel

SB1288 Criminal history checks of emergency medical services personnel. Provides that the State Board of Health shall require each person who, on or after July 1, 2013, applies to be a volunteer with or employee of an emergency medical services agency to submit fingerprints and provide personal descriptive information for the purpose of a state and national criminal history record check. This bill is identical to HB 1383.

Patron - Carrico

Failed

HB1407 Inmates; eligibility for medical assistance. Provides that a person who is in the custody of a state or local correctional facility and who meets the criteria for eligibility for services under the state plan for medical assistance shall remain eligible for medical assistance while he is confined, but that no services under the state plan for medical assistance shall be furnished unless federal financial participation is available for the cost of the services provided. This bill also provides that such person shall be eligible for services under the state plan for medical assistance immediately upon release from a state or local correction facility and that, to the extent permitted by federal law, the time during which the person is confined to a state or local correction facility shall not be included in any calculation of when the person's eligibility for medical assistance shall need to be recertified.

Patron - Hope

HB1505 Sewage systems; betterment loans. Clarifies that betterment loans may be used for conventional onsite, alternative onsite, and alternative discharging sewage systems; authorizes the Board of Health to use up to 25 percent of the Onsite Sewage Indemnity Fund to provide or guarantee betterment loans; increases the amount of each fee collected by the Department of Health pursuant to subsections C and E of § 32.1-164 that is contributed to the Onsite Sewage Indemnity Fund from \$10 to \$25; and removes the use of the Onsite Sewage Indemnity Fund for training and recognition of authorized onsite soil evaluators. This bill was recommended by the Virginia Housing Commission.

Patron - Lingamfelter

HB1513 Medical assistance; smoking cessation. Provides that the state plan for medical assistance shall include a provision for the payment of medical assistance for counseling and pharmacotherapy for cessation of tobacco use.

Patron - Krupicka

HB1614 Immunizations; human papillomavirus vaccine required for all children. Eliminates language limiting the requirement for the human papillomavirus vaccine to female children, so that all children will be required to be vaccinated against human papillomavirus, with the first dose administered before the child enters the sixth grade, subject to certain exceptions in current law.

Patron - Hope

HB1741 Revised Uniform Anatomical Gift Act; organ removal and the Virginia Transplant Council. Requires any physician or technician performing the removal of donated tissue to have been approved as qualified by a tissue bank. Current law requires approval by LifeNet Health. The bill also authorizes membership on the Virginia Transplant Council to any organization accredited by the Association of Organ Procurement Organizations, the American Association of Tissue Banks, or the Eye Bank Association of America that is directly involved in activities related to organ, tissue, or eye donation, procurement, or transplantation in Virginia.

Patron - Tata

HB2163 Design and construction standards for certain facilities. Provides that regulations of the Board of Health for the construction, maintenance, operation, staffing, and equipping of hospitals shall apply to facilities in which five or more first trimester abortions per month are performed only

when the design or construction of such facility is initiated after July 1, 2013. This bill includes an emergency clause.

Patron - Sickles

HB2182 Classification as hospitals of certain facilities in which abortions are performed. Eliminates language classifying facilities in which five or more first trimester abortions per month are performed as hospitals for the purpose of compliance with regulations of the Board of Health related to construction, maintenance, operation, staffing, and equipping of hospitals.

Patron - Hope

HB2183 Classification as hospitals of certain facilities in which abortions are performed. Eliminates language classifying facilities in which five or more first trimester abortions per month are performed as hospitals for the purpose of compliance with regulations of the Board of Health related to construction, maintenance, operation, staffing, and equipping of hospitals.

Patron - Hope

HB2324 Health care costs for inmates. Requires the Director of the Department of Corrections to develop procedures for identifying inmates who may be eligible for medical assistance, enrolling such inmates in the state medical assistance program, and ensuring that claims for eligible services are submitted to the Department of Medical Assistance Services rather than the Department of Corrections, and directs the Attorney General to include providers of inpatient medical services to inmates who are eligible for medical assistance services in audits and investigations of providers of services furnished under the state plan for medical assistance. The bill also requires the Director of the Department of Corrections to develop procedures for reviewing claims for reimbursement for medical services submitted to the Department for accuracy and for identifying fraudulent or inaccurate claims and recovering amounts paid pursuant thereto.

Patron - Sickles

SB826 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 - Garrett

SB869 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 and to report such information to the Commissioner of Health or the Commissioner of Social Services, as applicable. The bill was incorporated into SB 750.

Patron - Stanley

SB901 Vital records; marital status. Requires an officer issuing a marriage license to contact the State Registrar of Vital Records to confirm that neither applicant for the license is currently married and requires the State Registrar to disclose that information to the officer.

Patron - Reeves

SB945 Health insurance; installment payments of cost-sharing obligations. Directs the Virginia Department of Health to convene a work group, which is to develop recommendations regarding issues relating to patient assistance programs for specialty drug needs and the authority of health

insurers to move a drug to a higher cost-sharing tier or otherwise modify prescription drug coverage. The bill incorporates SB 947.

Patron - Puller

SB949 Medical assistance fraud investigations; service of subpoenas. Authorizes the Attorney General or his authorized representative to serve subpoenas in medical assistance fraud cases.

Patron - Garrett

SB973 Medical assistance services; fraud prevention; provider information database. Directs the Department of Medical Assistance Services to develop and maintain a database of all health care providers currently eligible for reimbursement for medical assistance services provided under the state plan for medical assistance and the Family Access to Medical Insurance Security Plan, and a program for checking each claim for reimbursement against the database prior to payment to verify eligibility of the provider seeking reimbursement and identify improper claims for payments.

Patron - Black

SB1088 Medicaid; coordinated long-term care. Directs the Director of the Department of Medical Assistance Services to develop and implement a statewide, fully integrated managed care long-term care program that is risk-based and integrates Medicaid-reimbursed primary, acute, behavioral health, and long-term care services. The long-term care program shall expand access to and utilization of cost-effective home and community-based alternatives to institutional care for Medicaid-eligible individuals. The program shall include an institutional transition initiative. Managed-care entities shall develop a need-based methodology for reimbursement of nursing facility services.

Patron - McWaters

SB1115 Classification as hospitals of certain facilities in which abortions are performed. Eliminates language classifying facilities in which five or more first trimester abortions per month are performed as hospitals for the purpose of compliance with regulations of the Board of Health related to construction, maintenance, operation, staffing, and equipping of hospitals.

Patron - Herring

SB1116 Design and construction standards for certain facilities. Provides that regulations of the Board of Health for the construction, maintenance, operation, staffing, and equipping of hospitals shall apply to facilities in which five or more first trimester abortions per month are performed only when the design or construction of such facility is initiated after July 1, 2013. This bill includes an emergency clause.

Patron - Herring

SB1275 Medical data. Prohibits any person that regularly stores medical data in an electronic or digital format from (i) participating in the establishment or implementation of the Nationwide Health Information Network; (ii) performing any analytic or statistical processing with regard to any medical records from multiple patients for purposes of medical diagnosis or treatment, including population health management; or (iii) processing medical data at a facility within the Commonwealth in any instance where a majority of the patients whose medical data is being processed do not reside in the Commonwealth. A database at which medical data is regularly stored in an electronic or digital format shall not store or maintain in a manner that is accessible by the operator or any other person, in an electronic or digital format, at any one time, medical data regarding more than 10,000 patients. The measure provides

that no health care provider shall be subject to any penalty, sanction, or other adverse action resulting from its failure or refusal to implement an online computerized medical record system. A patient's consent to the sharing of his health care information shall be presumed not to grant consent to the electronic or digital storing or transmission of the information to any person other than for health care coverage purposes. Finally, the measure prohibits the Commonwealth from authorizing the establishment or operation of a health information exchange.

Patron - Martin

SB1322 **Disposition of dead bodies; how expenses paid.** Provides that the Commonwealth, not the county or city in which the decedent resided or in which the death occurred, shall pay the cost of disposition of a dead body if the claimant is financially unable to pay the reasonable costs of disposition.

Patron - Garrett

Highways, Bridges and Ferries

Passed

HB1508 **Congressman William Wampler, Sr., Memorial Highway.** Designates I-81 between the Virginia/Tennessee line and Exit 118 the "Congressman William Wampler, Sr., Memorial Highway."

Patron - O'Quinn

HB1526 **HOT lanes.** Provides that emergency vehicles and law-enforcement vehicles that otherwise would be allowed free use of HOT lanes cannot do so when the vehicle is being used to commute.

Patron - Rust

HB1627 **Transfer of property by VDOT.** Authorizes VDOT to convey certain real property in Fauquier County owned by the Department in exchange for other real property in Fauquier County to be used for a park-and-ride.

Patron - Webert

HB1633 **Local beautification projects.** Requires localities that intend to install plant materials in a public right-of-way in connection with a local beautification project to provide advance notice thereof to VDOT. The bill requires any locality that violates the law in carrying out such project to bear the cost of bringing the project into compliance with the law.

Patron - Cosgrove

HB1718 **Transportation planning and projects.** Requires a locality to repay the Department of Transportation when a locality requests termination of a project and the Department does not agree to the termination or the locality or metropolitan planning organization doesn't advance the project. The bill also expands the step before a locality requests alterations to a project to include the design approval by the Chief Engineer.

Patron - Anderson

HB1809 **Powers of the Commonwealth Transportation Board (CTB).** Limits the ability of the CTB to reallocate funds from certain local highway projects that are inconsistent with the CTB's Statewide Transportation Plan or the Six-Year Improvement Program.

Patron - McQuinn

HB1828 **Rail and public transportation.** Allows the purchase of land for the construction of railway lines by the Department of Rail and Public Transportation for the purpose of alleviating traffic congestion on highways.

Patron - Villanueva

HB1885 **Quantitative rating of pavement condition and ride quality of highways.** Requires VDOT to determine a quantitative rating on the pavement condition and ride quality of every highway in the primary and secondary state highway systems at least every five years and to post the ratings on its website.

Patron - LeMunyon

HB2040 **Noise abatement practices and technologies.** Extends for two additional years (until June 30, 2015) VDOT's evaluation of noise abatement practices and technologies demonstration projects.

Patron - Comstock

HB2041 **Fund for access roads and bikeways to public recreational areas and historical sites.** Authorizes the Commonwealth Transportation Board to establish guidelines, instead of regulations, in connection with use of recreational access funds.

Patron - Filler-Corn

HB2044 **Recycled Materials in Highway Construction Advisory Committee.** Eliminates the Recycled Materials in Highway Construction Advisory Committee.

Patron - Poindexter

HB2052 **HOT Lanes.** Allows state and local law-enforcement vehicles, firefighting trucks, ambulances, and rescue squad vehicles to enter HOT lanes by crossing a barrier or buffer and not be guilty of reckless driving. This bill contains an emergency clause and is identical to SB 1204.

Patron - Rust

HB2105 **Highway definitions.** Makes technical amendments to conform Virginia's statutes with corresponding changes in federal nomenclature.

Patron - Villanueva

HB2116 **Powers and duties of the Commissioner of Highways and the Commonwealth Transportation Board.** Amends the powers and duties of the Commissioner of Highways and the Commonwealth Transportation Board to create new efficiencies and streamline procedures by granting the Commissioner greater authority over administrative operations, matters involving the practice of civil engineering, and interaction with stakeholders. This bill is identical to SB 1209.

Patron - Garrett

HB2186 **Transfer of property by VDOT.** Authorizes VDOT to exchange real property controlled by the Department in Albemarle County for private property owned by the Wachtmeister 1981 Revocable Trust in exchange for land adjoining the Keene Area Headquarters for installation of a septic drain field for the Headquarters.

Patron - Dudenhefer

HB2215 **"Charles K. 'Pete' Estes Memorial Bridge."** Designates the newly replaced U.S. Route 522 bridge in Sperryville as the "Charles K. 'Pete' Estes Memorial Bridge."

Patron - Webert

HB2298 **Billboards.** Establishes conditions under which certain billboard signs may be relocated if land on which

the billboard sign is located is acquired by eminent domain in connection with a highway project.

Patron - Anderson

SB820 Billboards. Establishes conditions under which certain billboard signs may be relocated if land on which the billboard sign is located is acquired by eminent domain in connection with a highway project.

Patron - Puckett

SB888 Advertising within highway rights-of-way. Provides that penalties and costs collected as the result of an agreement between the Commissioner of Highways and a locality to enforce the prohibition on advertising within highway rights-of-way may be paid to the locality as provided in an agreement between the locality and VDOT.

Patron - Deeds

SB1075 Transportation planning and projects. Requires a locality to repay the Department of Transportation when a locality requests termination of a project and the Department does not agree to the termination or the locality or metropolitan planning organization doesn't advance the project. The bill also expands the step before a locality requests alterations to a project to include the design approval by the Chief Engineer.

Patron - Barker

SB1166 Littering and illegal dumping; community service. Provides that when a person is convicted of illegally dumping or disposing of garbage or refuse on public property or on private property without the permission of the owner, the court may order a mandatory minimum of 10 hours of community service.

Patron - Smith

SB1204 HOT Lanes. Allows state and local law-enforcement vehicles, firefighting trucks, ambulances, and rescue squad vehicles to enter HOT lanes by crossing a barrier or buffer and not be guilty of reckless driving. This bill contains an emergency clause and is identical to HB 2052.

Patron - McDougle

SB1209 Powers and duties of the Commissioner of Highways and the Commonwealth Transportation Board. Amends the powers and duties of the Commissioner of Highways and the Commonwealth Transportation Board to create new efficiencies and streamline procedures by granting the Commissioner greater authority over administrative operations, matters involving the practice of civil engineering, and interaction with stakeholders. This bill is identical to HB 2116.

Patron - Stuart

Failed

HB1302 Tolling fees. Prevents the Department of Transportation from charging monthly fees for the automatic electronic tolling payment program and its transponders.

Patron - Loupassi

HB1328 Commissioner of Highways; agreements with localities. Adds Prince William County to existing provisions that allow Fairfax County to enter into agreements with the Commissioner of Highways regarding enforcement of provisions related to signs and advertisements within highway limits. The penalties and costs collected under such agreements are paid to the affected locality.

Patron - Marshall, R.G.

HB1367 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

HB1416 Weight limits for certain traffic on U.S. Route 52 on Fancy Gap Mountain. Exempts school buses from weight limits applicable to other vehicles traveling south on U.S. Route 52 on Fancy Gap Mountain.

Patron - Crockett-Stark

HB1447 Littering. Provides increased specificity as to what constitutes littering, and provides an alternative penalty for persons who litter in quantities no greater than 0.7 cubic feet.

Patron - Hodges

HB1460 Tolls; Interstate Highway System. Prohibits tolling on Interstate 95 without the approval of the General Assembly.

Patron - Tyler

HB1696 Dulles Toll Road and the Dulles Corridor Metrorail project. Authorizes the Virginia Department of Transportation to enter into an agreement with the Metropolitan Washington Airports Authority (MWAA) whereby MWAA would reduce tolls on the Dulles Toll Road in exchange for the Commonwealth's moral obligation backing of bonds, not exceeding an aggregate principal amount of \$500 million, issued by MWAA to fund Phase 2 of the Dulles Corridor Metrorail project.

Patron - Minchew

HB1779 Tolling transponder fees. Prohibits imposition of a monthly fee for any tolling transponder for any month in which the transponder is used at least 10 times.

Patron - Filler-Corn

HB1884 Allocation of highway maintenance funds. Provides that highway maintenance funds shall be allocated on the basis of vehicle miles traveled in each highway construction district compared to vehicle miles traveled in the Commonwealth as a whole. However, the bill also allows the Commissioner of Highways to direct funds to specific maintenance projects that he believes are needed to protect public safety, provided he provides written notice to the Commonwealth Transportation Board.

Patron - LeMunyon

HB1887 Rail-to-Dulles Project. Places limitations and conditions on the expenditure of revenues of the Commonwealth on Phase II of the Rail-to-Dulles Project.

Patron - LeMunyon

HB1908 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 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 - Surovell

HB1979 Authorization of bonds to acquire the Dulles Greenway. Authorizes the Commonwealth Transportation Board to issue bonds to (i) acquire the Dulles Greenway and (ii) if determined necessary by the Board, improve or upgrade the Dulles Greenway. If the Board were to acquire the Dulles Greenway, the Board would impose and collect tolls from all classes of vehicles in amounts established by the Board for the use of the same.

The aggregate principal amount of bonds that could be issued by the Board would be conditioned upon the revenues from the tolls or other charges to be imposed on the Dulles Greenway as proposed and established by the Board, as follows: the revenues from the tolls or other charges proposed by the Board would reasonably be expected by the Board to pay (a) in full and when payable the debt service on all bonds or other obligations issued or entered into by the Board to acquire the Dulles Greenway, (b) the ongoing costs of operating and maintaining the Dulles Greenway, (c) the costs of purchasing and installing electronic tolling equipment or other equipment for the Dulles Greenway if such equipment is determined necessary, (d) the cost of purchasing parking facilities, and (e) ongoing necessary administrative costs relating to the Dulles Greenway.

The bill provides no bonds could be issued by the Commonwealth Transportation Board to acquire the Dulles Greenway unless the Treasury Board provides through a written certification provided to the Governor and the Commonwealth Transportation Board its opinion that the revenues from the tolls or other charges proposed by the Commonwealth Transportation Board for use of the Dulles Greenway are reasonably expected to result in a debt service coverage ratio of at least 1.25.

Patron - May

HB1980 Dulles Greenway Authority created. Creates the Dulles Greenway Authority to, among other things, operate and maintain the Dulles Greenway. The Authority would be governed by a board of directors composed of 15 voting members as follows: one current member of the local governing body of each of the Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park to be appointed by the Governor; four nonlegislative citizen members to be appointed by the Speaker of the House of Delegates; and two nonlegislative citizen members to be appointed by the Senate Committee on Rules. The Secretary of Transportation would serve as a nonvoting ex officio member of the Board.

For voting purposes, the members of the Board appointed by the Governor from the local governing bodies of the County of Fairfax and the County of Loudoun would each be entitled to cast two votes on each question put before the Board.

The Authority would operate, maintain, and administer the Dulles Greenway on behalf of the Commonwealth using such moneys as provided to it for such purposes. The Authority would collect all tolls and other charges established by the Commonwealth Transportation Board for the use of the Dulles Greenway and would deposit such funds into the state treasury. The Authority would be prohibited from establishing or fixing tolls, rents, fees, or other charges for the use or enjoyment of any facility owned by the Commonwealth.

The provisions of the bill would not become effective unless and until the Commonwealth Transportation Board acquires the Dulles Greenway on or before July 1, 2015.

Patron - May

HB2020 Use of toll revenues. Prohibits use of toll revenues for any purpose other than the construction, recon-

struction, replacement, maintenance replacement, improvement, or maintenance of the facility for the use of which the tolls were imposed and collected, except as otherwise provided in § 33.1-23.03:4 (Toll Facilities Revolving Account) and subsection D of § 33.1-23.03:10 (tolls on Interstate Highway System components). The bill exempts from its provisions tolls imposed and collected on January 1, 2013.

Patron - LeMunyon

HB2049 Composition of Commonwealth Transportation Board. Increases the total membership of the Commonwealth Transportation Board from 17 to 21 members by doubling the representation for the Richmond, Hampton Roads, and Northern Virginia highway construction districts and adding a third rural at-large member.

Patron - Rust

HB2067 Virginia Alternative Fuels Revolving Fund. Replaces "regulations" governing the Fund with "guidelines."

Patron - Poindexter

HB2070 Commonwealth Mass Transit Fund. Removes all current allocations made by the Commonwealth Transportation Board to mass transit and implements performance-based funding for mass transit.

Patron - Comstock

HB2129 Toll roads. Requires General Assembly approval for tolling of any interstate, state primary, or state secondary highway system component.

Patron - Spruill

HB2141 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

HB2165 Signs or advertising within limits of highways. Imposes a civil penalty of \$100 for first violations and \$250 for second or subsequent violations for placing advertising within highway rights-of-way.

Patron - Dudenhefer

HB2172 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

HB2196 Tolls on Interstate Highway System components. Requires approval by the General Assembly prior to tolling any Interstate Highway System component in operation prior to July 1, 2013, except for HOV lanes and HOT lanes and continued tolling on toll facilities in operation prior to January 1, 2013.

Patron - Peace

HB2297 Allocation of funds for railroad right-of-way access. Provides that funds for contract fees paid by the Virginia Railway Express for access to the rights-of-way of CSX Transportation, Norfolk Southern Corporation, and the National Railroad Passenger Corporation are to be allocated from the public transportation portion of federal Surface Transportation Program funds.

Patron - Filler-Corn

HB2335 Transportation Revenue Fund. Establishes the Transportation Revenue Fund and dedicates revenues attributable to economic growth from Virginia's cargo marine terminals to the Fund. The bill also provides that if the operations at one or more ports of Virginia are turned over to a private entity, the money paid by the private entity to the Commonwealth shall be deposited to the Fund. Moneys in the Fund shall be used solely for the construction of new roads in any locality in which a port is located and for the extension of such roads into other localities if the extension is an integral part of the new road.

Patron - Yancey

SB732 Composition of the Commonwealth Transportation Board. Increases the number of members of the Commonwealth Transportation Board to 18, by the addition of one citizen member, and changes the areas of representation from the construction districts to the congressional districts.

Patron - Petersen

SB865 Tolling Interstate Highway System components. Requires General Assembly approval before tolls are imposed or collected on any component of the Interstate Highway System in existence prior to July 1, 2013, except for high-occupancy toll lanes and high-occupancy vehicle lanes. The bill incorporates SB 1338.

Patron - McEachin

SB1338 Tolls for the use of Interstate Highway System components. Requires prior General Assembly approval to toll any component of the Interstate Highway System in existence prior to July 1, 2013, except for HOT and HOV lanes. The bill is incorporated into SB 865.

Patron - Martin

SB1361 Responsibilities of Department. Requires the Department of Rail and Public Transportation to provide the General Assembly with an economic and financial analysis of all proposed projects before receipt of any funding.

Patron - Black

Hotels, Restaurants, Summer Camps, and Campgrounds

Passed

HB1473 Regulations applicable to restaurants; concession stands at youth athletic activities exempt. Exempts concession stands at youth athletic activities from regulations governing restaurants, provided that such concession stands are promoted or sponsored either by a youth athletic association or by any charitable nonprofit organization or group thereof that has been recognized as being a part of the recreational program of the political subdivision where the association or organization is located by an ordinance or resolution of such political subdivision. This bill is identical to SB 709.

Patron - Scott, E.T.

HB2262 Exemptions from requirements applicable to restaurants. Exempts, from the regulations applicable to restaurants, certain nonprofit organizations that hold occasional fund raisers for the duration of the event at which food (i) prepared in the homes of members; (ii) prepared in the kitchen of the organization; or (iii) purchased or donated from

a licensed restaurant is offered for sale to the public. The bill also provides that licensed restaurants that donate or sell food at such fund raisers are not required to apply for additional permits or pay any additional permit fees to the Department of Health.

Patron - Krupicka

SB709 Regulations applicable to restaurants; concession stands at youth athletic activities exempt. Exempts concession stands at youth athletic activities from regulations governing restaurants, provided that such concession stands are promoted or sponsored either by a youth athletic association or by any charitable nonprofit organization or group thereof that has been recognized as being a part of the recreational program of the political subdivision where the association or organization is located by an ordinance or resolution of such political subdivision. This bill is identical to HB 1473.

Patron - Hanger

Housing

Passed

HB1480 Real Estate Board; authority to hear fair housing violations by real estate licensees. Clarifies that in any case in which there are multiple respondents and one of the respondents is a real estate licensee, the case involving both the real estate licensee and the respondent who is a property owner or his agent or principal who has engaged a real estate licensee shall be heard by the Real Estate Board and not the Fair Housing Board. The bill also provides that in no event shall the jurisdiction be split between the Real Estate Board and the Fair Housing Board on the same such case.

Patron - Farrell

SB841 Uniform Statewide Building Code; establishment of occupancy standards for residential dwelling units by owners or managing agents. Authorizes an owner or managing agent of a residential dwelling unit to develop and implement reasonable occupancy standards restricting the maximum number of occupants permitted to occupy the dwelling unit to two persons per bedroom. Under the bill, the occupancy standard is subject to the provisions of applicable state and federal laws and regulations. The bill also provides that the occupancy standards of an owner or managing agent shall not be enforceable under the provisions of the Uniform Statewide Building Code.

Patron - Locke

SB894 Uniform Statewide Building Code; who may be cited for violations. Clarifies that a local enforcement officer may issue a summons or a ticket to the lessor or sublessor of a residential dwelling unit for violation of any Building Code provision, provided a copy of the notice is also served on the owner of the property.

Patron - Petersen

Failed

HB1574 Uniform Statewide Building Code; enforcement by towns. Provides that if any town does not elect to enforce the Uniform Statewide Building Code, then such enforcement shall be the responsibility of the county in which the town is situated. The bill also provides that the enforcement by the county shall be with equal dignity as the

county does in unincorporated areas of the county and no agreement between the town and the county shall be required as a prerequisite for the county to perform this obligation. The bill contains technical amendments.

Patron - Minchew

SB1224 Virginia Fair Housing Law; unlawful discriminatory housing practices. Adds lawful source of income to the list of unlawful discriminatory housing practices. The bill defines lawful source of income as any income used by a person to pay for the purchase or lease of a dwelling including (i) public assistance, (ii) any manner of gross income, (iii) federal supplemental security income benefits, (iv) child support, and (v) any federal, state, or local housing assistance, regardless of whether the funds are paid directly to the person or to a landlord or other third party for the benefit of the person. The bill also authorizes the governing body of any county, city, or town to enact an ordinance in accordance with the provisions of the Virginia Fair Housing Law, provided such ordinance includes protections against discrimination that are at least as protective as those provided by the law.

Patron - Locke

SB1239 Uniform Statewide Building Code; enforcement by towns. Provides that if any town does not elect to enforce the Uniform Statewide Building Code, then such enforcement shall be the responsibility of the county in which the town is situated. The bill also provides that the enforcement by the county shall be with equal dignity as the county does in unincorporated areas of the county and no agreement between the town and the county shall be required as a prerequisite for the county to perform this obligation. The bill contains technical amendments.

Patron - Herring

Insurance

Passed

HB1396 Portable electronics insurance. Eliminates a provision that caps, at \$10 per customer, the incidental compensation that a vendor of portable electronics may provide to its employees or authorized representatives who sell portable electronics insurance.

Patron - Marshall, D.W.

HB1510 Dental or optometric services plans. Requires any nonstock corporation that offers or administers a dental or optometric services plan without acting as an agent for participating dentists or optometrists to maintain a contingency reserve of at least \$4 million. Currently, the contingency reserve must be at least equal to 45 days of anticipated operating expenses and incurred claims expenses generated for its subscription contracts. The measure also requires the State Corporation Commission to subject the nonstock corporation to the requirements regarding the Life, Accident and Sickness Insurance Guaranty Association.

Patron - Habeeb

HB1527 Fire insurance policy forms. Clarifies that excess fire insurance may be written on an endorsement as well as on a separate policy. The measure also deletes references to primary policies and deletes a requirement that insurers indicate in the heading or title of a readable policy whether the coverage applies on a primary or excess basis.

Patron - Rust

HB1528 Insurance notices. Permits insurers to send termination notices on commercial liability policies to the first named insured listed in the policy's declarations page.

Patron - Rust

HB1607 Property and casualty insurance policies; electronic notices. Removes provisions that prevent property and casualty insurers from delivering electronically notices of cancellation of certain policies of property or casualty insurance.

Patron - Hugo

HB1655 Motor vehicle insurance; assignment of medical expense benefits. Establishes requirements for assigning motor vehicle insurance medical expense benefits to the assignor's health care provider. In order for an assignment to be valid, a copy of the executed assignment of benefits form shall be provided to the motor vehicle insurer. The assignment form is required to include, among other things, statements that the person may want to consult his insurance agent or attorney before signing the form and that he is not required to execute the form to receive care. The assignor is required to receive notice of the effect of the assignment. Subject to certain exceptions, upon receipt of a copy of a valid assignment form, the motor vehicle insurer shall pay directly to the health care provider, from any medical expense benefits available to such person under a motor vehicle insurance policy, any copayments, coinsurance, or deductibles owed by the injured covered person to the health care provider if the covered injured person is covered under a health care policy, the health care provider is an in-network provider, and the health care provider has submitted its claim to the health insurer for the health care services. If the covered injured person is not covered under a health care policy or the health care provider is not an in-network provider, the motor vehicle insurer shall pay directly to the health care provider, from such available benefits, amounts to cover the cost of the health care services provided, in the amount of the usual and customary fee charged in that community for the health care services rendered. A motor vehicle insurer shall be held harmless for making payments to a health care provider pursuant to a valid assignment of benefits.

Patron - Kilgore

HB1731 Self storage unit insurance. Establishes a procedure for lessors of self storage units to sell insurance that provides coverage against loss of or damage to items of personal property stored in a self storage unit in accordance with the terms of the storage unit rental agreement. The lessor will be required to hold a limited lines property and casualty insurance agent license to sell or offer coverage under such policies. The lessor's employees and authorized representatives are not subject to licensure as producers if, among other requirements, the lessor is licensed, maintains a training program, and does not compensate its employees or authorized representatives based primarily on the number of customers purchasing coverage. The measure provides for the issuance of a license to an applicant whose home state does not issue a producer license with a similar line of authority, provided that the license will terminate if his home state does not have a similar line of insurance by July 1, 2017, or a later date determined by the State Corporation Commission. The Commission is authorized to promulgate rules and regulations.

Patron - Hugo

HB1769 Health insurance; plan management and rate review. Authorizes the State Corporation Commission (SCC) to perform plan management functions for participation in the federal health benefit exchange established by the Secretary of the U.S. Department of Health and Human Services pursuant to § 1321 of the Patient Protection and Affordable

Care Act. This obligation is contingent upon the availability of full funding, technology infrastructure being made available to the SCC, there being no other impediments that effectively prevent the SCC from performing any required plan management functions, and that the performance of such plan management functions is not deemed to establish a health benefit exchange pursuant to § 1311 of the Patient Protection and Affordable Care Act. In addition, the SCC's obligation to perform plan management functions is contingent upon receiving federal funding sufficient to pay the operating expenses necessary to carry out the functions. The SCC may contract with and enter into memoranda of understanding to carry out its plan management functions with any state or federal agency. The measure also authorizes the SCC to review and approve accident and sickness insurance premium rates applicable to health benefit plans in the individual and small group markets and health benefit plans providing health insurance coverage in the individual market through certain non-employer group plans. The power to review and approve rates is a condition to the SCC being found to be an effective regulator of such rates. The measure provides that no agent, employee, officer, or agency of the Commonwealth is authorized to take any action to establish, or that could be deemed to establish, a health benefit exchange pursuant to § 1311 of the Patient Protection and Affordable Care Act. Finally, the measure authorizes the Virginia Department of Health to assist in the plan management functions. This bill is identical to SB 922.

Patron - Kilgore

HB1784 Individual accident and sickness insurance; open enrollment program. Repeals the requirement that a health insurer that is, or is successor to, a health services plan provide an open enrollment program for individual accident and sickness contracts. Under the open enrollment program, an individual may purchase a product at any time during the year, with the caveat that the individual serve a 12-month waiting period before services are covered for any preexisting condition. The requirement for such an open enrollment program is inconsistent with guaranteed issue provisions of the federal Patient Protection and Affordable Care Act that prohibit waiting periods for coverage for preexisting conditions and that provide for limited open enrollment periods. The measure also eliminates certain provisions that set a tax rate of 0.75 percent on premiums from policies sold under the open enrollment program, and for taxable years 2013 and thereafter the tax rate will be 2.25 percent. The measure will become effective January 1, 2014. This bill is identical to SB 780.

Patron - Kilgore

HB1838 Insurance agents; effect of loss of license. Prohibits an individual whose license has been revoked by the State Corporation Commission, or voluntarily surrendered in lieu of a hearing before the Commission, from directly or indirectly owning and operating, controlling, or being employed in any manner by an insurance agent or agency during the time period in which the individual is unlicensed unless otherwise authorized by the State Corporation Commission.

Patron - McClellan

HB1900 Health insurance reform. Revises Virginia's laws pertaining to the regulation of health insurance and related products in order to be consistent with relevant requirements of the federal Patient Protection and Affordable Care Act (PPACA) that become effective on January 1, 2014. These requirements include addressing premium rate restrictions on health benefit plans providing individual and small group health insurance coverage, prohibiting discrimination based on health status, prohibiting adjustments in the cost of coverage based on genetic information, requiring individual and small group health insurance coverage to include the essential health

benefits as required by the PPACA, limiting waiting periods for health plans offering group health insurance coverage to 90 days, providing for participation in clinical trials, and authorizing health carriers to provide for wellness programs. The measure removes provisions relating to the standard and essential health benefits plans because they include coverage for services that may or may not comport with the essential health benefit package, and enforcement of the existing requirement would conflict with the PPACA. Though not specifically required to maintain conformity with federal law, the measure (i) keeps the existing limits for maximum size for a small group at 50 employees until 2016 and (ii) authorizes the State Corporation Commission to establish geographic rating areas. The bill removes the sunsets that were placed in provisions affected by or enacted as a result of the PPACA, including the external review processes. The measure is effective January 1, 2014. This bill is identical to SB 921.

Patron - Rust

HB2023 Travel insurance. Provides authorization for a business entity that is licensed as a travel agent, or acting under direction of a licensed travel agent, to offer travel insurance under a limited lines travel insurance agent license, upon complying with requirements that include maintaining a register, designating a responsible licensed producer, and providing training to certain employees and authorized representatives. Travel retailers are required to make available written materials that provide the information about the insurer and the limited lines travel insurance agent, explain that the purchase of travel insurance is not required in order to purchase any other product or service, and explain that an unlicensed travel retailer is not authorized to answer technical questions about the terms and conditions of the insurance offered. A travel retailer employee or authorized representative may not be compensated based primarily on the number of customers who purchase travel insurance coverage.

Patron - Marshall, D.W.

HB2118 Insurance policies; required notice. Clarifies that insurers are required to provide a notice that a policyholder may contact the Bureau of Insurance if he is unable to contact or obtain satisfaction from the insurer or agent. The measure corrects an editing error made in the 2012 Session that inadvertently limited this requirement to health maintenance organizations.

Patron - Byron

HB2246 Health benefit exchange; regulation of navigators. Prohibits an individual or entity selected to serve as a navigator in a health benefit exchange from engaging in any activity that would require an insurance agent license under Title 38.2, offering advice about which qualified health plan or qualified dental plan is better or worse for a particular individual or employer, acting as an intermediary between an employer and an insurer that offers a qualified health plan or qualified dental plan offered through an exchange, or violating certain unfair trade practice and privacy requirements. The measure also prohibits an individual or entity from claiming to be, or holding himself or itself out as, a navigator or conducting business as a navigator in the Commonwealth without having been selected as a navigator in accordance with applicable federal law and without having evidence of successful completion of requirements prescribed by the federal Secretary of Health and Human Services. The State Corporation Commission is authorized to order violators to cease and desist prohibited conduct and is required to monitor and report on the activities of navigators in the Commonwealth. This bill is identical to SB 1261.

Patron - O'Bannon

SB777 Insurance; notice of lapse in coverage. Restates a provision enacted in 1991 that was intended to provide that the requirement that insurers issuing certain life and accident and sickness insurance policies provide notice of lapse for failure to pay the premium does not apply to group policies, contracts, or plans. In addition, the requirement does not apply to individual policies, contracts, or plans if the insurer, health services plan, or health care plan either (i) as a general business practice provides its policy owners, contract owners, or plan owners with written notices of premiums due or (ii) has furnished its policy owner, contract owner, or plan owner with written notice separate from that contained in the policy that the failure to pay premiums in a timely manner will result in a lapse of such policy, contract, or plan. The measure is declarative of existing law.

Patron - Watkins

SB780 Individual accident and sickness insurance; open enrollment program. Repeals the requirement that a health insurer that is, or is successor to, a health services plan provide an open enrollment program for individual accident and sickness contracts. Under the open enrollment program, an individual may purchase a product at any time during the year, with the caveat that the individual serve a 12-month waiting period before services are covered for any preexisting condition. The requirement for such an open enrollment program is inconsistent with guaranteed issue provisions of the federal Patient Protection and Affordable Care Act that prohibit waiting periods for coverage for preexisting conditions and that provide for limited open enrollment periods. The measure also eliminates certain provisions that set a tax rate of 0.75 percent on premiums from policies sold under the open enrollment program, and for taxable years 2013 and thereafter the tax rate will be 2.25 percent. The measure will become effective January 1, 2014. The bill is identical to HB 1784.

Patron - Watkins

SB921 Health insurance reform. Revises Virginia's laws pertaining to the regulation of health insurance and related products in order to be consistent with relevant requirements of the federal Patient Protection and Affordable Care Act (PPACA) that become effective on January 1, 2014. These requirements include addressing premium rate restrictions on health benefit plans providing individual and small group health insurance coverage, prohibiting discrimination based on health status, prohibiting adjustments in the cost of coverage based on genetic information, requiring individual and small group health insurance coverage to include the essential health benefits as required by the PPACA, limiting waiting periods for health plans offering group health insurance coverage to 90 days, providing for participation in clinical trials, and authorizing health carriers to provide for wellness programs. The measure removes provisions relating to the standard and essential health benefits plans because they include coverage for services that may or may not comport with the essential health benefit package, and enforcement of the existing requirement would conflict with the PPACA. Though not specifically required to maintain conformity with federal law, the measure (i) keeps the existing limits for maximum size for a small group at 50 employees until 2016 and (ii) authorizes the State Corporation Commission to establish geographic rating areas. The bill removes the sunsets that were placed in provisions affected by or enacted as a result of the PPACA, including the external review processes. The measure is effective January 1, 2014. This bill is identical to HB 1900.

Patron - Watkins

SB922 Health insurance; plan management and rate review. Authorizes the State Corporation Commission (SCC) to perform plan management functions for participation

in the federal health benefit exchange established by the Secretary of the U.S. Department of Health and Human Services pursuant to § 1321 of the Patient Protection and Affordable Care Act. This obligation is contingent upon the availability of full funding, technology infrastructure being made available to the SCC, there being no other impediments that effectively prevent the SCC from performing any required plan management functions, and that the performance of such plan management functions is not deemed to establish a health benefit exchange pursuant to § 1311 of the Patient Protection and Affordable Care Act. In addition, the SCC's obligation to perform plan management functions is contingent upon receiving federal funding sufficient to pay the operating expenses necessary to carry out the functions. The SCC may contract with and enter into memoranda of understanding to carry out its plan management functions with any state or federal agency. The measure also authorizes the SCC to review and approve accident and sickness insurance premium rates applicable to health benefit plans in the individual and small group markets and health benefit plans providing health insurance coverage in the individual market through certain non-employer group plans. The power to review and approve rates is a condition to the SCC being found to be an effective regulator of such rates. The measure provides that no agent, employee, officer, or agency of the Commonwealth is authorized to take any action to establish, or that could be deemed to establish, a health benefit exchange pursuant to § 1311 of the Patient Protection and Affordable Care Act. Finally, the measure authorizes the Virginia Department of Health to assist in the plan management functions. The bill incorporates SB 1084 and is identical to HB 1769.

Patron - Watkins

SB984 Notification of settlement payment. Requires an insurer that has made a payment of at least \$5,000 in a single check to an attorney or other representative of a claimant or judgment creditor, in settlement or satisfaction by an insured or a third party of any claim arising out of an insurance policy issued or delivered in the Commonwealth, to notify the claimant or judgment creditor of such payment within five days after making payment.

Patron - Obenshain

SB1059 Dental and optometric services plans. Provides that two existing provisions, relating to the payment of interest on accident and sickness claim proceeds and to the use of explanation of benefits forms, that apply to insurance companies will also apply to dental and optometric services plans. The provision relating to interest applies to claim payments made on or after January 1, 2014. Dental and optometric service plans are not required to pay interest if the total interest is less than \$5.

Patron - Wagner

SB1243 Coverage for newborns; health maintenance organizations. Requires health care plans provided by a health maintenance organization to provide coverage for newborn children. The same requirement currently exists for health insurance policies and subscription contracts with family coverage. The bill does not apply to Medicaid managed care and FAMIS plans.

Patron - Colgan

SB1261 Health benefit exchange; regulation of navigators. Prohibits an individual or entity selected to serve as a navigator in a health benefit exchange from engaging in any activity that would require an insurance agent license under Title 38.2, offering advice about which qualified health plan or qualified dental plan is better or worse for a particular individual or employer, acting as an intermediary between an employer and an insurer that offers a qualified health plan or

qualified dental plan offered through an exchange, or violating certain unfair trade practice and privacy requirements. The measure also prohibits an individual or entity from claiming to be, or holding himself or itself out as, a navigator or conducting business as a navigator in the Commonwealth without having been selected as a navigator in accordance with applicable federal law and without having evidence of successful completion of requirements prescribed by the federal Secretary of Health and Human Services. The State Corporation Commission is authorized to order violators to cease and desist prohibited conduct and is required to monitor and report on the activities of navigators in the Commonwealth. This bill is identical to HB 2246.

Patron - Puckett

Failed

HB1314 Health insurance; contraception coverage. Provides that each insurer issuing individual or group accident and sickness insurance policies, corporation providing individual or group accident or sickness subscription contracts, or health maintenance organization providing a health care plan for health care services that offers a policy, contract, or plan that includes coverage for contraception methods, sterilization procedures, or abortifacient drugs or devices shall be required to offer a policy, contract, or plan identical in all respects except that no such coverage is included. The bill also provides that any employer who provides for health and medical care or reimbursement of medical expenses for his employees as a self-insurer is not required to include coverage for contraception methods, sterilization procedures, or abortifacient drugs or devices.

Patron - Marshall, R.G.

HB1315 Health insurance; contraception coverage. Provides that no individual or group accident and sickness insurance policy, individual or group accident or sickness subscription contract, or health care plan for health care services shall provide coverage for contraception methods, sterilization procedures, or abortifacient drugs or devices unless the subscriber or enrollee in the policy, contract, or plan requests such coverage. The bill also provides that any employer who provides for health and medical care or reimbursement of medical expenses for his employees as a self-insurer is not required to include coverage for contraception methods, sterilization procedures, or abortifacient drugs or devices.

Patron - Marshall, R.G.

HB1417 Health insurance; contraception coverage. Provides that no health insurance plan, regardless of whether such plan consists of self-insurance, purchased insurance, a combination of purchased and self-insurance, or the use of a health maintenance organization, offered by the Commonwealth or any locality to its employees or by any agency, department, division, or institution of the Commonwealth or any locality authorized by law to offer such a plan to its employees is required to include coverage for contraception methods, sterilization procedures, or abortifacient drugs or devices.

Patron - Marshall, R.G.

HB1486 Insurance agent; continuing education materials. Requires instructors of an approved insurance agent continuing education course to mail to agents enrolled in the course a postcard that provides the agent with the option to either (i) download the educational materials from the Internet

or (ii) request the instructor to mail the printed educational materials to him.

Patron - Rush

HB1572 Workers' compensation insurance; experience modification factor. Prohibits the use of an accident in determining an insured employer's experience modification factor or level, for purposes of workers' compensation insurance, if the accident is the fault of an unrelated third party.

Patron - Webert

HB1664 State partnership health benefit exchange. Directs the State Corporation Commission (SCC) to contract with and enter into memoranda of understanding with the U.S. Department of Health and Human Services or any other state or federal agency as may be required in order to establish a state plan management partnership exchange for the Commonwealth. The SCC, with assistance from the Virginia Department of Health, is required to perform any plan management functions consistent with guidelines developed by the Secretary of the U.S. Department of Health and Human Services to support such an exchange in Virginia. The SCC's obligation to perform plan management functions is contingent upon the availability of full funding, technology infrastructure being made available, and there being no other impediments that effectively prevent the SCC from performing any required plan management functions. In addition, the SCC's obligation to perform plan management functions is contingent upon receiving a general fund appropriation sufficient to pay the operating expenses necessary to carry out the functions. The SCC is required to seek full reimbursement from the U.S. Department of Health and Human Services for the expenses and to reimburse the general fund for the amount received. The SCC may contract with and enter into memoranda of understanding to carry out its plan management functions with any state or federal agency. The Department of Health, Department of Medical Assistance Services, and Department of Social Services are authorized to assist the SCC in the establishment, operation, and plan management functions of a state plan management partnership exchange. The SCC may not use special fund revenues dedicated to its other functions and duties to fund plan management functions. The measure also authorizes the SCC to review and approve accident and sickness insurance premium rates applicable to health benefit plans in the individual and small group markets and health benefit plans providing health insurance coverage in the individual market through certain non-employer group plans. The power to review and approve rates is a condition to the SCC being found to be an effective regulator of such rates, which finding is a requirement for its participation in the health benefit exchange partnership model. The measure will take effect upon its passage.

Patron - Hope

HB1740 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, 2014.

Patron - Tata

HB1869 Long-term care insurance; notice of lapse and reinstatement. Requires an insurer issuing a policy of long-term care insurance to give the policyholder or certificateholder, and a person designated by the policyholder or certificateholder to receive notice of lapse or termination of the policy or certificate for nonpayment of premium, at least 60 days' notice by registered mail or commercial delivery service, return receipt requested, prior to the lapse or termination of the policy for nonpayment of premium. The policy or certificate shall include a provision that allows the coverage to be rein-

stated after lapsing if the insurer is provided proof that the policyholder or certificateholder was cognitively impaired or had a loss of functional capacity before the expiration of the grace period. Currently, a State Corporation Commission regulation requires that a 30-day notice of termination for nonpayment of premium be sent by first-class mail.

Patron - McClellan

HB1873 Health information technology; health benefit exchange participants. Requires the Information Technology Advisory Council, with input from the Health Information Technology Standards Advisory Committee, to adopt standards that allow consumers using a health benefit exchange to have access to their (i) health data held by an exchange and (ii) administrative data regarding the exchange, including provider price, network coverage, and the consumer's claims data.

Patron - McClellan

HB2024 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, 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.

Patron - Filler-Corn

HB2030 Health insurance; installment payments of cost-sharing obligations. Requires health plans to allow certain covered persons to pay their cost-sharing obligations under their health benefit plan in 12 equal monthly installments. The option is to be provided to covered persons who are reasonably expected to incur cost-sharing obligations as a result of their pharmacy benefits that exceed their total annual cost-sharing obligations under their health benefit plan.

Patron - Peace

HB2195 Insurance holding companies. Revises the requirements applicable to insurance holding companies to conform to the National Association of Insurance Commissioners Insurance Holding Company System Regulatory Act and Insurance Holding Company System Model Regulation. The measure expands insurance regulators' examination authority to include all entities within the insurance holding company system to ascertain the financial condition of the insurer. The State Corporation Commission will be authorized to use supervisory colleges, which will be used by regulators (i) to coordinate supervision of an insurance holding company system that has national and international operations and (ii) to assess the company's business strategy, financial position, legal and regulatory position, risk exposure, risk management, and governance processes. The measure also makes dental and optometric services plans subject to the insurance holding companies provisions. The holding companies requirements in effect on June 30, 2013, will continue to apply to any insurance holding company transaction commenced prior to January 1, 2014, unless otherwise provided.

Patron - Ware, R.L.

SB866 Health insurance; mandated coverage for enteral formulas necessitated by short bowel syndrome. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage, under a policy, contract, or plan that provides prescription drug coverage, for the cost of enteral formulas for home use by covered individuals who suffer from short bowel syndrome. Coverage applies if the covered individual's physician issues an order stating that the enteral formula is clearly medically necessary

and has been proven effective as a treatment regimen for the covered individual and that the enteral formula is the primary source of nutrition.

Patron - Edwards

SB867 Coverage for certain foods; phenylketonuria. Requires each (i) insurer issuing individual or group accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis; (ii) corporation providing individual or group accident and sickness subscription contracts; and (iii) health maintenance organization providing a health care plan for health care services, whose policy, contract' or plan, including any certificate or evidence of coverage issued in connection with such policy, contract' or plan, includes coverage for prescription drugs on an outpatient basis to provide coverage for low protein (low phenylalanine) foods prescribed for the treatment of phenylketonuria and approved by the U.S. Food and Drug Administration for such treatment.

Patron - Edwards

SB924 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 (SCC). The Exchange shall facilitate the purchase and sale of qualified health plans and qualified dental plans to qualified individuals and qualified employers. The Exchange shall make qualified plans available to qualified individuals and qualified employers beginning with effective dates on January 1, 2014, which date may be postponed by the SCC as it deems necessary to permit the completion of the establishment of the Exchange. 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 also authorizes the SCC to review and approve accident and sickness insurance premium rates applicable to health benefit plans in the individual and small group markets and health benefit plans providing health insurance coverage in the individual market through certain non-employer group plans. The power to review and approve rates is a condition to the SCC being found to be an effective regulator of such rates, which finding is a requirement for its operation of a state-run health benefit exchange.

Patron - Watkins

SB947 Health insurance; modification of prescription drug coverage. Prohibits a health insurer, corporation providing accident and sickness subscription contracts, or health maintenance organization from making certain modifications in prescription drug coverage unless (i) the modification occurs at the time of coverage renewal; (ii) the modification is effective on a uniform basis among all policyholders, contract holders, or subscribers of identical or substantially identical policies, contracts, or plans; and (iii) the insurer, corporation, or health maintenance organization notifies affected insureds, subscribers, or members of the modification

not later than 60 days before the date the modification is effective. The requirement applies only to modifications that remove a drug from a formulary, add a prior authorization requirement, impose or alter a quantity limit for a drug, impose a step-therapy restriction for a drug, or move a drug to a higher cost-sharing tier. The measure applies only to policies, contracts, or plans that include coverage for prescription drugs and utilize a formulary. The bill was incorporated into SB 945.

Patron - Puller

SB1057 Insurers; Own Risk and Solvency Assessments. Requires insurance companies to maintain a risk management framework to assist with identifying, assessing, monitoring, managing, and reporting on material and relevant risks. As part of this requirement, each nonexempt insurer, or the insurance group to which it is a member, is required regularly to conduct an Own Risk and Solvency Assessment (ORSA). An ORSA is a confidential internal assessment, conducted by an insurer, of the material and relevant risks associated with the insurer's current business plan and the sufficiency of capital resources to support those risks. The measure is based on the ORSA Model Act developed by the National Association of Insurance Commissioners. The measure is effective January 1, 2015.

Patron - Watkins

SB1084 State partnership health benefit exchange. Directs the State Corporation Commission (SCC) to contract with and enter into memoranda of understanding with the U.S. Department of Health and Human Services or any other state or federal agency as may be required in order to establish a state plan management partnership exchange for the Commonwealth. The SCC, with assistance from the Virginia Department of Health, is required to perform any plan management functions consistent with guidelines developed by the Secretary of the U.S. Department of Health and Human Services to support such an exchange in Virginia. The SCC's obligation to perform plan management functions is contingent upon the availability of full funding, technology infrastructure being made available, and there being no other impediments that effectively prevent the SCC from performing any required plan management functions. In addition, the SCC's obligation to perform plan management functions is contingent upon receiving a general fund appropriation sufficient to pay the operating expenses necessary to carry out the functions. The SCC is required to seek full reimbursement from the U.S. Department of Health and Human Services for the expenses and to reimburse the general fund for the amount received. The SCC may contract with and enter into memoranda of understanding to carry out its plan management functions with any state or federal agency. The Department of Health, Department of Medical Assistance Services, and Department of Social Services are authorized to assist the SCC in the establishment, operation, and plan management functions of a state plan management partnership exchange. The SCC may not use special fund revenues dedicated to its other functions and duties to fund plan management functions. The measure also authorizes the SCC to review and approve accident and sickness insurance premium rates applicable to health benefit plans in the individual and small group markets and health benefit plans providing health insurance coverage in the individual market through certain non-employer group plans. The power to review and approve rates is a condition to the SCC being found to be an effective regulator of such rates, which finding is a requirement for its participation in the health benefit exchange partnership model. The measure will take effect upon its passage. The bill was incorporated into SB 922.

Patron - Herring

Juvenile Justice

Passed

HB2123 Board of Juvenile Justice; membership. Increases the membership of the Board of Juvenile Justice to include two experienced educators. The bill is identical to SB 1187.

Patron - Morefield

SB1187 Board of Juvenile Justice; membership. Increases the membership of the Board of Juvenile Justice to include two experienced educators. The bill is identical to HB 2123.

Patron - Vogel

Labor and Employment

Passed

HB1318 Boiler and Pressure Vessel Safety Act; liquefied propane gas containers. Exempts stationary American Society of Mechanical Engineers (ASME) LP-Gas containers used exclusively in propane service from the Boiler and Pressure Vessel Safety Act if their capacity does not exceed 2,000 gallons and the owner or his servicing agent inspects the tank every five years, maintains records of the inspection, and makes the records available to the Commissioner of Labor and Industry. The measure also provides that boilers and pressure vessels on the property of private residences and apartment houses with fewer than four units are exempt from the Act; the current exemption applies only to such equipment in such residences or apartment houses.

Patron - Ware, R.L.

HB1385 Right to vote by secret ballot on labor organization representation. Declares that, in any procedure providing for the designation, selection, or authorization of a labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement.

Patron - Comstock

HB1681 Child labor permits. Transfers the task of issuing child labor permits from public school superintendents to the Department of Labor and Industry through procedures prescribed by the Commissioner of Labor and Industry. Certificates may be issued both directly and electronically.

Patron - Yost

HB1931 Employment; release of personal information. Provides that an employer shall not be required to release, communicate, or distribute to a third party any current or former employee's personal identifying information, unless required by federal law, state law, court order, warrant issued by a judicial officer, subpoena, or discovery.

Patron - Comstock

HB2061 Human trafficking hotline; posted notices. Provides that any employer who operates a truck stop and who fails to post a notice, in the same location where other employee notices required by state or federal law are posted, of the existence of a human trafficking hotline is subject to a civil

penalty of \$100. A civil penalty shall not be assessed until after 72 hours' notice of such failure. No such civil penalties shall be assessed prior to January 1, 2014. The measure also clarifies that civil penalties are to be assessed by the Department of Labor and Industry.

Patron - Bulova

Failed

FHB1368 Employees; jury duty. Requires employers, including the Commonwealth and localities, to excuse an employee from employment for each day the employee's service as a juror exceeds three hours. The requirement applies when an employee is summoned for jury duty in a federal or state court and provides his immediate supervisor, on the next working day after receiving the summons, with the original or a photocopy of the summons. With certain exceptions, the employee is entitled to his usual compensation for periods he is excused, though the employer may deduct any compensation the employee receives for the jury service. Employers may not discharge or discriminate against an employee for jury duty if the required notice was given. An employee who is discharged, demoted, or suspended in violation of these provisions may seek reinstatement and reimbursement for lost wages and benefits and recovery of attorney fees and court costs.

Patron - Scott, J.M.

FHB1729 Payment of wages to employees. Requires employers to maintain and preserve records regarding the rate of pay, hours worked, earnings due, wages paid, and related matters for each employee. The measure provides a standard for how an employee, in an action to collect unpaid wages, may meet his burden of establishing that he is entitled to the wages. The measure also amends an employee's existing private right of action for unpaid wages by requiring the court to award attorney fees and other costs to a prevailing employee. In such a proceeding, unless the employer shows good faith, the court shall award to the employee three times the amount of unpaid wages. An action for unpaid wages shall be commenced within two years after the action accrued, or within three years if the violation is willful.

Patron - Toscano

FHB1997 Labor organizations; privileged communications and information. Prohibits a labor organization or its agent from being compelled to disclose under specified circumstances a communication or information received or acquired in confidence while acting in a representative capacity concerning an employee grievance. The privilege applies to the extent that (i) a communication or information is germane to a grievance of the employee and (ii) the grievance is a subject matter of an investigation, a grievance proceeding, or other proceeding. The privilege does not protect the employee from being compelled to disclose facts underlying the communication or information. A labor organization or its agent is required to disclose a privileged communication or information to the employer if disclosure is necessary to prevent certain death or substantial bodily harm. The privilege does not apply in criminal proceedings.

Patron - Sickles

FSB789 Equal compensation of employees irrespective of sex. Amends existing law requiring equal pay for equal work irrespective of sex to (i) increase the penalty for a violation from double unpaid wages to triple unpaid wages plus reasonable attorney fees; (ii) prohibit employers from punishing

employees for sharing salary information with their coworkers; and (iii) prohibit unequal provision of benefits and privileges.

Patron - McEachin

FSB816 Payment of wages to employees. Requires employers to maintain and preserve records regarding the rate of pay, hours worked, earnings due, wages paid, and related matters for each employee. The measure provides a standard for how an employee, in an action to collect unpaid wages, may meet his burden of establishing that he is entitled to the wages. The measure also amends an employee's existing private right of action for unpaid wages by requiring the court to award attorney fees and other costs to a prevailing employee. In such a proceeding, unless the employer shows good faith, the court shall award to the employee three times the amount of unpaid wages. An action for unpaid wages shall be commenced within two years after the action accrued, or within three years if the violation is willful. The measure will not become effective if a general fund appropriation restores funding for six wage investigator positions at the Department of Labor and Industry.

Patron - McEachin

FSB1292 Human trafficking hotline; posted notices. Provides that any employer who operates a truck stop 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 measure expands a provision enacted in 2012 that imposed the requirement on businesses that provide entertainment commonly called stripteasing or topless entertainment. The measure also clarifies that the civil penalties are to be assessed by the Department of Labor and Industry.

Patron - Obenshain

Mechanics' and Certain Other Liens

Passed

PHB1913 Mechanics' liens; licensed contractors. Provides that a person who is not a licensed contractor may not claim a mechanic's lien if a valid contractor's license or certificate was required by law for the labor performed. The bill also requires that a person include on the memorandum for a mechanic's lien his license or certificate number and the dates such license or certificate was issued and will expire or certify that a license or certificate was not required by law for the labor performed; however, an inaccuracy in such license or certificate information that must be included in the memorandum does not bar the perfection of a mechanic's lien if the lien claimant can otherwise be reasonably identified in the records of the Board for Contractors.

Patron - Surovell

Failed

FHB1436 Mechanics' lien notice. Provides that any person intending to perfect a mechanics' lien against a one-family or two-family residential dwelling unit must send the mechanics' lien agent designated on the building permit or, if no agent is designated on the permit, 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

HB1638 Department of Military Affairs; providing of flag to next of kin. Adds the Virginia State Defense Force to the list of organizations that receive state appropriations for presentation of a flag of the Commonwealth to the next of kin of a person who, upon his death, was serving in, or honorably served for a period of 20 years in and retired from, the Virginia State Defense Force. Current law lists the National Guard and the naval militia and recognizes service in the National Guard only. This bill is identical to SB 1056.

Patron - Greason

SB1056 Department of Military Affairs; providing of flag to next of kin. Adds the Virginia State Defense to the list of organizations that receive state appropriations for presentation of a flag of the Commonwealth to the next of kin of a person who, upon his death, was serving in, or honorably served for a period of 20 years in and retired from, the Virginia State Defense Force. Current law lists the National Guard and the naval militia and recognizes service in the National Guard only. This bill is identical to HB 1638.

Patron - Black

Failed

HB1576 Virginia armed forces; educational materials. Requires the Adjutant General to distribute to members of the Virginia National Guard and the Virginia Defense Force educational materials relating to the lawful exercise of the power of the United States Congress to declare war.

Patron - Marshall, R.G.

Mines and Mining

Passed

HB2111 Surface mining of coal. Repeals an obsolete chapter in Title 45.1 that regulates the surface mining of coal. The provisions of this chapter have been superseded by the Virginia Coal Surface Mining Control and Reclamation Act (§ 45.1-226 et seq.). This bill is identical to SB 1014.

Patron - Morefield

SB1014 Surface mining of coal. Repeals an obsolete chapter in Title 45.1 that regulates the surface mining of coal. The provisions of this chapter have been superseded by the Virginia Coal Surface Mining Control and Reclamation Act (§ 45.1-226 et seq.). This bill is identical to HB 2111.

Patron - Puckett

Failed

HB2330 Uranium mining; penalties. Establishes a process for the Department of Mines, Minerals and Energy (DMME) to issue permits for the mining of uranium ore. DMME, in consultation with the Department of Environmental Quality, Department of Health, State Corporation Commission, Department of Conservation and Recreation, Department of Game and Inland Fisheries, Department of Historic Resources, and Department of Agriculture and Consumer Services, is required to adopt regulations governing uranium mining. DMME shall not accept an application for a uranium mining permit from an applicant unless the applicant had a valid permit for uranium exploration on July 1, 2013. DMME shall not accept an application for a permit to mine uranium at a location more than 10 miles from an area for which a uranium exploration permit was in effect on January 1, 2012. Permit holders are required to pay application fees and annual fees, which shall be sufficient to defray the costs of administering the uranium mining program. The measure establishes the Uranium Administrative Fund, Uranium Response Fund, and Long-Term Monitoring Fund, which will be funded by fees assessed on permittees. A permittee that violates a permit condition or provision of law or regulation may be subject to civil penalties. A person who conducts uranium mining without a permit, violates a condition of a permit, fails to comply with a regulation or order, makes certain false statements, violates recordkeeping requirements, or impedes the DMME in its performance of duties is subject to criminal penalties. A uranium mining permit shall not be issued to an applicant unless the applicant is licensed by the State Corporation Commission as a uranium development corporation, the requirements for which are established by this measure. The Commission is authorized to suspend a uranium development license if it finds that a licensee is not in compliance with financial responsibility requirements or if it receives notice of a determination by an agency that an operation is being conducted in violation of a permit or license. The Commission may revoke a uranium development license if it finds by clear and convincing evidence that the license holder has failed to correct a condition for which its license was suspended or has committed other specified acts.

Patron - Miller

SB1353 Uranium mining; penalties. Establishes a process for the Department of Mines, Minerals and Energy (DMME) to issue permits for the mining of uranium ore. DMME, in consultation with the Department of Environmental Quality, Department of Health, State Corporation Commission, Department of Conservation and Recreation, Department of Game and Inland Fisheries, Department of Historic Resources, and Department of Agriculture and Consumer Services, is required to adopt regulations governing uranium mining. DMME shall not accept an application for a uranium mining permit from an applicant unless the applicant had a valid permit for uranium exploration on July 1, 2013. DMME shall not accept an application for a permit to mine uranium at a location more than 10 miles from an area for which a uranium exploration permit was in effect on January 1, 2012. Permit holders are required to pay application fees and annual fees, which shall be sufficient to defray the costs of administering the uranium mining program. The measure establishes the Uranium Administrative Fund, Uranium Response Fund, and Long-Term Monitoring Fund, which will be funded by fees assessed on permittees. A permittee that violates a permit condition or provision of law or regulation may be subject to civil penalties. A person who conducts uranium mining without a permit, violates a condition of a permit, fails to comply with a regulation

or order, makes certain false statements, violates recordkeeping requirements, or impedes the DMME in its performance of duties is subject to criminal penalties. A uranium mining permit shall not be issued to an applicant unless the applicant is licensed by the State Corporation Commission as a uranium development corporation, the requirements for which are established by this measure. The Commission is authorized to suspend a uranium development license if it finds that a licensee is not in compliance with financial responsibility requirements or if it receives notice of a determination by an agency that an operation is being conducted in violation of a permit or license. The Commission may revoke a uranium development license if it finds by clear and convincing evidence that the license holder has failed to correct a condition for which its license was suspended or has committed other specified acts.

Patron - Watkins

Motor Vehicles

Passed

HB1387 Special license plates; supporters of the Washington Nationals baseball team. Authorizes the issuance of revenue-sharing special license plates for supporters of the Washington Nationals baseball team to support the Washington Nationals Dream Foundation. This bill is identical to SB 837.

Patron - Webert

HB1395 Abandoned vehicles; sale of those taken into custody at auction. Provides that "public auctions" at which abandoned vehicles are sold by local governments can include Internet sales. The bill also reduces the time period that a locality must hold the proceeds from such a sale for the owner from 90 to 60 days.

Patron - Marshall, D.W.

HB1453 Extension of loads beyond front of vehicles. Allows loads to extend 10 feet beyond the front of the vehicle for utility poles during the daytime and for emergency utility repair at night. Under current law, no vehicle is allowed to carry a load that extends more than three feet beyond the front of the vehicle. This bill is identical to SB 1050.

Patron - Cox, J.A.

HB1475 Motorcycle titling; purchase of new motorcycles for parts. Allows licensed motorcycle manufacturers with a salvage dealer license to purchase new motorcycles of a different line-make for parts without obtaining a certificate of title. This bill is identical to SB 904.

Patron - Scott, E.T.

HB1476 Motorcycle rider training centers. Requires that motorcycles supplied by motorcycle rider training centers meet at least two of three specified criteria as to engine displacement, vehicle weight, and seat height. This bill incorporates HB 1865.

Patron - Scott, E.T.

HB1485 DMV fees. Allows the DMV Commissioner to postpone expiration of vehicle registration if DMV is unable to operate for reasons beyond its control and the postponement is authorized by the Governor.

Patron - Rush

HB1514 Golf carts and utility vehicles. Adds the town of Wachapreague to the list of towns that may authorize over-the-road operation of golf carts and utility vehicles, even though the town does not have its own police department.

Patron - Lewis

HB1539 Sale of motor vehicles on consignment. Provides that a "supplemental sales location" license is not required for a licensed motor vehicle dealer, licensed T&M dealer, licensed trailer dealer, or licensed motorcycle dealer to sell vehicles, trailers, or motorcycles on consignment at wholesale auctions. The bill also allows the consignment sale of vehicles, trailers, or motorcycles that fail to pass safety inspection if the buyer is provided a written disclosure of that failure.

Patron - Greason

HB1632 Dealer franchises; administrative fees and penalties. Extends the protection that dealers currently retain for chargebacks to administrative fees and other penalties. Current law protects dealers who seek to challenge chargebacks for warranty and sales incentive claims from having the disputed amounts taken from open accounts with the manufacturer while the dispute is ongoing. This bill extends this protection to dealers challenging a manufacturer's imposition of administrative fees and other penalties. This bill contains technical amendments and is identical to SB 1051.

Patron - Cosgrove

HB1701 Examination of driver's license applicants. Provides that no person who is at least 19 years old and who fails DMV's driver knowledge exam three times can take the exam a fourth time until he successfully completes a course of instruction based on the Virginia Driver's Manual offered by a licensed driver training school.

Patron - Carr

HB1830 Department of State Police; crash reports maintained by the Department. Provides that the Department of State Police may retain certain automobile accident reports and furnish copies of such reports in either hard copy or electronic form. Under current law, the Department must retain such reports only in hard copy form. This bill is identical to SB 948.

Patron - Villanueva

HB1841 Local vehicle licenses. Permits localities to issue local vehicle licenses free of charge for vehicles owned or leased by members of the Virginia Defense Force, provided that no Defense Force member shall receive more than one free license.

Patron - Lingamfelter

HB1886 Vehicle tire weight limitations. Prohibits operation, for a commercial purpose, of certain vehicles whose tire weight exceeds 125 percent of the tire weight limit guidelines.

Patron - LeMunyon

HB1907 Driving while texting; primary offense; increased penalties. Provides that driving while texting is a traffic infraction punishable, for a first offense, by a fine of \$250 and, for a second or subsequent offense, by a fine of \$500. The current penalties are \$20 for a first offense and \$50 for a second or subsequent offense. The bill also increases the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving offense. The bill also changes the offense from a secondary offense (one that can only be charged when the offender is stopped for another, separate offense) to a primary offense. The bill incorporates

HB 1357, HB 1360, HB 1495, HB 1540, HB 1848, and HB 1883 and is identical to SB 1222.

Patron - Anderson

HB1944 Inspection of converted electric vehicles; fee. Allows safety inspectors of converted electric vehicles to charge an additional fee of no more than \$40 for such an inspection.

Patron - Lopez

HB1985 Vehicle weight limits and overweight permits. Makes several technical changes in order to clarify legislation passed by the 2012 Session dealing with vehicle weight limits and overweight permits.

Patron - May

HB2029 Speed limits. Allows the Town of Quantico to reduce speed limits on any highways within its boundaries to less than 25 mph.

Patron - Dudenhefer

HB2033 Provisional driver's license; restriction exceptions. Provides that the restriction on operating a motor vehicle between midnight and 4:00 a.m. for a minor who holds a provisional driver's license does not apply if the minor is driving to or from an activity that is supervised by an adult and is sponsored by a school or by a civic, religious, or public organization. Currently this exception only applies to a minor driving to or from a school-sponsored activity.

Patron - Peace

HB2042 DMV; customer service. Modifies requirements for (i) release by DMV of vehicle title information, (ii) automated electronic payments to the DMV, (iii) temporary motorcycle operator licenses, and (iv) deactivation, extension, and reactivation of vehicle registration. This bill also allows DMV to issue veteran ID cards.

Patron - May

HB2077 Motor carrier and commercial driver's licensing. Amends several motor carrier and commercial driver's licensing laws. The bill clarifies and strengthens fitness and operating authority requirements for intrastate motor carriers. It also enables Virginia to comply with new Federal Motor Carrier Safety Administration regulation amendments regarding commercial motor vehicles and a prohibition on texting in commercial motor vehicles, and it codifies federal commercial driver's license requirements. This bill is identical to SB 1219.

Patron - Cox, J.A.

HB2080 Evidence acceptable to DMV Commissioner of payments of taxes, etc. Provides that the DMV Commissioner may determine what sort of evidence he will accept as to proof of payment of taxes on vehicles and of the registration or exemption from registration of certain vehicles without doing so by regulation. The bill also makes several technical changes.

Patron - Yancey

HB2106 Regulation of traffic. Conforms Title 46.2 (Motor Vehicles) of the Code of Virginia to recent changes to the Manual on Uniform Traffic Control Devices. This bill is identical to SB 1200.

Patron - Villanueva

HB2202 Vehicle towing charges. Increases from \$125 to \$135 the maximum hookup and initial towing fee that may be charged for the towing of a passenger car from private

property without its owner's consent, unless a local ordinance sets a different limit.

Patron - Pogge

HB2217 Crossing highways. Allows local governing bodies to adopt ordinances requiring users of shared-use paths to stop before crossing highways at marked crosswalks. This bill is identical to SB 959.

Patron - Greason

HB2228 Overweight vehicle permit fees. Provides that the fee for engineering analysis performed prior to issuance of an overweight vehicle permit is not to exceed three hours.

Patron - Morefield

HB2243 Escort driver certification. Provides for the certification and regulation of escort drivers in the Commonwealth. The bill also adds a traffic infraction for impeding or disrupting vehicles operating under a hauling permit that requires an escort vehicle. The bill has a delayed effective date of January 1, 2014. This bill is identical to SB 1284.

Patron - May

HB2272 Satisfaction of judgments; motor vehicle accident. 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. The bill has a delayed effective date of January 1, 2014.

Patron - Johnson

SB715 Transfer of vehicles on death. Provides for the transfer of title to motor vehicles, trailers, and semitrailers to a designated beneficiary upon the death of the owner.

Patron - Black

SB770 Fees for driver improvement clinics. Increases the cap that clinics may charge for driver improvement courses from \$75 to \$100.

Patron - Wagner

SB794 Temporary removable windshield placards. Allows licensed physicians, nurse practitioners, physician assistants, podiatrists, or chiropractors to certify 15 days in advance of a medical procedure that an applicant will have a temporary disability that limits or impairs his ability to walk. DMV will mail the temporary placard to the applicant.

Patron - Garrett

SB837 Special license plates; supporters of the Washington Nationals baseball team. Authorizes the issuance of revenue-sharing special license plates for supporters of the Washington Nationals baseball team to support the Washington Nationals Dream Foundation. This bill is identical to HB 1387.

Patron - Barker

SB887 Farm use vehicles. Increases the distance that farm use vehicles used for agricultural and horticultural purposes and the seasonal transportation of produce and livestock may travel on the highways from 30 to 50 miles. This bill also makes technical amendments.

Patron - Deeds

SB892 Department of Motor Vehicles; vehicles used by commercial fishermen. Provides that a commercial fisherman may transport boats or other equipment or harvested seafood up to 50 miles without having the vehicle registered.

Currently the exemption applies only if the distance is no more than 30 miles.

Patron - Stuart

SB904 Motorcycle titling; purchase of new motorcycles for parts. Allows licensed motorcycle manufacturers with a salvage dealer license to purchase new motorcycles of a different line-make for parts without obtaining a certificate of title. This bill is identical to HB 1475.

Patron - Reeves

SB948 Department of State Police; crash reports maintained by the Department. Provides that the Department of State Police may retain certain automobile accident reports and furnish copies of such reports in either hard copy or electronic form. Under current law, the Department must retain such reports only in hard copy form. This bill is identical to HB 1830.

Patron - Carrico

SB959 Crossing highways. Allows local governing bodies to adopt ordinances requiring users of shared-use paths to stop before crossing highways at marked crosswalks. This bill is identical to HB 2217.

Patron - Favola

SB1038 Non-conventional vehicles. Provides for the titling and registration of mopeds and distinctive license plates for low-speed vehicles. The bill also requires a moped operator to carry government-issued photo identification and wear a face shield, safety glasses, or goggles if his moped is not equipped with safety glass or a windshield. The bill also makes all-terrain vehicles, off-road motorcycles, and mopeds subject to the motor vehicle sales and use tax, if the owner does not show that they already paid the retail sales and use tax. The bill further classifies mopeds for valuation purposes in personal property taxation and allows localities to exempt mopeds from personal property taxation. The bill also replaces the term "scooter" with "foot-scooter" and makes other largely technical changes based upon recommendations made by DMV after a year-long study of Virginia's laws relating to non-conventional vehicles. The bill incorporates SB 1067.

Patron - Newman

SB1050 Extension of loads beyond front of vehicles. Allows loads to extend 10 feet beyond the front of the vehicle for utility poles during the daytime and for emergency utility repair at night. Under current law, no vehicle is allowed to carry a load that extends more than three feet beyond the front of the vehicle. This bill is identical to HB 1453.

Patron - McDougle

SB1051 Dealer franchises; administrative fees and penalties. Extends the protection that dealers currently retain for chargebacks to administrative fees and other penalties. Current law protects dealers who seek to challenge chargebacks for warranty and sales incentive claims from having the disputed amounts taken from open accounts with the manufacturer while the dispute is ongoing. This bill extends this protection to dealers challenging a manufacturer's imposition of administrative fees and other penalties. This bill contains technical amendments and is identical to HB 1632.

Patron - McDougle

SB1102 Emissions inspection exemption. Decreases the minimum miles per gallon rating required to be exempt from emissions inspection testing from 50 to 48 miles per gallon for 2008 and 2009 hybrid vehicles.

Patron - Ebbin

SB1165 Provisional driver's licenses. Provides that the holder of a provisional driver's license under age 18 is not authorized to operate a motor vehicle with more than one passenger who is less than 21 years old, unless the driver is accompanied by a parent or person acting in loco parentis who is occupying a seat beside the driver. However, the bill does provide that, after the first year the provisional license is issued, the holder may operate a motor vehicle with up to three passengers less than 21 years old if driving to or from a school-sponsored activity, or a person who is at least 21 years old is sitting on the seat beside the driver, or there is an emergency. This bill only applies to those with a provisional driver's license who turn 17 after July 1, 2013.

Patron - Newman

SB1200 Regulation of traffic. Conforms Title 46.2 (Motor Vehicles) of the Code of Virginia to recent changes to the Manual on Uniform Traffic Control Devices. This bill is identical to HB 2106.

Patron - Smith

SB1218 DMV; customer service. Modifies requirements for (i) release by DMV of vehicle title information, (ii) automated electronic payments to the DMV, (iii) temporary motorcycle operator licenses, and (iv) deactivation, extension, and reactivation of vehicle registration.

Patron - Newman

SB1219 Motor carrier and commercial driver's licensing. Amends several motor carrier and commercial driver's licensing laws. The bill clarifies and strengthens fitness and operating authority requirements for intrastate motor carriers. It also enables Virginia to comply with new Federal Motor Carrier Safety Administration regulation amendments regarding commercial motor vehicles and a prohibition on texting in commercial motor vehicles, and it codifies federal commercial driver's license requirements. This bill is identical to HB 2077.

Patron - Newman

SB1222 Driving while texting; primary offense; increased penalties. Provides that driving while texting is a traffic infraction punishable, for a first offense, by a fine of \$250 and, for a second or subsequent offense, by a fine of \$500. The current penalties are \$20 for a first offense and \$50 for a second or subsequent offense. The bill also increases the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving offense. The bill also changes the offense from a secondary offense (one that can only be charged when the offender is stopped for another, separate offense) to a primary offense. The bill incorporates SB 981, SB 1160, and SB 1238. The bill is identical to HB 1907.

Patron - Norment

SB1284 Escort driver certification. Provides for the certification and regulation of escort drivers in the Commonwealth. The bill also adds a traffic infraction for impeding or disrupting vehicles operating under a hauling permit that requires an escort vehicle. The bill has a delayed effective date of January 1, 2014. This bill is identical to HB 2243.

Patron - Newman

SB1298 Special license plates. Authorizes the issuance of special license plates for active duty members, retirees, or honorably discharged veterans with six months of service in the U.S. Navy or U.S. Air Force.

Patron - Puller

SB1368 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 - Herring

Failed

HB1357 Texting while driving. Makes texting while driving a primary offense. This bill was incorporated into HB 1907.

Patron - Rust

HB1360 Reckless driving; using a handheld communications device; penalty. Provides that driving while simultaneously using a handheld communications device for something other than verbal communication constitutes driving a motor vehicle that is not under proper control, punishable as reckless driving, a Class 1 misdemeanor. Under current law, the more specific offense of "texting while driving" (repealed by this bill) incurs a \$20 fine and is a secondary offense, which means that a law-enforcement officer must have cause to stop or detain a driver for some other violation, the primary offense, before issuing a citation for texting while driving, the secondary offense. This bill was incorporated into HB 1907.

Patron - Cline

HB1366 Smoking in a car with a minor present; civil penalty. Makes it unlawful for a person to smoke in a motor vehicle in the presence of a child younger than 13 years of age; punishable by a civil penalty of \$100.

Patron - Morrissey

HB1371 Exceeding speed limit; reckless driving. Removes driving in excess of 80 mph regardless of the applicable speed limit as an instance of reckless driving.

Patron - Morrissey

HB1386 Overweight vehicle permits. Allows the court to invalidate a standard overweight permit in circumstances where a super load permit was required.

Patron - Tata

HB1446 Special license plates; Rosewell Foundation. Authorizes the issuance of revenue-sharing special license plates for supporters of the Rosewell Foundation.

Patron - Hodges

HB1484 Farm use vehicles. Extends the travel distance limitation on unregistered vehicles used on a seasonal basis in transporting farm produce and livestock along public highways from 50 miles to 100 miles.

Patron - Rush

HB1494 Authority to deputize persons to direct traffic. Expands the ability of sheriffs to deputize persons to direct traffic during periods of heavy traffic or congestion.

Patron - Dance

HB1495 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 Common-

wealth and makes such use a primary offense. This bill was incorporated into HB 1907.

Patron - Dance

HB1540 Cell phones on school property and in reduced-speed school crossing zones. Prohibits use of handheld personal telecommunications devices by drivers of moving vehicles on school property or in reduced-speed school crossing zones. This bill was incorporated into HB 1907.

Patron - Watts

HB1571 Towing; presentation of statement of charges. Requires that a law-enforcement officer supply the owner of a vehicle to be towed at the officer's request or on his recommendation with a written statement of the amount to be charged for the towing and storage of the vehicle.

Patron - Marshall, R.G.

HB1608 Definitions applicable to Title 46.2. Revises the definitions of "all-terrain vehicle" and "utility vehicle" as used in Title 46.2 of the Code of Virginia (Motor Vehicles).

Patron - Hugo

HB1628 Driver training schools. Provides that no DMV regulation shall provide for a minimum distance of separation between driver training schools and DMV facilities in any city or town with a population of 10,000 or less.

Patron - Gilbert

HB1713 Driver's licenses; participation in organ donor program. Provides that all persons issued Virginia driver's licenses will be presumed to be participants in the organ donor program, unless otherwise indicated by the applicant in his application. Licensees who thus opt out will have this information shown on their driver's licenses.

Patron - Plum

HB1714 Records sent to the Department of Motor Vehicles; court clerks. Clarifies the timing for when a clerk of a district court or circuit court is required to forward an abstract of the record in certain cases to the Commissioner of the Department of Motor Vehicles. The bill further provides that if the records in the office of any district court or circuit court clerk show that the judgment in such cases has been vacated or nullified in any manner, the clerk shall make a report of such to the Commissioner. The bill provides further that no record in the district court should be filed unless the time for filing an appeal has expired and no appeal has been perfected.

Patron - Iaquinto

HB1832 Special license plates; Smith Mountain Lake. Authorizes the issuance of special license plates celebrating Smith Mountain Lake.

Patron - Poindexter

HB1842 Special license plates; firefighters and auxiliaries; Fraternal Order of Police; volunteer rescue squads and auxiliaries. Authorizes the imposition of a \$10 annual surcharge for issuance of special license plates for professional and volunteer firefighters, members of volunteer fire department auxiliaries, members of the Fraternal Order of Police, and members of volunteer rescue squads and volunteer rescue squad auxiliaries. The amount of this surcharge is reduced to \$2 per year beginning July 1, 2015. The proceeds of such fee are to be paid monthly to the Virginia Public Safety Foundation to be spent for the construction, operation, and maintenance of a public safety memorial in the Darden Memorial Garden next to Capitol Square.

Patron - Rust

HB1865 Motorcycle rider safety training centers. Requires that motorcycle rider safety training centers provide at least one motorcycle per student. This bill is incorporated into HB 1476.

Patron - Robinson

HB1883 Texting while driving; injury to another or damage to property. Provides that any person who, while "texting" and driving, causes an accident in which a person is killed or injured or in which an attended vehicle or other attended property is damaged is guilty of reckless driving. The bill also provides that a violation of this provision shall not preclude prosecution under any other applicable provision of the criminal law. This bill was incorporated into HB 1907.

Patron - Bulova

HB1895 Reckless driving; passing other vehicles at intersections. Clarifies the language of § 46.2-858 which prohibits a person from overtaking or passing another vehicle at certain intersections when a pedestrian is present. The bill does not make any substantive changes to existing law.

Patron - Kory

HB1948 Definition of "tow." Supplies a definition of "tow" as the term is used in connection with the ticketing, removal, or immobilization of trespassing vehicles.

Patron - Wilt

HB1949 Reckless driving; speed limits on toll facilities. Eliminates the provision making driving 80 mph or faster reckless driving and allows speed limits of 80 mph on toll roads, including HOT lanes.

Patron - Yancey

HB1950 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

HB1974 State safety inspection fees. Increases from \$16 to \$24 the maximum fee that can be charged for state safety inspections of "other vehicles." The bill also provides for the indexing of the maximum allowable fee for all vehicles based on the Consumer Price Index.

Patron - Wilt

HB1984 Non-conventional vehicles. Provides for the titling and registration of mopeds and distinctive license plates for low-speed vehicles. The bill also requires a moped operator to carry government-issued photo identification and wear a face shield, safety glasses, or goggles if his moped is not equipped with safety glass or a windshield. The bill also makes all-terrain vehicles, off-road motorcycles, and mopeds subject to the motor vehicle sales and use tax, if the owner does not show that they already paid the retail sales and use tax. The bill further classifies mopeds for valuation purposes in personal property taxation and allows localities to exempt mopeds from personal property taxation. The bill, too, replaces the term "scooter" with "foot-scooter" and makes other largely technical changes based upon recommendations made by DMV after a year-long study of Virginia's laws relating to non-conventional vehicles.

Patron - May

HB2010 Motorcyclists. Allows motorcyclists who are 21 years old or older to ride without wearing helmets.

Patron - Cline

HB2124 Following too closely. Prohibits operators of any vehicle (not only motor vehicles) from following any other vehicle (not only motor vehicles) more closely than is reasonable.

Patron - Keam

HB2126 Special license plates commemorating America's buffalo soldiers. Authorizes the issuance of special license plates commemorating America's buffalo soldiers.

Patron - Keam

HB2214 Restricted license issued when license suspended for failure to pay fines and costs. Provides that any person otherwise eligible for a restricted license may petition the district court of the jurisdiction in which he resides for authorization for a restricted license when his license is suspended for failure to pay fines, costs, and restitution. Such restricted license shall not be issued for more than a six-month period. Currently, such a restricted license may be issued only when each court that so suspended his license authorizes a restricted license and such a license may only be issued when the petitioner is already employed.

Patron - Fariss

HB2227 Weight enforcement for coal trucks. Provides that weight enforcement cannot require a coal truck, the load on which does not rise above the top of the truck's bed (or can be shifted so it does not rise above the top of the truck's bed) to be actually weighed.

Patron - Morefield

HB2314 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

SB694 Reckless driving. Removes the finding of reckless driving for driving at speeds in excess of 80 miles per hour regardless of the applicable maximum speed limit.

Patron - Black

SB705 Child restraint devices; penalty. Expands the violation of the Child Restraints article to include a misdemeanor for a violation where the child suffers injury or death.

Patron - Stuart

SB731 Mopeds. Prohibits the operation of mopeds on highways with posted speed limits in excess of 35 miles per hour.

Patron - Carrico

SB736 Opening and closing motor vehicle doors. Requires drivers and passengers to wait for a reasonable opportunity to open vehicle doors on the side adjacent to moving traffic. A violation constitutes a traffic infraction punishable by a fine of not more than \$100.

Patron - Petersen

SB771 Number and display of vehicle license plates. Reduces the number of license plates furnished by DMV to registered motor vehicles from two to one and requires the single license plate to be attached to the rear of the vehicle.

Patron - Wagner

SB815 Driver training schools; length of daily instruction. Authorizes a driver training school Class B licensee to determine the length of daily instruction.

Patron - Wagner

SB843 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

SB875 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

SB975 Smoking in vehicle with minor present. Provides that any person 18 years of age or older who smokes in a motor vehicle, whether in motion or at rest, when a minor under the age of 15 is in the motor vehicle is subject to a civil penalty of \$100. The offense may be charged on a uniform traffic summons.

Patron - Northam

SB978 Special license plates supporting Eastern Shore business community. Authorizes the issuance of revenue-sharing special license plates supporting education, charity, and scientific study for Virginia's Eastern Shore business community.

Patron - Northam

SB981 School zones; use of certain devices by drivers prohibited. Provides that any person who operates a moving motor vehicle within a reduced-speed school crossing zone or on school property while using any handheld personal communications device is guilty of a traffic infraction. The bill includes an exception for law-enforcement. The bill was incorporated into SB 1222.

Patron - Howell

SB1003 Vehicle tire weight limitations. Prohibits over-the-road operation of certain vehicles whose tire weights exceed tire weight limit guidelines.

Patron - Marsden

SB1005 Use of a handheld personal communications device while driving. Makes using a handheld personal communication device while driving on a bridge or in a tunnel a primary offense. All other offenses involving the use of a handheld personal communication device while driving remain secondary offenses. The bill also increases the penalty for causing an accident because of the use of a handheld personal communications device while driving on a bridge or in a tunnel to \$150 for a first offense and \$250 for a second or subsequent offense.

Patron - McWaters

SB1007 Licensure and age requirements of operators of mopeds and motorized skateboards and scooters. Requires that operators of mopeds to have a valid driver's license, have completed a special examination, and wear a helmet. The bill also disallows having more than one passenger on a moped and increases the penalty for violating the section on operation of a moped from \$50 to \$250. The bill has a delayed effective date of July 1, 2015.

Patron - McWaters

SB1060 Following too closely; passing other vehicles. 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. The bill also increases from two feet to three feet the minimum clearance between a passing vehicle and an overtaken bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, animal, or animal-drawn vehicle.

Patron - Reeves

SB1160 Driving while texting; primary offense; increased penalties. Provides that driving while texting is a traffic infraction punishable, for a first offense, by a fine of \$250 and, for a second or subsequent offense, by a fine of \$500. The current penalties are \$20 for a first offense and \$50 for a second or subsequent offense. The bill also changes the offense from a secondary offense (one that can only be charged when the offender is stopped for another, separate offense) to a primary offense. The bill also provides that a violation of this provision does not preclude prosecution under any other applicable provision of the criminal law or of the law governing the operation of motor vehicles. The bill was incorporated into SB 1222.

Patron - Barker

SB1238 Reckless driving; texting; penalty. Provides that texting while driving is punishable as reckless driving, a Class 1 misdemeanor; currently, violations incur a \$20 fine. The bill also makes texting while driving a primary offense; currently, law-enforcement officers must have cause to stop or detain a driver for some other violation before issuing a citation for texting while driving. If the degree of culpability is slight, the person may be found not guilty of reckless driving but guilty of texting while driving, which is punishable by a \$50 fine. The bill was incorporated into SB 1222.

Patron - Barker

Notaries and Out-Of-State Commissioners

Passed

HB2055 Notaries; qualifications. Replaces the requirement that to be qualified to be a commissioned notary, a person must be a "citizen" of the United States with the requirement that he must be a "legal resident" of the United States. This bill contains technical amendments.

Patron - Robinson

Partnerships

Passed

HB1792 General and limited partnerships. Updates the Virginia Uniform Partnership Act and Virginia Revised Uniform Limited Partnership Act by (i) providing an execution standard for the filing of an amendment to a certificate of limited partnership that names a new general partner when all previous general partners have withdrawn; (ii) providing a requirement for the inclusion of a limited partnership's identification number in certain documents to be filed in the office of

the clerk of the Commission; (iii) aligning annual registration fee assessment provisions with similar provisions applicable to other business entities; (iv) providing that a statement of merger is to be made a part of the records of a general partnership with status as a registered limited liability partnership; and (v) providing that an amendment to change the name or principal office address of a limited partnership in its certificate of limited partnership also operates to automatically change these items in a limited partnership's application for registration as a registered limited liability partnership, if it is so registered with the Commission. The measure also includes technical amendments.

Patron - Johnson

Pensions, Benefits, and Retirement

Passed

HB1532 Virginia Retirement System; certain local employees. Makes technical changes necessary to carry out the purpose of Chapter 811 of the 2012 Acts of Assembly, permitting 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 - Bulova

SB854 Virginia Retirement System; certain local employees. Allows that a political subdivision may by resolution irrevocably declare that persons employed as firefighters, emergency medical technicians, or law-enforcement officers shall be considered to have 60 months of creditable service as of January 1, 2013, for purposes of the Virginia Retirement System. Current law allows political subdivisions to declare that such employees are not considered persons who became members on or after July 1, 2010, for purposes of the Virginia Retirement System. The bill also declares that if the political subdivision adopts such a resolution, those employees shall not be eligible to participate in the new hybrid retirement program.

Patron - Petersen

SB995 Virginia Retirement System. Makes technical changes to carry out provisions enacted by the General Assembly in 2012 regarding retirement plans administered by the Virginia Retirement System.

Patron - Watkins

Failed

HB1331 Retirement benefits for local employees. Provides that any locality may establish and maintain a defined contribution retirement plan for its employees in lieu of any other retirement plans for employees hired on or after July 1, 2013.

Patron - Farrell

HB1568 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

HB1590 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.

HB1625 Virginia Retirement System; collection of overpayments to retirees and beneficiaries. Prohibits VRS from collecting overpayments made to a retiree or beneficiary if the proximate cause of the overpayment was a computational error made by VRS or one of its employees, subsidiaries, affiliates, agents, or contractors and the retiree or beneficiary could not reasonably have been expected to detect the error or overpayment. Under the bill, VRS would correct the error as soon as practicable in order that the amount legally due would be paid to the retiree or beneficiary on a going forward basis.

Patron - Farrell

HB1626 Virginia Law Officers' Retirement System. Provides that the General Assembly may, by appropriate legislative action, add full-time employees of the Department of Military Affairs who provide fire protection services for facilities of the Virginia National Guard to the membership of the Virginia Law Officers' Retirement System.

Patron - Tata

HB2168 Virginia Retirement System; hybrid retirement program. Increases the maximum amount of the employer's matching contribution on behalf of the employee from 2.5 percent of creditable compensation to 2.8 percent of creditable compensation.

Patron - Howell, W.J.

HB2173 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 - Lewis

HB2289 Health insurance credits for retired school division employees. Expands the recipients of the health insurance credits currently going to retired teachers to all retired employees of local school divisions.

Patron - McQuinn

SB740 Mandatory judicial retirement. Increases the mandatory retirement age under the Judicial Retirement System from 70 years of age to 73 years of age. The bill incorporates SB 762.

Patron - Petersen

SB762 Mandatory judicial retirement. Increases the mandatory retirement age under the Judicial Retirement System from 70 years of age to 73 years of age. The bill was incorporated into SB 740.

Patron - Edwards

SB787 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

SB838 State employees not participating in Virginia Sickness and Disability Program; purchase of state service. Provides members of the State Police Officers' Retirement System and the Virginia Law Officers' Retirement System who commenced employment or were rehired before January 1, 1999, and elected to not participate in the Virginia Sickness and Disability Program the option of converting accumulated sick leave into service credit under the Virginia Retirement System. Such option would be available from May 1, 2013, to June 30, 2013. The bill contains an emergency clause, and is contingent upon an appropriation of at least \$19 million to the Retirement System Unfunded Liability Special Reserve Fund being included in the general appropriation act passed by the 2013 Session of the General Assembly.

Patron - Carrico

SB1251 Virginia Retirement System; retirees hired as school security officers. 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 - Barker

SB1360 Virginia Law Officers' Retirement System. Provides that the General Assembly may, by appropriate legislative action, add full-time employees of the Department of Military Affairs who provide fire protection services for facilities of the Virginia National Guard to the membership of the Virginia Law Officers' Retirement System.

Patron - Marsden

Persons with Disabilities

Passed

SB953 Department for Aging and Rehabilitative Services; services for individuals with Alzheimer's disease and related disorders. Expands the duties of the Department for Aging and Rehabilitative Services related to services for individuals with Alzheimer's disease and related disorders and their caregivers.

Patron - Ruff

Police (State)

Passed

HB1515 Service pistol of Captain Randy Marshall Widgeon. Transfers the service pistol of Captain Randy Marshall Widgeon to his widow, Pamela Turlington Widgeon.

Patron - Lewis

Failed

HB1932 Department of State Police; reimbursement of expenses. Provides that the Department of State Police may recover the cost of all reasonable expenses for providing emergency response services from a person convicted of certain offenses involving motor vehicles. The bill limits the liability for such reasonable expenses to \$1,000, which may

include the Department's cost of accounting for such expenses, limited to a fee not to exceed \$350.

Patron - Morris

HB2278 Department of State Police; variable housing allowance. Provides a housing allowance for full-time, sworn State Police officers, based upon pay grade and geographical location, from funds that are appropriated for such purpose. The rates of the variable allowance shall be based on suggested rates developed and annually updated by the Department of Human Resource Management. The allowance would not be considered taxable income for state income tax purposes.

Patron - Gilbert

SB929 Department of State Police; variable housing allowance. Provides a housing allowance for full-time, sworn State Police officers, based upon pay grade and geographical location, from funds that are appropriated for such purpose. The rates of the variable allowance shall be based on suggested rates developed and annually updated by the Department of Human Resource Management. The allowance would not be considered taxable income for state income tax purposes. The bill is contingent upon funding being included in a general appropriation act passed by the 2013 Session of the General Assembly.

Patron - Vogel

SB1192 Department of State Police; reimbursement of expenses. Provides that the Department of State Police may recover the cost of all reasonable expenses for providing emergency response services from a person convicted of certain offenses involving motor vehicles. The bill limits the liability for such reasonable expenses to \$1,000, which may include the Department's cost of accounting for such expenses, limited to a fee not to exceed \$350.

Patron - Hanger

Prisons and Other Methods of Correction

Passed

HB1635 Temporary jail facilities; Chesapeake. Allows the City of Chesapeake to receive a waiver from the construction requirements of the "Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities" for a jail enlargement project using a temporary structure for housing community custody inmates. The bill contains an emergency clause. This bill is identical to SB 729.

Patron - Cosgrove

HB1772 Department of Corrections; electronic notice. Provides that the Department of Corrections may use electronic means to provide notice to the appropriate parties prior to the release of a prisoner. Under current law, the Department may only provide such notice using first-class mail. The bill contains technical amendments. This bill is identical to SB 1208.

Patron - Rush

HB2103 Parole Board; parole review and denial. Requires the Parole Board to ensure that each person eligible for parole receives a timely and thorough review of his suitability for release on parole, including a review of any relevant

post-sentencing information. If the Board denies the inmate parole, the Board is required to provide specific reasons for such denial in writing.

Patron - Sickles

HB2148 Department of Corrections; exchange of medical records. Authorizes the Department of Corrections to exchange medical and mental health information and records of any person committed to the Department with the Department for Aging and Rehabilitative Services, the Department of Social Services, and any local department of social services in the Commonwealth for the purposes of reentry planning and post-incarceration placement and services. This bill is identical to SB 1217.

Patron - Keam

HB2291 Local correctional facilities; proceeds from commissary. Allows stores in local correctional facilities to provide services as well as articles and provides that proceeds that are generated from a source other than inmate accounts may be used for the general operation of the sheriff's office.

Patron - Stolle

HB2308 Local correctional facilities; electronic visitation and messaging with prisoners. Adds Voice-over-Internet Protocol technology and web-based communication systems used for communication between prisoners and third parties to the types of communication systems for which sheriffs and jail superintendents may charge a fee, except in cases in which the prisoner and the third party are located in the correctional facility or appurtenance thereto operated or controlled by the sheriff or jail superintendent, in which case the sheriff or jail superintendent must provide the service free of charge.

Patron - Knight

SB729 Temporary jail facilities; Chesapeake. Allows the City of Chesapeake to receive a waiver from the construction requirements of the "Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities" for a jail enlargement project using a temporary structure for housing community custody inmates. The bill contains an emergency clause. This bill is identical to HB 1635.

Patron - Blevins

SB818 Compact; control of prisoners outside of Virginia. Establishes a compact with other states for control of prisoners receiving medical and other care outside of Virginia.

Patron - Puckett

SB1208 Department of Corrections; electronic notice. Provides that the Department of Corrections may use electronic means to provide notice to the appropriate parties prior to the release of a prisoner. Under current law, the Department may only provide such notice using first-class mail. The bill contains technical amendments. This bill is identical to HB 1772.

Patron - Stanley

SB1217 Department of Corrections; exchange of medical records. Authorizes the Department of Corrections to exchange medical and mental health information and records of any person committed to the Department with the Department for Aging and Rehabilitative Services, the Department of Social Services, and any local department of social services in the Commonwealth for the purposes of reentry planning and post-incarceration placement and services. This bill is identical to HB 2148.

Patron - Newman

Failed

HB1414 Local jails; compensation for cost of incarceration. Changes the date on which the Department of Corrections shall begin compensating local jails for the cost of incarcerating state prisoners from the sixty-first to the thirty-first day following the mailing or electronic transmission of the final sentencing order to the Director of the Department of Corrections.

Patron - Crockett-Stark

HB1424 Court adoption of jails. Clarifies that when a county or city is without an adequate jail the court can adopt a regional jail until it can obtain an adequate jail. Currently the statute provides for the adoption of the jail of another county or city in such circumstances without specifying regional jails.

Patron - Ward

HB1854 Prisons; telephone systems. Provides inmate phone services commissions paid to the Commonwealth shall not exceed 10 percent of the overall net revenue realized by the provider. All commissions or revenues received by the Commonwealth on prisoner telephone calls shall be paid into the state treasury and credited to a special nonreverting fund known as the Prisoner Reentry Fund to be used for independent pre-release and post-release reentry and transition service programs.

Patron - Hope

HB1905 Restoration of civil rights. Provides for the automatic restoration of a felon's civil right to be eligible to vote upon the completion of his 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. The bill has a contingent effective date of January 1, 2015, provided that the voters approve an amendment to Section 1 of Article II of the Constitution of Virginia at the 2014 November election.

Patron - Carr

HB1962 Court adoption of jails. Clarifies that when a county or city is without an adequate jail the court can adopt a regional jail until it can obtain an adequate jail. Currently the statute provides for the adoption of the jail of another county or city in such circumstances without specifying regional jails.

Patron - James

HB1989 Corrections; parole; earned sentence credits. Allows a maximum of 15 sentence credits to be earned for each 30 days served for nonviolent prisoners under the abolition of parole law (after January 1, 1995).

Patron - McClellan

HB2008 Criminal sentencing; mandatory minimum sentences; work release programs. Clarifies that no person while serving that portion of a sentence that is a mandatory minimum is eligible for work release, unless such person is participating in a work or education program operated by or under contract with the Department of Juvenile Justice.

Patron - Cline

SB728 Court adoption of jails. Clarifies that when a county or city is without an adequate jail the court can adopt a regional jail until it can obtain an adequate jail. Currently the statute provides for the adoption of the jail of another county or city in such circumstances without specifying regional jails.

Patron - Blevins

SB1266 Nonconsecutive jail time. Authorizes a court to sentence defendants convicted of a criminal offense, not just those convicted of a misdemeanor, who are sentenced to confinement in jail, to weekend days or nonconsecutive days to permit the defendant to retain gainful employment.

Patron - Norment

Professions and Occupations

Passed

HB1349 Dental hygiene and dental hygienist; definitions and licensure. Defines "dental hygiene" as duties related to patient assessment and the rendering of educational, preventive, and therapeutic dental services specified in regulations of the Board and not otherwise restricted to the practice of dentistry. The bill defines "dental hygienist" as a person who is licensed by the Board of Dentistry to practice dental hygiene. The bill also clarifies the licensure requirement for a dental hygienist of graduation from a dental hygiene program accredited by the Commission on Dental Accreditation and offered by an accredited institution of higher education.

Patron - Bell, Richard P.

HB1422 Dispensing of interchangeable biosimilar biological products. Permits pharmacists to dispense a biosimilar that has been licensed by the U.S. Food and Drug Administration as interchangeable with a prescribed biological product unless the prescriber indicates such substitution is not authorized or the patient insists on dispensing of the prescribed biological product. The bill requires any pharmacist who dispenses an interchangeable biosimilar to inform the patient prior to dispensing the biosimilar and record the brand name or the product name and name of the manufacturer of the biosimilar on the record of dispensing and the prescription label. The bill also requires, until July 1, 2015, that the pharmacist provide notification of the substitution to the prescriber and provide retail cost information for both the prescribed biological product and the interchangeable biosimilar to the patient. This bill is identical to SB 1285.

Patron - O'Bannon

HB1444 Administration of medications by employees or contract service providers of providers licensed by the Department of Behavioral Health and Developmental Services. Provides that employees of or persons providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services may administer insulin, glucagon, and epinephrine pursuant to a written order issued by a prescriber in certain circumstances. The bill provides protection from liability for certain acts related to such administration and requires the Board of Nursing to promulgate regulations governing training in the administration of epinephrine and glucagon by persons authorized to administer epinephrine and glucagon.

Patron - O'Bannon

HB1482 Department of Professional and Occupational Regulation; Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals. Requires the Board to permit any Class 1 wastewater works operator to sit for the conventional onsite sewage system operator examination.

Patron - Farrell

HB1499 Administration of medications. Clarifies the circumstances under which emergency medical services personnel may administer medications and provides that emergency medical services personnel may administer medications pursuant to an oral or written order or standing protocol. This bill is identical to SB 773.

Patron - Stolle

HB1501 Pharmacy; collaborative agreements. Clarifies parties with whom a pharmacist may enter into a collaborative agreement; provides that a patient who does not wish to participate in a collaborative procedure must notify the prescriber of his decision; and provides that a prescriber may elect to have a patient not participate in a collaborative agreement by contacting the pharmacist or his designated alternative pharmacist or by documenting his decision on the patient's prescription. The bill also clarifies that collaborative agreements may be in writing or in electronic form.

Patron - O'Bannon

HB1563 Cemetery Board; cemetery operators; itemized statement and general price list. Provides that the Cemetery Board shall develop a process whereby a consumer is provided with a current general price list or itemized statement of charges by a cemetery company prior to the execution of a contract for such services.

Patron - Orrock

HB1564 Administration of drugs; private schools. Allows the administration of drugs by a person to a child in a private school that is accredited by the Virginia Council for Private Education and exempt from licensure by the Board of Social Services, or in a private school that is accredited by the Virginia Council for Private Education in accordance with standards prescribed by the Board of Education, provided the person has completed an approved training program, obtained written authorization of the parent, and administers drugs dispensed from a pharmacy and maintained in the original labeled container only to the child identified on the prescription label and in accordance with the prescriber's instructions. This bill is identical to SB 807.

Patron - Orrock

HB1588 Physician Loan Repayment Program. Extends eligibility for the Physician Loan Repayment Program to graduates of accredited medical schools who are currently employed in a geriatrics fellowship and who agree to a minimum two-year period of medical service in the Commonwealth.

Patron - Stolle

HB1641 Department of Professional and Occupational Regulation; powers and duties of regulatory boards; waiver of informal fact-finding conference. Requires any regulator board within the Department of Professional and Occupational Regulation to provide a regulant subject to a disciplinary action with a notice advising the regulant of his right to be heard at an informal fact-finding conference pursuant to the Administrative Process Act. The bill requires that the notice state that if the regulant does not request an informal fact-finding conference within 30 days of receipt of the notice, the board may issue a case decision with judicial review of the case decision. If the regulant asserts his right to be heard prior to the board issuing its case decision, the board shall remand the case to an informal fact-finding conference. The bill provides that the required notice is to be sent by certified mail, return receipt requested or, if agreed to by the parties, electronic means, provided that the board retains sufficient proof of the electronic delivery, which may be an electronic receipt of delivery, a confirmation that the notice was sent by facsimile,

or a certificate of service prepared by the sender confirming the electronic delivery. The bill is identical to SB 1179.

Patron - Knight

HB1645 Board for Contractors; tradesmen licenses. Provides that licenses for tradesmen shall be valid for three years from the date of issuance by the Board for Contractors. This measure is an attempt to sync changes to the Uniform Statewide Building Code, which are on a three-year cycle, to the expiration of a tradesman license, which is currently every two years.

Patron - Tata

HB1649 Pawnbrokers and precious metals dealers; required to be maintained; certain digital images. Requires pawnbrokers and precious metals dealers to take a digital image of the form of identification used by the person pawning, pledging, or selling the goods or articles, and requires such identification to bear a photograph of the person. The bill also prohibits a pawnbroker from pawning or accepting goods or articles if the original serial number affixed to the good or article has been removed, defaced, or altered.

Patron - BaCote

HB1666 Licensure of professional counselors. Clarifies the definitions of "counseling" and "professional counselor" and adds definitions for "residency," "resident," and "supervision." The bill also requires the Board of Counseling to maintain a registry of persons who meet the requirements for supervision of residents and to make the registry of approved supervisors available to persons seeking resident status.

Patron - Yost

HB1672 Naloxone; administration in cases of opiate overdose. Allows a person to obtain a prescription for and to possess and administer naloxone to a family member or friend for the purpose of counteracting the effects of opiate overdose. The bill also requires the Department of Behavioral Health and Developmental Services to work together with the Department of Health, Department of Health Professions, law-enforcement agencies, substance abuse recovery support organizations, and other stakeholders to conduct pilot programs on the administration of naloxone to counteract the effects of opiate overdose. The bill requires the Department of Behavioral Health and Developmental Services to report on such pilot programs to the General Assembly by December 1, 2014.

Patron - O'Bannon

HB1702 Board of Counseling; confirmation of appointments by General Assembly. Provides that all appointments to the Board of Counseling that are made by the Governor shall be subject to confirmation by the General Assembly.

Patron - Carr

HB1704 Prescription Monitoring Program; disclosure of information to local law enforcement. Adds an agent designated by the chief law-enforcement officer of any county or city to the list of individuals to whom the Department of Health Professions must disclose information relevant to a specific investigation of a specific recipient, dispenser, or prescriber upon request, and provides that agents designated by the superintendent of the Department of State Police or the chief law-enforcement officer of a county or city to receive information relevant to a specific investigation of a specific recipient, dispenser, or prescriber shall have completed the Virginia State Police Drug Diversion School. The bill also provides that the Department may disclose information relating to

prescriptions for covered substances issued by a specific prescriber to that prescriber.

Patron - Stolle

HB1736 Real Estate Board; protection of escrow funds by real estate licensee; payments made under a rental agreement. Provides that for any landlord-tenant relationship within the purview of the Virginia Residential Landlord and Tenant Act, any prepaid rent paid more than one month prior to the due date and all security deposits paid to a licensed broker in connection with the lease shall be placed in an escrow account by the end of the fifth business banking day following receipt, unless otherwise agreed to in writing by the principals to the lease transaction. Additionally, any application deposit paid by a prospective tenant for the purpose of being considered as a tenant for a dwelling unit to a real estate licensee acting on behalf of the landlord shall be placed in escrow by the end of the fifth business banking day following approval of the rental application by the landlord. The bill provides that the funds must remain in the escrow account until disbursed in accordance with the lease, property management agreement or by law.

Patron - Farrell

HB1759 Administration of medications; percutaneous gastrostomy tube. Provides that nothing shall prevent the administration of drugs to a person receiving services in a program licensed by the Department of Behavioral Health and Developmental Services via percutaneous gastrostomy tube when such drugs are administered by a person who has completed an approved training program and has been approved, upon demonstration of competency in administration of drugs via percutaneous gastrostomy tube, by a registered nurse. The bill requires semiannual renewal of approval by a registered nurse, upon demonstration of continuing competency by the person seeking to administer drugs via percutaneous gastrostomy tube.

Patron - O'Bannon

HB1791 Suspension of license, registration, or certificate by a health regulatory agency; practice pending appeal. Prohibits a practitioner of the healing arts whose license, certificate, registration, or permit has been suspended or revoked by a health regulatory board from engaging in practice pending appeal of the board's order.

Patron - Garrett

HB1801 Board for Contractors; Virginia Contractor Transaction Recovery Act. Makes several changes to the Virginia Contractor Transaction Recovery Act to clarify the eligibility and assessment requirements for the claims review process including (i) adding a definition of "verified claim," (ii) clarifying the supporting documentation that must be provided by a claimant, and (iii) detailing efforts that must be taken to attempt collection of an unpaid judgment before a claim may be filed. The bill also removes the requirement for an informal fact-finding conference under the Administrative Process Act prior to the Board for Contractors making a final decision. In addition, the bill removes the requirement for the Board to immediately revoke the license of the contractor against whom the judgment had been obtained upon payment of a claim.

Patron - Marshall, D.W.

HB1802 Board for Contractors; creation of residential and commercial contractor license categories. Authorizes the Board for Contractors to establish separate license categories for residential and commercial contractors

for each of the current licensing categories: Class A, B, and C contractor licenses.

Patron - Marshall, D.W.

HB1876 Sterilization operations for persons capable of informed consent. Eliminates the requirement for a 30-day waiting period prior to a sterilization operation for persons who are over the age of 18 and capable of giving informed consent who have not previously become the natural or adoptive parent of a child.

Patron - McClellan

HB1959 Board of Accountancy; time for filing complaints. Provides that a complaint against a CPA or CPA firm must be received by the Board of Accountancy (i) within three years of the act, omission, or occurrence giving rise to the alleged violation or (ii) where the regulant has misrepresented, concealed, or omitted any information material to the establishment of a violation, within two years of the date of discovery of the misrepresentation, concealment, or omission. Public information obtained from any source by the Executive Director or agency enforcement staff may serve as the basis for a written complaint against a CPA or CPA firm. The bill also (a) provides that the Board may initiate an investigation of a regulant within two years of the filing of criminal charges against the regulant if such charges involve matters that, if found to be true, would also constitute a violation of the regulations or laws of the regulant's profession enforced by the Board and (b) clarifies that the provision limiting the Board's ability to proceed with an investigation shall not deny the right of any party to bring a civil cause of action in a court of law.

Patron - Miller

HB1960 Board for Contractors; necessity for license; commissioning of public works of art. Allows a person to bid upon or undertake public works of art commissioned by the Commonwealth; a political subdivision of the Commonwealth, including any county, city, or town; or a nonprofit corporation exempt from taxation under § 501(c)(3) of the Internal Revenue Code without being licensed or certified as a contractor. The bill provides, however, that the installation of the artwork and related construction services offered or rendered in connection with such commission shall only be rendered by a contractor licensed or certified by the Board for Contractors.

Patron - James

HB2031 Audiology and speech-language pathology. Provides that the Board of Audiology and Speech-Language Pathology may issue a provisional license to an applicant for licensure in speech-language pathology who has met the education and examination requirements for licensure, to allow the applicant to obtain clinical experience under the supervision of a licensed speech-language pathologist as specified in the Board's regulations. The bill eliminates language providing that the Director of the Department of Health Professions shall serve as the secretary-treasurer of the Board.

Patron - Peace

HB2073 Liability of real estate brokers and salespersons; false advertising and false information. Clarifies that a licensed real estate broker or salesperson shall not be liable for providing false information under certain circumstances, which includes any civil action or regulatory action brought under the real estate licensing laws.

Patron - Yancey

HB2120 Individual incapable of making an informed decision; procedure for physical evidence recovery kit examination. Authorizes a licensed physician, physician assistant, nurse practitioner, or registered nurse to perform

a physical evidence recovery kit examination for a person who is believed to be the victim of a sexual assault and who is incapable of making an informed decision regarding consent to such examination when there is a need to conduct the examination, no legally authorized representative is available to provide consent, and a capacity reviewer provides written certification that the person is incapable of providing informed consent and that the examination should be performed. This bill is identical to SB 1006.

Patron - Herring

HB2136 Adding methasterone and prostanazol to Schedule III. Adds methasterone and prostanazol to Schedule III.

Patron - Hodges

HB2161 Nurses; authority to possess and administer oxygen to treat emergency medical conditions. Provides that a prescriber may authorize registered nurses and licensed practical nurses to possess oxygen for administration in treatment of emergency medical conditions.

Patron - O'Bannon

HB2177 Board of Counseling; qualification of members. Reduces the number of professional counselors on the Board of Counseling from eight to six, increases the number of marriage and family therapists from two to three and requires that such members be clinical fellows of the American Association for Marriage and Family Therapy, increases the number of licensed substance abuse treatment practitioners from two to three, and requires at least two professional members representing each specialty to have been in active practice for at least four years. The bill eliminates the requirement that the professional members of the Board include two full-time faculty and two individuals engaged in private practice. The bill also removes certain conditions of initial appointment for professional members.

Patron - Carr

HB2181 Medical equipment suppliers; delivery of sterile water and saline. Adds sterile water and saline to the list of prescription drugs and devices that a permitted medical equipment supplier may receive, store, and distribute to a consumer.

Patron - Hodges

HB2222 Appraisal management companies; provision of appraisal services. Provides that an appraisal management company shall not enter into any contracts or agreements with an independent appraiser for the performance of real estate appraisal services unless the independent appraiser is licensed to provide that service. Under current law, this limitation was for the performance of residential real estate appraisal services.

Patron - Helsel

HB2312 Compounding pharmacies. Clarifies the definition of "compounding" and adds a requirement for a current inspection report for registration or renewal of a registration for a nonresident pharmacy.

Patron - Jones

SB773 Administration of medications. Clarifies the circumstances under which emergency medical services personnel may administer medications and provides that emergency medical services personnel may administer medications pursuant to an oral or written order or standing protocol. This bill is identical to HB 1499.

Patron - Blevins

SB807 Administration of drugs; private schools. Allows the administration of drugs by a person to a child in a private school that is accredited by the Virginia Council for Private Education and exempt from licensure by the Board of Social Services, or in a private school that is accredited by the Virginia Council for Private Education in accordance with standards prescribed by the Board of Education, provided the person has completed an approved training program, obtained written authorization of the parent, and administers drugs dispensed from a pharmacy and maintained in the original labeled container only to the child identified on the prescription label and in accordance with the prescriber's instructions. This bill is identical to HB 1564.

Patron - Blevins

SB898 Board of Medicine; license revocation (Twomey bill). Provides that a practitioner whose license has been revoked due to engaging in sexual contact with a patient under certain circumstances may not apply for reinstatement of such license until five years have passed since revocation. Under current law, the person may apply for reinstatement after three years.

Patron - Reeves

SB950 Practice of medicine and other healing arts. Updates terminology in sections governing licensure of practitioners of the healing arts, provides for use of electronic communication, expands the list of acceptable accrediting organizations for educational programs for podiatric medicine, and eliminates the Psychiatric Advisory Board.

Patron - Garrett

SB1006 Individual incapable of making an informed decision; procedure for physical evidence recovery kit examination. Authorizes a licensed physician, physician assistant, nurse practitioner, or registered nurse to perform a physical evidence recovery kit examination for a person who is believed to be the victim of a sexual assault and who is incapable of making an informed decision regarding consent to such examination when there is a need to conduct the examination, no legally authorized representative is available to provide consent, and a capacity reviewer provides written certification that the person is incapable of providing informed consent and that the examination should be performed. This bill is identical to HB 2120.

Patron - Barker

SB1011 Licensed clinical social workers; educational requirements. Requires the Board of Social Work to accept proof of the successful completion of the following as evidence of the satisfaction of the educational requirements for licensure as a clinical social worker: (i) a master's degree in social work with a clinical course of study from a program accredited by the Council on Social Work Education, (ii) a master's degree in social work with a non-clinical concentration from a program accredited by the Council on Social Work Education together with successful completion of the educational requirements for a clinical course of study through a graduate program accredited by the Council on Social Work Education, or (iii) a program of education and training in social work at an educational institution outside the United States recognized by the Council on Social Work Education.

Patron - McWaters

SB1142 Board of Funeral Directors and Embalmers; licensure of funeral establishments; hardship waivers. Authorizes the Board of Funeral Directors and Embalmers to grant a waiver to allow a single full-time manager or funeral director to divide his time between two funeral establishments provided the distance between the two establishments is 50

miles or less. Under current law, the distance between the two establishments is limited to 35 miles or less.

Patron - McEachin

SB1147 Cemetery Board; resale of interment rights by churches or religious organizations; exemption. Establishes requirements for the resale of interment rights by churches or religious organizations. A resale conducted in compliance with the requirements set out by the bill shall be exempt from regulation by the Cemetery Board.

Patron - Alexander

SB1159 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 he is otherwise eligible to be admitted to the Virginia State Bar. A full-time law professor who is not so eligible for admission may become an associate member of the Virginia State Bar.

Patron - Marsh

SB1179 Department of Professional and Occupational Regulation; powers and duties of regulatory boards; waiver of informal fact-finding conference. Requires any regulator board within the Department of Professional and Occupational Regulation to provide a regulant subject to a disciplinary action with a notice advising the regulant of his right to be heard at an informal fact-finding conference pursuant to the Administrative Process Act. The bill requires that the notice state that if the regulant does not request an informal fact-finding conference within 30 days of receipt of the notice, the board may issue a case decision with judicial review of the case decision. If the regulant asserts his right to be heard prior to the board issuing its case decision, the board shall remand the case to an informal fact finding conference. The bill provides that the required notice is to be sent by certified mail, return receipt requested or, if agreed to by the parties, electronic means, provided that the board retains sufficient proof of the electronic delivery, which may be an electronic receipt of delivery, a confirmation that the notice was sent by facsimile, or a certificate of service prepared by the sender confirming the electronic delivery. The bill is identical to HB 1641.

Patron - Ruff

SB1285 Dispensing of interchangeable biosimilar biological products. Permits pharmacists to dispense a biosimilar that has been licensed by the U.S. Food and Drug Administration as interchangeable with a prescribed biological product unless the prescriber indicates such substitution is not authorized or the patient insists on dispensing of the prescribed biological product. The bill requires any pharmacist who dispenses an interchangeable biosimilar to inform the patient prior to dispensing the biosimilar and record the brand name or the product name and name of the manufacturer of the biosimilar on the record of dispensing and the prescription label. The bill also requires, until July 1, 2015, that the pharmacist provide notification of the substitution to the prescriber and provide retail cost information for both the prescribed biological product and the interchangeable biosimilar to the patient. This bill is identical to HB 1422.

Patron - Newman

SB1316 Board for Professional Soil Scientists, Wetland Professionals, and Geologists; requirements for certification as a wetland delineator. Removes the requirement that experience in wetland delineation prior to applying for certification as a wetland delineator must have occurred under the supervision of a certified professional wetland delineator.

Patron - Blevins

SB1325 Board of Counseling; fees. Requires the Board of Counseling to establish, among other fees, specified fees for the licensure and certification of professional counselors, marriage and family therapists, substance abuse treatment practitioners, substance abuse counselors, substance abuse counseling assistants, and rehabilitation providers and provides that after July 1, 2015, any increase or decrease in the fees of the Board of Counseling shall be governed by the provisions of § 54.1-113 and the Administrative Process Act. This bill contains an emergency clause.

Patron - Barker

Failed

HB1463 Schedule IV controlled substances; tramadol. Adds tramadol, an opiate painkiller, to the list of Schedule IV controlled substances.

Patron - Yost

HB1516 Pharmacies; access to the Prescription Monitoring Program. Requires every pharmacy permitted by the Board of Pharmacy to ensure that at least one pharmacist who is physically present at the pharmacy shall have access to the Prescription Monitoring Program at all times.

Patron - Lewis

HB1544 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

HB1644 Birth control; definition. Adds a definition of birth control. "Birth control" means contraceptive methods that are approved by the U.S. Food and Drug Administration. Birth control shall not be considered abortion for the purposes of Title 18.2.

Patron - Watts

HB1851 Virginia Board for Asbestos, Lead, and Home Inspectors; asbestos contractors; notice to asbestos workers. Authorizes the Board for Asbestos, Lead, and Home Inspectors 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. The bill also requires employers to provide each licensed asbestos worker with a written notice containing the following information: (i) a statement 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.

Patron - Ramadan

HB1902 Marriage and family therapy; licensure of practitioners. Provides that the Board of Counseling shall issue a license as a marriage and family therapist to individuals who meet certain criteria.

Patron - Carr

HB1969 Board for Contractors; necessity for license; commissioning of public works of art. Allows a person to bid upon or undertake public works of art commissioned by the Commonwealth; a political subdivision of the Commonwealth, including any county, city, or town; or a nonprofit corporation exempt from taxation under § 501(c)(3) of the Internal Revenue Code without being licensed or certified as contractor. The bill provides, however, that any related construction services offered or rendered in connection with such commission

otherwise requiring a license shall only be rendered by a contractor licensed or certified by the Board for Contractors.

Patron - James

HB1973 Real Estate Board; death or disability of a broker. Requires the Real Estate Board to grant approval to certain persons in a specific order of priority as may be designated by a broker in the event of his disability or death to conclude the business of the broker. Under current law, the Board may grant approval to the estate or an adult family member or employee of the licensed broker. The bill also requires the Real Estate Board to inform licensed brokers, in a manner deemed appropriate by the Board, of the broker's ability to designate an agent in the event of the broker's disability or death.

Patron - Surovell

HB2325 Funeral services; next of kin. Adds any person recognized as the legal spouse of the decedent under the laws of another state to the definition of next of kin for the purposes of making decisions regarding funeral arrangements for the decedent.

Patron - Sickles

SB783 Birth control; definition. Adds a definition of birth control. "Birth control" means contraceptive methods that are approved by the U.S. Food and Drug Administration. Birth control shall not be considered abortion for the purposes of Title 18.2.

Patron - McEachin

SB814 Nursing education programs; minimum examination passage rates. Requires approved nursing education programs to maintain a minimum passage rate among graduates taking the national licensing examination required for licensure as a professional or practical nurse for the first time that is not lower than 10 percentage points less than the national average passage rate, and provides that in cases in which an approved nursing education program fails to maintain a satisfactory passage rate in two consecutive years, the Board of Nursing shall cause a survey of the program to be made and may place the program on conditional approval with terms and conditions.

Patron - Wagner

SB858 Surgical technologists and surgical assistants. Requires certification for surgical technologists and licensure for surgical assistants, and provides requirements for such certification and licensure. The bill creates the Advisory Board of Surgical Technology and Surgical Assisting to assist the Board of Medicine in the regulation of surgical technologists and surgical assistants.

Patron - Blevins

SB871 Virginia Board for Asbestos, Lead, and Home Inspectors; examination; initial asbestos worker license applicants. Requires employers to provide each licensed asbestos worker with a written notice containing the following information: (i) a statement 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 for Asbestos, Lead, and Home Inspectors. 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 and 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 - Ebbin

SB876 Pharmacies; audit rights. Establishes audit rights for pharmacies, including, among other things, 14 days' advance notice of audit, exemption from scheduling of audits within the first five days of the month, exclusion of clerical or recordkeeping errors from records deemed fraudulent, and limitation of audits to one per year unless fraud or misrepresentation is reasonably suspected. The bill also establishes an appeals process.

Patron - Puckett

SB877 Continuing education for prescribers; substance abuse, addiction, and related pain management and prescribing practices. Requires the Board of Dentistry, Board of Medicine, and Board of Optometry to require continuing education on the topics of substance abuse, addiction, and related pain management and prescribing practices for licensed practitioners who are authorized to prescribe controlled substances. The bill also requires the relevant Boards to seek to provide free online courses to fulfill this requirement.

Patron - Puckett

SB878 Prescription Monitoring Program; required checks. Requires prescribers to request and review information from the Prescription Monitoring Program prior to dispensing any Schedule II, Schedule III, or Schedule IV controlled substance.

Patron - Puckett

SB971 Lyme disease; disclosure of information to patients. Requires physicians to provide to each patient for whom a test for the presence of Lyme disease is ordered a written notice about Lyme disease, about testing for Lyme disease, and about the need for the patient to contact his physician with questions or concerns about Lyme disease. The bill also provides that licensees are immune from civil liability for providing such notice absent gross negligence or willful misconduct. The bill has an expiration date of July 1, 2018.

Patron - Black

SB1080 Ultrasound imaging. Provides that no law or regulation of the Commonwealth or administrative action of an agent of the Commonwealth shall require that a person receive ultrasound imaging for nonmedical reasons or ultrasound imaging that is not medically indicated as a condition of receiving a medical procedure.

Patron - Favola

SB1250 Designation and reporting of drugs of concern. Authorizes the Board of Pharmacy to identify "drugs of concern" and requires prescribers to report prescription drugs of concern to the Prescription Monitoring Program.

Patron - Puckett

SB1254 Pharmacies; access to the Prescription Monitoring Program. Requires every pharmacy permitted by the Board of Pharmacy to ensure that at least one pharmacist who is physically present at the pharmacy shall have access to the Prescription Monitoring Program at all times.

Patron - Northam

SB1267 Department of Professional and Occupational Regulation; Board for Contractors; licensure of tree care service providers; penalties. Requires the licensure of tree care service providers by the Board for Contractors as of January 1, 2014. The Board shall not issue a license until the applicant has furnished evidence of financial responsibility, consisting of a liability insurance policy that protects persons who suffer legal damages as a result of the performance of tree care services. Performing tree care services without a license or without the required liability insurance is punishable as a Class

1 misdemeanor. The measure also requires that a tree care service provider give customers a signed statement affirming that the provider has the required liability insurance and that the customer's property insurer shall have no liability for damages to the property of the customer and for injuries to the persons performing the tree care services.

Patron - Ruff

SB1307 Department of Professional and Occupational Regulation; Director; purchase of information technology and telecommunications goods and services. Authorizes the Director of the Department of Professional and Occupational Regulation to purchase the information technology and telecommunications goods and services on behalf of the Department. Currently, information technology and telecommunications goods and services for the Department are required to be procured by the Virginia Information Technologies Agency.

Patron - Wagner

SB1359 Funeral services; next of kin. Adds any person recognized as the legal spouse of the decedent under the laws of another state to the definition of next of kin for the purposes of making decisions regarding funeral arrangements for the decedent.

Patron - Howell

SB1372 Transfer of firearms at gun shows; voluntary background check. Requires the Department of State Police to be available to perform background checks for non-dealer sales at gun shows if a party involved in a transaction wants one. In order for the bill to become effective, the U.S. Department of Justice must approve the policies and procedures that the Department of State Police will use to implement the provisions of the bill.

Patron - Edwards

Property and Conveyances

Passed

HB1425 Tenant's remedies; general district court. Provides that if a landlord unlawfully causes an interruption of utility services for leased premises, the residential tenant may obtain an order from general district court to recover possession of the premises, require the landlord to resume such interrupted utility services, or terminate the rental agreement.

Patron - Greason

HB1521 Virginia Residential Property Disclosure Act; disclosures; tourism activity zones. Authorizes any locality to designate one or more tourism activity zones as areas that may be used for special events, including parades, events requiring temporary street closures, and indoor and outdoor activities. An owner of residential property located partially or wholly within a designated tourism activity zone may disclose the presence of the property within the zone by disclosing in writing to any prospective purchaser or lessee of the property that the subject property is located within a tourism activity zone, with a description of the potential impacts associated with the property being located in a tourism activity zone.

Patron - Villanueva

HB1595 Condominium and Property Owners' Association Acts; assessments; imposition of late fees. Pro-

vides that, except to the extent that the governing documents or rules and regulations promulgated pursuant thereto provide otherwise, (i) condominium and property owners' associations may impose a late fee for any assessment or installment thereof that is not paid within 60 days of the due date for payment of such assessment and (ii) such late fee shall not exceed the penalty provided in § 58.1-3915 (five percent).

Patron - Watts

HB1615 Virginia Residential Property Disclosure Act; disclosure of methamphetamine laboratory. Requires the owner of residential property or a landlord of residential dwelling unit who has actual knowledge that the residential property was previously used to manufacture methamphetamine and has not been cleaned up in accordance with the Department of Health guidelines, to provide a written disclosure when selling or renting the property. The bill gives a tenant certain remedies if such disclosure is not provided when required. The bill contains a technical amendment and has a delayed effective date of July 1, 2014.

Patron - Gilbert

HB1630 Virginia Real Estate Time-Share Act; developer control in time-share estate program; control liens; foreclosure procedure. Provides that in addition to the current developer control termination provisions and to the extent that the purchase contract or time-share instrument does not expressly provide otherwise, the developer control period shall terminate when the developer is no longer the beneficiary on deeds of trust secured on at least 20 percent of the time-share estates. Under current law, the transfer must occur when the developer has (i) transferred to purchasers legal or equitable ownership of at least 90 percent of the time-share estates or (ii) completed all of the promised common elements and facilities comprising the time-share estate project, whichever occurs last. Under the bill, the commissioner of accounts to whom an account of sale is returned in connection with the foreclosure shall be entitled to a fee, not to exceed (a) \$70, on each foreclosure of a lien on a time-share estate for unpaid past due regular and special assessments and (b) \$125 per foreclosure of a purchase money deed of trust taken back by the developer. The bill includes a second enactment clause stating the intent of the General Assembly that the provisions of the bill relating to the developer control period shall apply retroactively to all registered time-share projects to the extent that the purchase contract or time-share instrument does not expressly provide otherwise. The bill is a recommendation of the Virginia Housing Commission. This bill is identical to SB 772.

Patron - Cosgrove

HB1711 Condominium and Property Owners' Association Acts; notice to owners of election of directors at a special meeting. Provides that in the event of the cancellation of any annual meeting at which members of the board of directors are elected, the seven-day notice of any subsequent meeting scheduled to elect such directors shall include a statement that the meeting is scheduled for the express purpose of the election of directors.

Patron - Plum

HB1734 Virginia Residential Landlord and Tenant Act. Provides that where there is more than one tenant subject to a rental agreement, unless otherwise agreed to in writing by each of the tenants, disposition of the security deposit shall be made with one check being payable to all such tenants and sent to the forwarding address provided by the tenants. If the tenants do not provide the landlord a forwarding address to enable the landlord to make a refund of the security deposit, upon the expiration of one year from the date of the end of the 45-day statutory period, the balance of the tenants' security deposit

shall escheat to the Commonwealth and shall be paid into the state treasury and credited to the Virginia Housing Partnership Revolving Fund. Upon payment to the Commonwealth, the landlord shall have no further liability to the tenant relative to the security deposit and is deemed in compliance with real estate licensing laws and corresponding regulations of the Real Estate Board. The bill also allows a landlord to proceed to obtain possession of the premises when rent is unpaid within five days after the landlord's pay or quit notice because an electronic fund transfer has been rejected due to insufficient funds or a bad faith stop order on an electronic payment by the tenant. In addition, the bill provides in the case of a month-to-month tenancy for a single family residence the lease may provide for a notice of termination period other than 30 days. Under current law such tenancy may be terminated by either party giving 30 days' notice in writing, prior to the next rent due date, of his intention to terminate. The bill contains technical amendments.

Patron - Loupassi

HB1749 Landlord and tenant laws; application to certain occupants of hotel, motel, extended stay facilities, and similar lodging. Provides that an occupant in a hotel, motel, extended stay facility, vacation residential facility, boardinghouse, or similar transient lodging shall not be construed to be a tenant living in a dwelling unit under landlord and tenant laws or the Virginia Residential Landlord Tenant Act. The bill provides that if a person resides in such lodging as his primary residence for more than 90 consecutive days or is subject to a written lease for more than 90 days, then landlord and tenant laws or the Virginia Residential Landlord Tenant Act will apply to the occupancy. The bill is a recommendation of the Virginia Housing Commission. The bill is identical to SB 1013.

Patron - Dance

HB1807 Condominium and Property Owners' Association Acts; disclosure of qualification for federal financing. Requires the disclosure in the respective association disclosure packets for purchasers to include a statement indicating any known project approvals that have been issued by secondary mortgage market agencies and currently in effect.

Patron - Miller

HB2200 Property Owners' Association Act; home-based businesses permitted. Provides that, except to the extent the declaration or rules and regulations duly adopted pursuant thereto expressly provide otherwise, no association shall prohibit any lot owner from operating a home-based business on his lot. The bill allows an association to establish reasonable restrictions as to (i) the time, place, and manner of the operation of a home-based business and (ii) the size, placement, duration, and manner of the placement or display of any signs on the owner's lot related to such business. The bill requires any home-based business to comply with all applicable local ordinances and provides that the General Assembly finds that the bill's objectives serve the public interest by promoting Virginia's small businesses.

Patron - Webert

HB2275 Condominium Act; declarant control. Expands the respective declarant control period where the declarant has reserved the power to add more units to the condominium and provides that notwithstanding the limitations in the Condominium Act, at the request of the declarant provided that (i) a special meeting is held prior to the expiration of the initial period of declarant control; (ii) at such special meeting, the extension of such time limits is approved by a two-thirds affirmative vote of the unit owners other than the declarant; and (iii) at such special meeting, there is an election of a war-

ranty review committee consisting of no fewer than three persons unaffiliated with the declarant. The bill details the notice that must be provided prior to any vote on the extension of declarant control and the authority that may be exercised by the warranty review committee. The bill also requires the Common Interest Community Board to develop the disclosure statement required in the event a declarant requests that the period of declarant control be extended within 30 days of the effective date of the act. Under the bill any condominium existing on July 1, 2013, the condominium instrument for such condominium may be amended in the manner prescribed in the relevant condominium instrument or by statute to conform to the provisions of the bill. The bill includes an emergency provision.

Patron - Peace

SB756 Rule against perpetuities waiver. Corrects errors in the rule allowing a settlor of a trust with an interest in personal property to opt out of the Uniform Statutory Rule Against Perpetuities. The bill moves the opt-out provision from the Code section that applies to nondonative transfers to the section that lists other exceptions to the application of the Uniform Rule. The bill also specifies that the exception to the Uniform Rule shall not extend to an interest in real property, which does not include an interest in a corporation, limited liability company, partnership, business trust, or other entity, even if such entity owns an interest in real property. The bill further provides that the provisions of the bill are declarative of existing law.

Patron - Edwards

SB772 Virginia Real Estate Time-Share Act; developer control in time-share estate program; control liens; foreclosure procedure. Provides that in addition to the current developer control termination provisions and to the extent that the purchase contract or time-share instrument does not expressly provide otherwise, the developer control period shall terminate when the developer is no longer the beneficiary on deeds of trust secured on at least 20 percent of the time-share estates. Under current law, the transfer must occur when the developer has (i) transferred to purchasers legal or equitable ownership of at least 90 percent of the time-share estates or (ii) completed all of the promised common elements and facilities comprising the time-share estate project, whichever occurs last. Under the bill, the commissioner of accounts to whom an account of sale is returned in connection with a foreclosure shall be entitled to a fee, not to exceed (a) \$70, on each foreclosure of a lien on a time-share estate for unpaid past due regular and special assessments and (b) \$125 per foreclosure of a purchase money deed of trust taken back by the developer. The bill includes a second enactment clause stating the intent of the General Assembly that the provisions of the bill relating to the developer control period shall apply retroactively to all registered time-share projects to the extent that the purchase contract or time-share instrument does not expressly provide otherwise. The bill is a recommendation of the Virginia Housing Commission. This bill is identical to HB 1630.

Patron - Wagner

SB1004 Landlord and tenant law; early termination of rental agreements by victims of family abuse or sexual assault. Provides that a tenant who is a victim of (i) family abuse, (ii) sexual abuse, or (iii) criminal sexual assault may terminate a rental agreement under certain circumstances. The bill details the instance under which termination may be sought and the process that must be followed by the tenant to effect the termination.

Patron - Howell

SB1013 Landlord and tenant laws; application to certain occupants of hotel, motel, extended stay facilities,

and similar lodging. Provides that an occupant in a hotel, motel, extended stay facility, vacation residential facility, boardinghouse, or similar transient lodging shall not be construed to be a tenant living in a dwelling unit under landlord and tenant laws or the Virginia Residential Landlord Tenant Act. The bill provides that if a person resides in such lodging as his primary residence for more than 90 consecutive days or is subject to a written lease for more than 90 days, then landlord and tenant laws or the Virginia Residential Landlord Tenant Act will apply to the occupancy. The bill is a recommendation of the Virginia Housing Commission. This bill is identical to HB 1749.

Patron - Locke

Failed

HB1405 Private road easements; maintenance and repairs. Provides that all the property owners served by a private road or right-of-way that serves as the primary source of ingress and egress for the properties are jointly and equally responsible for the cost of maintaining and repairing the road or right-of-way unless the owners agree otherwise. Such costs include the cost of snow removal but do not include the cost of capital improvements to the road or right-of-way.

Patron - Bell, Richard P.

HB1479 Condominium and the Property Owners' Association Acts; agenda to be included in meeting notices; contents of declaration for property owners' associations. Provides that notice of meetings shall include a copy of the agenda for that meeting. Further, the bill provides that failure to include a copy of the agenda in the meeting notice shall render null and void any action taken by the unit owners' association. The bill also establishes the contents of a declaration for property owners' associations, which is based on the uniform common interest community act, and is very similar to the same requirements already existing under the Condominium Act.

Patron - Farrell

HB1593 Landlord and tenant laws; Virginia Residential Property Disclosure Act; disclosure of methamphetamine laboratory; remedy for nondisclosure. Requires a landlord of a residential dwelling unit who has actual knowledge that the dwelling unit was previously used as a clandestine methamphetamine laboratory and has not been cleaned up in accordance with the guidelines established by the Department of Health to provide to a prospective tenant a written disclosure that so states. The bill provides when the disclosure shall be made by the landlord and the remedy for the tenant for nondisclosure. The bill also requires an owner of residential property when selling the property to make the same disclosure. The bill has a delayed effective date of July 1, 2014.

Patron - Bulova

HB1737 Transparency in Developer-Owned Country Clubs Act; established. Provides that for any refundable deposit paid by a member for the use of a developer-owned country club that is not held in an account segregated from other accounts of the owner of the country club, the owner shall provide each member with an annual statement of the status of his refundable deposit and if any such deposit has been used by the owner, the purpose for which the deposits was used. The bill defines the terms "country club" and "member."

Patron - Farrell

HB1761 Property Owners' Association Act; waiver of assessments; voting. Prohibits, under certain circum-

stances, an association or board of directors from waiving for any lot owner for any reason any assessment authorized in the declaration. The bill also provides that (i) votes of the membership of an association taken to authorize the transaction of any association business must occur at a duly called meeting and with the concurrence of a majority of the members present and voting or by any larger vote specified in the declaration, (ii) votes cast by proxy may be counted at such meeting so long as voting by proxy is not prohibited in the declaration or association bylaws, and (iii) no association shall utilize cumulative or block voting for any purpose other than the election of members of the board of directors.

Patron - Ramadan

HB1868 First-time home buyer savings account. Establishes beginning in 2013 first-time home buyer savings accounts that accrue tax-free income and that are to be used for saving funds for the purchase of homes by first-time home buyers. Funds in the account, including any income, would be exempt from individual income tax so long as withdrawals from the account are used for the down payment and allowable closing costs (eligible costs) for the purchase of a home by a first-time home buyer. The bill limits the amount of principal that can be contributed to any account to \$50,000. Persons would be allowed to contribute only cash or marketable securities to a first-time home buyer savings account. Capital gains, interest income, or other income earned with regard to funds contained in the account would be excluded from income in computing Virginia individual income tax. However, if funds are withdrawn from the account for purposes other than to pay eligible costs, a penalty of 10 percent of the amount withdrawn would be imposed. In addition, the amount so withdrawn would be subject to individual income tax. No penalty or income tax would be imposed if the withdrawal is (i) because of the death or disability of the account beneficiary, (ii) a disbursement of assets pursuant to a filing for protection under federal bankruptcy laws, or (iii) a transfer of assets between first-time home buyer savings accounts.

Patron - Greason

HB1995 Condominium Act; convertible land. Provides that no mortgage, deed of trust, or other lien shall be subject to the provisions of a recorded declaration unless such mortgage, deed of trust, or other lien expressly so provides. The bill also provides that certification that all units or portions thereof depicted on the plans have been substantially completed shall not be required at the time of recordation if a completion bond has been filed and remains in full force and effect until all units designated on the convertible land are certified as substantially complete by a licensed architect, licensed engineer, or licensed land surveyor. Finally, the bill provides that if a completion bond has been filed before the expiration of the time limits for conversion of convertible land, then such time limit to complete the units shall be deemed satisfied for so long as the bond remains in effect.

Patron - Massie

HB2006 Subordinate mortgages. Provides that a subordinate mortgage retains its subordinate status upon the refinancing of the primary mortgage if the principal amount secured by the refinance mortgage does not exceed the greater of the outstanding principal balance of the prior mortgage plus \$5,000 or the outstanding principal balance of the prior mortgage plus any accrued interest, fees, and prepayment penalty required to satisfy the prior mortgage. Under current law, the amount of the refinance mortgage cannot exceed the outstanding principal balance of the prior mortgage plus \$5,000. The bill also provides that a subordinate mortgage retains its status if the prior mortgage was not a fully amortizing fixed rate mortgage, a term defined in the bill, and the refinance mort-

gage is such a mortgage. The bill also expands its application to mortgages on real estate containing up to four dwelling units, whereas current law applies only to real estate containing a single dwelling unit.

Patron - Toscano

HB2218 Condominium Act; convertible land. Provides that no mortgage, deed of trust, or other lien shall be subject to the provisions of a recorded declaration unless such mortgage, deed of trust, or other lien expressly so provides. The bill also provides that certification that all units or portions thereof depicted on the plans have been substantially completed shall not be required at the time of recordation if a completion bond is filed and remains in full force and effect until all units designated on the convertible land are certified as substantially complete by a licensed architect, licensed engineer, or licensed land surveyor. Finally, the bill provides that if a completion bond is filed, then the time limit for conversion of convertible land into units shall be deemed satisfied for so long as the bond remains in effect.

Patron - Massie

HB2257 Property Owners' Association Act; rule enforcement. Gives the association the right to file a legal action for an order of abatement as a separate remedy for rules violations by a lot owner.

Patron - LeMunyon

HB2336 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 - Marshall, R.G.

SB734 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

SB1125 Virginia Condominium Act; casualty insurance for common areas. Specifies the items that must be insured under a master casualty policy obtained by a unit owners' association or executive organ or the association to cover the common elements of a condominium.

Patron - Norment

SB1231 Correcting errors in deeds; affidavit. Allows an attorney to record a corrective affidavit to correct an obvious description error contained in a recorded deed, deed of trust, or mortgage. Obvious description errors include (i) errors transcribing courses and distances, (ii) errors incorporating a recorded plat or deed reference, (iii) errors in listing a lot number or designation, and (iv) omitted exhibits that supply the legal description of the property. Before a corrective affidavit may be recorded, all parties to the deed, deed of trust, or mort-

gator and 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.

Patron - Stanley

SB1315 Virginia Property Owners' Association Act; amendment of declaration; control of association by declarant. Provides that if there is any lot owner other than the declarant, then the declarant may not amend the declaration to extend the period of declarant control, including the power to appoint and remove some or all of the members of the board of directors or to exercise powers and responsibilities otherwise assigned to the board of directors or association, unless the amendment is agreed to by 100 percent of the votes of the association. In addition, the bill provides that the association disclosure packet shall contain a statement setting forth information regarding the transfer of control of the board of directors or association to the lot owners, including (i) the number of lots in the recorded subdivision, (ii) the current number of members on the board of directors, (iii) the number of members of the board of directors who are appointed by the declarant, and (iv) the method for determining the point when the transfer of control will take place.

Patron - Black

Public Service Companies

Passed

HB1692 Public-Private Transportation Act of 1995; review of proposals. Requires public entities to post a notice, when they receive a proposal under the PPTA, and allow a 120-day submission period for competing proposals. The bill requires the notice to include information on the proposal and the public comment opportunities. The bill further requires, after negotiations are complete and a decision to award is made, that the public entity post the major business points of the agreement and outline how the public can submit comments. This bill is identical to SB 977.

Patron - Jones

HB1695 Renewable energy; agricultural net metering. Requires the State Corporation Commission to establish a net energy metering program for eligible agricultural customers. Agricultural net metering will allow a customer that operates a solar, wind, or aerobic or anaerobic digester gas facility of up to 500 kilowatts as part of an agricultural business to be served by multiple meters that are located at separate but contiguous sites, provided the generating facility is located on land owned or controlled by the agricultural business and is used to provide energy to metered accounts of the agricultural business.

Patron - Minchew

HB1770 Natural gas utility ratemaking; eligible safety activity costs. Permits natural gas utilities to recover certain safety activity costs incurred on or after January 1, 2013, in future rates by accounting for them as deferred costs. The amount deferred shall not exceed four percent of the natural gas utility's net plant investment that was utilized in establishing or confirming the utility's base rates. The utility shall be deemed to have recovered eligible safety activity costs to the extent that the return on equity earned by the utility in an earnings test filing for a year, after consideration of the treatment of regulatory assets, is in excess of the mid-point of the rate of return on equity range specified or confirmed in the natural gas

utility's most recent rate case or performance-based regulation plan. If a utility's base rates include eligible safety activity costs, the utility shall only be permitted to defer the level of eligible safety activity costs that are in excess of the level reflected in base rates. This bill is identical to SB 1287.

Patron - Miller

HB1799 Natural gas utilities; investments in qualifying projects. Exempts any natural gas utility that serves fewer than 1,000 residential customers and fewer than 250 commercial and industrial customers from the cap on the amount of investments in qualifying projects a natural gas utility may make. Under current law, a natural gas utility's annual investments in qualifying projects shall not exceed one percent of the utility's net plant investment that was used to establish base rates in its most recent rate case. Legislation enacted in 2012 established a mechanism for natural gas utilities to recover the costs of a qualifying project. A qualifying project is an economic development project for which, among other things, the utility has received a binding commitment from the developer or occupant of the proposed project regarding capacity or 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 in the proposed project.

Patron - Lewis

HB1917 Electric utilities; renewable thermal energy. Expands the definition of "renewable thermal energy" to include the energy output from certain solar energy systems located in the Commonwealth that heat air or water for residential, commercial, institutional, or industrial processes. Under current law, the term encompasses only the energy output from renewable-fueled combined heat and power facilities used in industrial processes. Renewable thermal energy is eligible to satisfy the goals of the renewable energy portfolio standard program. The measure also defines "solar energy system" as a system that produces heat or electricity, or both, from sunlight.

Patron - Surovell

HB2115 Telephone carriers; intrastate switched access charges. Eliminates a provision that prohibits incumbent local exchange carriers from adding additional elements, or from increasing the charge for existing elements, of intrastate switched access charges.

Patron - Comstock

HB2180 Renewable energy portfolio standard program; eligible energy. Provides that renewable energy that is purchased by a participating utility under an agreement executed on or after July 1, 2013, will count toward meeting the RPS Goals of the renewable energy portfolio standard program only if the agreement expressly transfers ownership of renewable attributes, in addition to ownership of the energy, to the participating utility. The bill also provides that renewable energy generated by the utility will be counted toward meeting the RPS Goals if it is from a facility in which the public utility owns at least a 49 percent interest that is located in the Commonwealth, in the interconnection region of the regional transmission entity of which the utility is a member, or in a control area adjacent to such interconnection region. Renewable energy represented by renewable energy certificates will continue to be eligible to be counted toward meeting the RPS Goals. This bill is identical to SB 1259.

Patron - Rust

HB2261 Electric utility ratemaking. Revises certain incentives and other provisions applicable to investor-owned electric utilities under the 2007 re-regulation legislation. The measure (i) eliminates the 50 basis point performance incentive that has been available to utilities that attain the renewable

energy portfolio standard goals; (ii) replaces the provision that has authorized the State Corporation Commission (SCC) to adopt a performance incentive that may increase or decrease a utility's combined rate of return by up to 100 basis points, based on a comparison of the utility's generating plant performance, customer service, and operating efficiency with nationally recognized standards, with a provision that authorizes the SCC to increase or decrease the utility's combined rate of return consistent with its precedent for incumbent electric utilities prior to the 2007 re-regulation legislation; (iii) increases the threshold for determining whether the utility's earned combined rate of return on common equity is excessive or insufficient, for test periods commencing after December 31, 2012, from 50 basis points above or below the return determined by the SCC to 70 basis points above or below such return; (iv) eliminates the provision that requires the SCC, when it determines that rates should be revised or credits applied to customers' bills, to combine a rate adjustment clause previously implemented to recover transmission-related costs with the utility's costs, revenues, and investments until the amounts that are the subject of the rate adjustment clause are fully recovered; (v) eliminates the provision that authorizes the SCC to include in a rate adjustment clause for environmental costs the enhanced rate of return on common equity that is provided for new generation facilities if the environmental costs reduce the need for constructing new generation facilities by enabling the continued operation of existing generation facilities; (vi) requires a utility seeking approval to construct a generating facility to demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process; (vii) eliminates the authorization for a utility to earn an enhanced rate of return on the costs of a new generation facility during the first portion of its service life if the facility does not utilize nuclear power or offshore wind, unless the SCC has approved a rate adjustment clause for the facility by July 1, 2013, or the utility filed a petition therefor on or before January 1, 2013; (viii) reduces the potential enhanced rate of return on the costs of a new generation facility utilizing nuclear power or offshore wind from 200 to 100 basis points; (ix) requires certain costs related to early retirement of generation plants, severe weather events, and natural disasters to be deemed to have been recovered through customer rates during the test period under review unless doing so would place the utility in an under-earning position, in which event the SCC is required to authorize deferred recovery of such costs and allow the utility to amortize and recover the deferred costs over future periods; and (x) directs that the fair combined rate of return on common equity determined by the SCC in a biennial rate review shall apply to the entire two successive 12-month test periods ending December 31 immediately preceding the year of the utility's subsequent biennial review filing for purposes of reviewing the utility's earnings on its rates for generation and distribution services. The measure also requires Appalachian Power, referred to as a Phase I utility, to delay the filing of its next biennial review from March 31, 2013, until March 31, 2014. Such a utility is prohibited from deferring on its books for future recovery certain costs incurred during calendar year 2011 and is required to file subsequent biennial filings by March 31, 2016, and every two years thereafter. The bill also provides that if the combined rate of return on common equity earned by generation and distribution services for the period under review is no more than 70 basis points above or below the return determined for this utility, the combined return shall not be considered either excessive or insufficient, respectively. In addition, the measure provides that for any test period commencing after December 31, 2012, for Dominion, referred to as a Phase II Utility, and after December 31, 2013, for Appalachian Power, if the utility has, during the test period or periods under review, earned below the return determined for the utility, the utility may petition the State Corporation

Commission for approval of an increase in rates as if it had earned more than 70 basis points below a fair combined rate of return. The bill states that an emergency exists and is in force from its passage.

Patron - Kilgore

HB2334 Renewable energy power purchase agreements. Directs the State Corporation Commission (SCC) to conduct a pilot program in a certain utility's service territory. Under the pilot program, a person that owns or operates a solar-powered or wind-powered electricity generation facility with a capacity between 50 kilowatts and one megawatt that is located on premises owned or leased by an eligible customer-generator will be allowed to sell the electricity generated from such facility exclusively to the eligible customer-generator under a power purchase agreement. The power purchase agreement will provide for third party financing of the costs of the renewable generation facility. The minimum size requirement does not apply to certain nonprofit entities. The SCC shall establish guidelines concerning aspects of the pilot program by December 1, 2013. This bill is identical to SB 1023.

Patron - Yancey

SB956 Electric utility rate schedules; declining block rates. Requires any investor-owned electric utility that uses declining block rates for residential customers during winter months to assess the appropriateness of such rates in integrated resource plans filed with the State Corporation Commission.

Patron - Favola

SB977 Public-Private Transportation Act of 1995; review of proposals. Requires public entities to post a notice, when they receive a proposal under the PPTA, and allow a 120-day submission period for competing proposals. The bill requires the notice to include information on the proposal and the public comment opportunities. The bill further requires, after negotiations are complete and a decision to award is made, that the public entity post the major business points of the agreement and outline how the public can submit comments. This bill is identical to HB 1692.

Patron - Lucas

SB1023 Renewable energy power purchase agreements. Directs the State Corporation Commission (SCC) to conduct a pilot program in a certain utility's service territory. Under the pilot program, a person that owns or operates a solar-powered or wind-powered electricity generation facility with a capacity between 50 kilowatts and one megawatt that is located on premises owned or leased by an eligible customer-generator will be allowed to sell the electricity generated from such facility exclusively to the eligible customer-generator under a power purchase agreement. The power purchase agreement will provide for third party financing of the costs of the renewable generation facility. The minimum size requirement does not apply to certain nonprofit entities. The SCC shall establish guidelines concerning aspects of the pilot program by December 1, 2013. This bill is identical to HB 2334.

Patron - Edwards

SB1259 Renewable energy portfolio standard program; eligible energy. Provides that renewable energy that is purchased by a participating utility under an agreement executed on or after July 1, 2013, will count toward meeting the RPS Goals of the renewable energy portfolio standard program only if the agreement expressly transfer ownership of renewable attributes, in addition to ownership of the energy, to the participating utility. The bill also provides that renewable energy generated by the utility will be counted toward meeting the RPS Goals if it is from a facility in which the public utility

owns at least a 49 percent interest that is located in the Commonwealth, in the interconnection region of the regional transmission entity of which the utility is a member, or in a control area adjacent to such interconnection region. Renewable energy represented by renewable energy certificates will continue to be eligible to be counted toward meeting the RPS Goals. This bill is identical to HB 2180.

Patron - Edwards

SB1287 Natural gas utility ratemaking; eligible safety activity costs. Permits natural gas utilities to recover certain safety activity costs incurred on or after January 1, 2013, in future rates by accounting for them as deferred costs. The amount deferred shall not exceed four percent of the natural gas utility's net plant investment that was utilized in establishing or confirming the utility's base rates. The utility shall be deemed to have recovered eligible safety activity costs to the extent that the return on equity earned by the utility in an earnings test filing for a year, after consideration of the treatment of regulatory assets, is in excess of the mid-point of the rate of return on equity range specified or confirmed in the natural gas utility's most recent rate case or performance-based regulation plan. If a utility's base rates include eligible safety activity costs, the utility shall only be permitted to defer the level of eligible safety activity costs that are in excess of the level reflected in base rates. This bill is identical to HB 1770.

Patron - Colgan

Failed

HB1580 Telephone billing practices. Exempts a telephone company from existing requirements regarding authorization and verification for products, goods, and services billed on a telephone bill if the telephone company bills its customers pursuant to an executed contract. The measure also provides that a telephone company may bill its customers for charges for a third party's products, goods, and services if, in addition to the current condition that the third party be required to obtain the customer's verification of the customer's authorization, the telephone company notifies its customers whether or not free blocking of certain third-party vendor billing is available.

Patron - Bulova

HB1689 Public-Private Transportation Act of 1995; approval required for comprehensive agreements involving the sale or long-term lease of port facilities. Provides that where a responsible public entity is a state agency, then any proposed comprehensive agreement for a qualifying transportation facility that involves the sale of a port facility or a lease to operate a port facility for a period of 10 years or more shall be reviewed by the General Assembly prior to execution. The bill defines "port facility" and "state agency."

Patron - Jones

HB1690 Public-Private Transportation Act; definition of transportation facility; port facility excluded. Removes port facility from the definition of "transportation facility" under the Public-Private Transportation Act. The bill also provides that the Virginia Port Authority is not included in the definition of "public entity" or "responsible public entity" under the Public-Private Transportation Act. As a result, the Virginia Port Authority can no longer avail itself of the provisions of the Public-Private Transportation Act.

Patron - Jones

HB1814 Comprehensive agreements under PPTA. Requires that every comprehensive agreement entered into under the Public-Private Transportation Act of 1995 on or after

July 1, 2013, be subject to approval by a majority vote of both houses of the General Assembly.

Patron - Joannou

HB1943 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

HB1946 Renewable energy portfolio standard program. Amends the existing renewable energy portfolio standard program to require that for calendar years 2016 through 2025 a utility shall apply (i) only renewable energy generated or purchased in Virginia, off its coast, or represented by a renewable energy certificate from eligible sources in Virginia or off its coast and (ii) renewable energy sales or renewable energy certificates from electric energy derived from any combination of sunlight, onshore wind, offshore wind, wave motion, tides, or geothermal power to meet at least 40 percent of the sales requirement for the RPS Goal in that year. The measure also eliminates provisions that give double or triple credit toward meeting the RPS Goals for energy from specified sources of energy.

Patron - Lopez

HB1987 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

HB2090 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 shoreline 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

HB2108 Reduced electricity rates for certain low-income residential customers; tax credit. Requires investor-owned electric utilities to offer eligible residential customers a reduced rate for electric service during December through April of each year. The reduced rate is 20 percent less than the rate that would be applicable to the customer if the customer was ineligible for the special rate. To be eligible for the special rate, a customer must be at least age 60 and receiving (i) supplemental security income, (ii) Temporary Assistance for Needy Families, or (iii) food stamps. The State Corporation Commission is required to certify each utility's revenue deficiency resulting from the special reduced rates. The utility will receive an income tax credit calculated at 1.45 percent of the revenue deficiency. The Department of Social Services is

required to adopt regulations establishing procedures to inform persons about the availability of the special reduced rates, assist applicants for the special reduced rates in proving their eligibility therefor, and assist utilities in determining the eligibility of persons for such rates. The Commission and the Department are required to adopt temporary emergency regulations implementing the program by October 1, 2013.

Patron - Morefield

HB2132 Sales and use tax exemption legislation; sunset requirement. Prohibits any committee of the General Assembly from reporting a bill containing a new sales and use tax exemption or renewing an existing sales and use tax exemption unless such bill contains an expiration date of not longer than five years from the effective date of the new or renewed sales and use tax exemption.

Patron - Keam

HB2250 Underground Utility Damage Prevention Act; sanitary districts. Exempts employees of any sanitary district that maintains at least 20 miles of its own streets and roads from certain provisions of the Underground Utility Damage Prevention Act.

Patron - Sherwood

HB2258 Public-Private Transportation Act of 1995 and the Public-Private Education Facilities and Infrastructure Act of 2002; review of proposals; comprehensive agreements. Requires the responsible public entity to obtain the approval of each affected jurisdiction prior to the execution of a comprehensive agreement under the Public-Private Transportation Act of 1995 (PPTA) or the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) whenever the development or operation of the qualifying transportation facility or project impacts local tax revenues or increases the fees or expenses that are paid by residents of the affected jurisdictions. The bill also (i) provides for the guidelines established by a responsible public entity under the PPTA to require that a final environmental impact study be completed prior to commencing project development and (ii) prohibits a comprehensive agreement under the PPTA from containing a non-compete or damage provision or any similar provision requiring additional payments to the private entity to recover reduced revenue due to improvements made by the Commonwealth to any other transportation facility. This bill is incorporated into HB 1692.

Patron - James

HB2274 Electric utility regulation; schedule for biennial reviews. Requires Appalachian Power, referred to as a Phase I utility, to delay the filing of its next biennial review from March 31, 2013, until March 31, 2014, upon giving the State Corporation Commission 30 days' notice. If the utility opts to delay its biennial filing, (i) its ability to defer certain costs incurred during calendar year 2011 will be limited and (ii) subsequent biennial filings shall be due by March 31, 2016, and every two years thereafter. The bill states that an emergency exists and that the bill is in force from its passage.

Patron - Merricks

SB797 Electric utilities; advanced meters. Prohibits any electric utility from installing an advanced meter on a customer's premises or requiring a customer to use any advanced meter unless the customer has requested it. An advanced meter is a meter that is capable of measuring, recording, storing, and reporting usage according to predetermined time criteria and that allows two-way communications suited for demand-response programs. Electric utilities are also required to un-install an advanced meter at a customer's request; prohibited from giving any meter use data from an advanced meter to any person other than the electric utility; prohibited from shutting

off service to a customer based on the amount of electricity the customer uses or the customer not having or using an advanced meter; prohibited from imposing any disincentive on a customer for not agreeing to the installation or use of an advanced meter; prohibited from obtaining data from an advanced meter more than once per month unless requested by a customer; and required to notify customers in writing that the installation and use of an advanced meter is not mandated by state law and is not permitted without the customer's request. The measure also repeals an existing provision that prohibits an investor-owned electric utility participating in an energy efficiency program from connecting advanced metering technology and equipment on the customer's side of the interconnection without the customer's express consent.

Patron - Garrett

SB852 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 if the facility is an offshore wind facility, located off the Commonwealth's shoreline, 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 - Petersen

SB1025 Net energy metering; standby charges. Requires the State Corporation Commission, when determining whether to approve a utility's proposed standby charge methodology, to find that the cost and benefit components used to calculate the proposed standby charges are based on load research on the affected class of eligible customer-generators and that the number of eligible customer-generators used in such load research is sufficient to form reasonable statistical conclusions about such costs and benefits. In addition, the standby charges collected from eligible customer-generators shall allow the supplier to recover only the portion of the supplier's net costs that are properly associated with serving eligible customer-generators. The measure also requires the Commission to review standby charges approved prior to July 1, 2013, for conformance with these new requirements for standby charge approval.

Patron - Edwards

SB1081 Public-Private Transportation Act of 1995 and Public-Private Education Facilities and Infrastructure Act of 2002; addition requirements for comprehensive agreements. Provides that no comprehensive agreement providing for the lease, operation, or transfer of ownership of a qualifying transportation facility under the Public-Private Transportation Act or a qualified project under the Public-Private Education Facilities and Infrastructure Act with a total value of \$1 billion or more shall be executed by a state agency unless (i) approved by the Governor and (ii) a bill that includes a specific description of the proposed agreement and its anticipated expenditures and revenues is passed by the General Assembly.

Patron - Miller

SB1247 Natural gas utility ratemaking; eligible safety activity costs. Permits natural gas utilities to recover certain safety activity costs incurred on or after January 1, 2013, in future rates by accounting for them as deferred costs. These deferred costs will be accounted for as a regulatory asset

and not subject to write-off or write-down in an earnings test filing.

Patron - Colgan

SB1269 Renewable energy portfolio standard program. Amends the existing renewable energy portfolio standard program to require that for calendar years 2016 through 2025 a utility shall apply (i) only renewable energy generated or purchased in Virginia, off its coast, or represented by a renewable energy certificate from eligible sources in Virginia or off its coast and (ii) renewable energy sales or renewable energy certificates from electric energy derived from any combination of sunlight, onshore wind, offshore wind, wave motion, tides, or geothermal power to meet at least 40 percent of the sales requirement for the RPS Goal in that year. The measure also eliminates provisions that give double or triple credit toward meeting the RPS Goals for energy from specified sources of energy.

Patron - McEachin

SB1339 Electric utility ratemaking. Revises certain incentives and other provisions applicable to investor-owned electric utilities under the 2007 re-regulation legislation. The measure (i) eliminates the 50 basis point performance incentive that has been available to utilities that attain the renewable energy portfolio standard goals; (ii) replaces the provision that has authorized the State Corporation Commission (SCC) to adopt a performance incentive that may increase or decrease a utility's combined rate of return by up to 100 basis points, based on a comparison of the utility's generating plant performance, customer service, and operating efficiency with nationally recognized standards, with a provision that authorizes the SCC to increase or decrease the utility's combined rate of return consistent with its precedent for incumbent electric utilities prior to the 2007 re-regulation legislation; (iii) increases the threshold for determining whether the utility's earned combined rate of return on common equity is excessive or insufficient, for test periods commencing after December 31, 2012, from 50 basis points above or below the return determined by the SCC to 70 basis points above or below such return; (iv) eliminates the provision that requires the SCC, when it determines that rates should be revised or credits applied to customers' bills, to combine a rate adjustment clause previously implemented to recover transmission-related costs with the utility's costs, revenues, and investments until the amounts that are the subject of the rate adjustment clause are fully recovered; (v) eliminates the provision that authorizes the SCC to include in a rate adjustment clause for environmental costs the enhanced rate of return on common equity that is provided for new generation facilities if the environmental costs reduce the need for constructing new generation facilities by enabling the continued operation of existing generation facilities; (vi) requires a utility seeking approval to construct a generating facility to demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process; (vii) eliminates the authorization for a utility to earn an enhanced rate of return on the costs of a new generation facility during the first portion of its service life if the facility does not utilize nuclear power or offshore wind, unless the SCC has approved a rate adjustment clause for the facility by July 1, 2013, or the utility filed a petition therefor on or before January 1, 2013; (viii) reduces the potential enhanced rate of return on the costs of a new generation facility utilizing nuclear power or offshore wind from 200 to 100 basis points; (ix) requires certain costs related to early retirement of generation plants, severe weather events, and natural disasters to be deemed to have been recovered through customer rates during the test period under review unless doing so would place the utility in an under-earning position, in which event the SCC is required to authorize deferred recovery of such costs and allow

the utility to amortize and recover the deferred costs over future periods; and (x) directs that the fair combined rate of return on common equity determined by the SCC in a biennial rate review shall apply to the entire two successive 12-month test periods ending December 31 immediately preceding the year of the utility's subsequent biennial review filing for purposes of reviewing the utility's earnings on its rates for generation and distribution services.

Patron - Saslaw

SB1366 Electric utility regulation; schedule for biennial reviews; authority to petition for rate increase. Requires Appalachian Power, referred to as a Phase I utility, to delay the filing of its next biennial review from March 31, 2013, until March 31, 2014, upon giving the State Corporation Commission 30 days' notice. Such a utility is (i) prohibited from deferring on its books for future recovery certain costs incurred during calendar year 2011 and (ii) required to file subsequent biennial filings by March 31, 2016, and every two years thereafter. The bill also provides that if the combined rate of return on common equity earned by generation and distribution services for the two successive 12-month test periods ending December 31, 2013, is no more than 50 basis points above or below the return determined for this utility, the combined return shall not be considered either excessive or insufficient, respectively. In addition, the measure provides that for any test period commencing after December 31, 2012, for Dominion, referred to as a Phase II Utility, and after December 31, 2013, for Appalachian Power, if the utility has, during the test period or periods under review, earned below the return determined for the utility, whether or not such combined return is within 70 basis points of the return as so determined, the utility may petition the State Corporation Commission for approval of an increase in rates as if it had earned more than 70 basis points below a fair combined rate of return. The bill states that an emergency exists and that the bill is in force from its passage.

Patron - Puckett

State Corporation Commission

Passed

HB1817 State Corporation Commission; payments and dishonored payments. Authorizes the State Corporation Commission to accept payment of any amount due by check, credit card, debit card, electronic funds transfer, or other means acceptable to it. The Commission is further authorized to add to any amount due a sum, not to exceed the amount charged to the Commission, for acceptance of any payment by a means that incurs a charge to the Commission. The measure directs that a penalty of the greater of \$35 or the amount of any cost the Commission incurs shall be added to amount due if a payment is dishonored.

Patron - Joannou

SB778 State Corporation Commission; pro bono legal services. Authorizes members of the State Corporation Commission and its subordinates and employees having a license or certificate to practice law to engage in the private practice of law on a pro bono public basis with the Commission's approval. Currently, all private practice of law by such persons is prohibited.

Patron - Watkins

Taxation

Passed

HB1398 Land preservation tax credit; unissued tax credits. Provides that, beginning with calendar year 2013, the maximum amount of land preservation tax credits that shall be issued to taxpayers shall be \$100 million. However, the \$100 million shall continue to be annually indexed, as is done under current law. The Governor would be required to include in the Budget Bill or in his amendments to the general appropriation act a recommended appropriation from the general fund in an amount equal to the difference between the indexed amount and \$100 million to be appropriated as follows: 80 percent of the unissued credits to the Virginia Land Conservation Fund, of which at least 50 percent must be used for acquisitions with public access; 10 percent to the Civil War Site Preservation Fund; and 10 percent to the Virginia Farmland Preservation Fund.

Patron - Ware, R.L.

HB1399 Sales and use tax exemption; pollution control equipment and facilities. Deletes that portion of the sales and use tax exemption for pollution control equipment and facilities that expired July 1, 2006, related to coal, oil, and gas production, to clarify that such exemption did not expire in 2006, and continues because of a cross-reference to another statute.

Patron - Ware, R.L.

HB1401 Real property tax; sale of sole dwelling for delinquent taxes. Requires that, prior to initiating judicial proceedings to sell real property because of delinquent taxes, the locality must notify the taxpayer that he has the right to request that the treasurer enter into a payment schedule with him to pay the delinquent taxes.

Patron - Cole

HB1522 Personal property tax; motor vehicles leased by a locality or constitutional officer. Creates a separate classification, for purposes of permitting localities to set a lower personal property tax rate, on motor vehicles leased by a county, city, town, or constitutional officer if the locality or constitutional officer is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle.

Patron - Villanueva

HB1553 Real property tax assessment; affordable housing. Modifies the special means of assessing the value of affordable rental housing units by permitting a taxpayer who owns certain multiple units and has expenses that are common to two or more units to make a pro rata apportionment of such expenses to each such unit based on each unit's assessed value as a percentage of the total assessed value of all such units. The bill covers the units whether they are in a single tax parcel or multiple tax parcels.

Patron - Loupassi

HB1598 Real property tax; boards of equalization. Modifies several provisions governing boards of equalization including (i) modifying qualifications for membership of certain boards; (ii) authorizing boards to receive complaints electronically as long as taxpayers may also file complaints on paper forms; (iii) prohibiting a board to deny relief based on a lack of information from the taxpayer as long as certain specified information is provided; (iv) providing procedures by which a taxpayer may appoint a representative; (v) providing

procedures to be followed before a board may increase assessments on certain types of property; and (vi) setting deadlines for consideration of certain information.

Patron - Anderson

HB1670 Transient occupancy tax; Dickenson County. Adds Dickenson County to the list of counties that may impose a transient occupancy tax not to exceed five percent, rather than the two percent rate available to all counties. Any revenue attributable to any rate over two percent shall be spent solely for tourism and travel promotion purposes. This bill is identical to SB 980.

Patron - Johnson

HB1697 Real property tax; special valuation for land preservation. Makes it optional for localities to impose roll-back taxes when the owner of real property that qualifies for special land use valuation has the property rezoned for a more intensive use. Under current law, imposition of such taxes is mandatory.

Patron - Minchew

HB1699 Tangible personal property tax; computer equipment and peripherals used in data centers. Creates a separate classification, for purposes of permitting localities to set a lower personal property tax rate, on computer equipment and peripherals used in a data center. This bill is identical to SB 1133.

Patron - Comstock

HB1771 Local gas severance taxes. Makes technical amendments that provide a period of time in which natural gas companies may appeal a local gas severance tax assessment made on or after January 1, 2014, for license years 2014, 2013, 2012, or 2011. In 2012, the General Assembly passed legislation delaying the time period in which natural gas companies could appeal gas severance tax assessments and suspending the collection of gas severance tax assessments. The bill creates a time period in which natural gas companies may appeal such assessments. The bill is identical to SB 1111.

Patron - Kilgore

HB1785 Sales and use tax revenue dedicated for public facility in Town of Wise. Adds the Town of Wise to the list of localities in which a public facility may be constructed or expanded, with the sales and use tax revenue generated in the public facility dedicated to the payment of bonds issued to pay for such construction or expansion.

Patron - Kilgore

HB1797 Transient occupancy tax; Greenville County. Adds Greenville County to the list of counties that may impose a transient occupancy tax not to exceed five percent, rather than the two percent rate available to all counties. Any revenue attributable to any rate over two percent shall be spent solely for tourism and travel purposes.

Patron - Tyler

HB1820 Unstamped cigarettes; sale, transport, possession, etc.; penalties. Provides that it is a Class 6 felony to sell, purchase, transport, receive, or possess 500 or more packages of unstamped cigarettes and a Class 5 felony for a second offense; under current law, the threshold is 3,000 or more packages and there is no heightened penalty for a second offense. The bill also provides that it is a Class 1 misdemeanor to sell fewer than 500 packages of unstamped cigarettes; under current law the threshold is fewer than 3,000 packages and is a Class 2 misdemeanor.

Patron - Ware, O.

HB1824 Virginia port volume increase tax credit. Extends the tax credit beginning in 2013 to growers or producers of (i) wheat, grains, fruits, nuts, crops; (ii) tobacco, nursery, or floral products; (iii) forestry products excluding raw wood fiber or wood fiber processed or manufactured for use as fuel for the generation of electricity; or (iv) seafood, meat, dairy, or poultry products. The bill also eliminates distributors of these goods from being eligible for the tax credit. Under current law, manufacturers and distributors of manufactured goods that ship at least 75 net tons of noncontainerized cargo or 10 loaded 20-foot equivalent units (TEUs) through Virginia port facilities during a calendar year are eligible for an income tax credit if their volume of shipments through such facilities increases by at least five percent over a designated base year volume. The tax credit equals \$50 for each TEU above the base year volume shipped through a Virginia port facility.

Patron - Purkey

HB1860 Personal property tax; advertising signs. Provides that outdoor advertising signs constitute a separate class of personal property for purposes of assessment, and requires localities to tax such signs as personal property, not as real property. The bill also prohibits such signs or income generated by such signs to be considered in assessing the value of real property. The bill states that an emergency exists and it is in force from its passage. The bill applies to tax years beginning on or after January 1, 2013. This bill is identical to SB 1236.

Patron - Orrock

HB1872 Online investments; eligible for state tax credits. Specifies that investments transacted via an online general solicitation, online broker, or a funding portal shall be eligible for state tax credits, so long as the investment otherwise meets all requirements for earning the particular tax credit.

Patron - McClellan

HB1923 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 \$200 per year per employee or \$300 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

HB1982 Local tax bills. Permits treasurers to convey, with the consent of the taxpayer, any tax bill by permitting the taxpayer to access his tax bill online from a database on the treasurer's website.

Patron - May

HB1993 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

HB1996 Tax credits for donations to nonprofits providing assistance to low-income families. Makes several changes to the Neighborhood Assistance Act Tax Credit and Education Improvement Scholarships Tax Credits programs including (i) allowing tax credits for donations of marketable securities under the Education Improvement Scholarships Tax

Credits program, (ii) changing reporting requirements to the Department of Education, changing the time frame for scholarship foundations to disburse moneys for scholarships, and changing the civil penalties for failing to make such reports and disbursements under the Education Improvement Scholarships Tax Credits program, (iii) for both programs, establishing \$125,000 as the maximum annual amount of donations by an individual for which tax credits may be issued, and (iv) for both programs, extending the expiration date through the 2027 taxable year. The bill also makes several other technical changes.

Patron - Massie

HB2039 Voluntary contributions of taxpayer refunds; Chesapeake Bay Watershed. Adds the Chesapeake Bay Watershed Implementation Plan submitted by the Commonwealth of Virginia, as an option under the Voluntary Chesapeake Bay Restoration Contribution, to the list of organizations that may receive contributions of taxpayer refunds. The bill is identical to SB 1054.

Patron - Webert

HB2047 Long-term health care insurance tax credit. Repeals the long-term health care insurance tax credit for taxable years beginning on or after January 1, 2014. The bill would not repeal the income tax deduction for long-term health care insurance premiums paid by an individual.

Patron - Jones

HB2054 Sales and use tax exemption; property used for harvesting forest products. Changes the sales and use tax exemption related to harvesting forest products from property "necessary" for such harvesting, to property "used" for such harvesting.

Patron - Peace

HB2059 Income tax credit; landlords participating in housing choice voucher programs. Reduces from \$450,000 to \$250,000 the amount of income tax credits that may be issued each fiscal year by the Department of Housing and Community Development to landlords participating in housing choice voucher programs. This bill is identical to SB 932.

Patron - McClellan

HB2092 Confidentiality of tax information. Authorizes the Tax Commissioner to provide the Commissioner of Agriculture and Consumer Services with the name and address of taxpayers who identify themselves as subject to Board of Agriculture and Consumer Services regulations.

Patron - Cline

HB2100 Local coal severance taxes. Establishes gross receipts for purposes of the local coal severance tax by providing that the only deduction allowed from gross receipts is for non-local transportation and processing costs of coal. The bill establishes a one percent tax on the gross receipts from coal severed from the earth by coal producers, except that the gross receipts tax on coal from mines that sell less than 10,000 tons of coal per month is three-quarters of one percent. The bill also moves the local coal severance taxes out of Chapter 37 of Title 58.1, which sets forth local license tax laws. The bill is identical to SB 918.

Patron - Kilgore

HB2110 Coal and Gas Road Improvement Fund; construction of natural gas service lines. Allows a locality in the Virginia Coalfield Economic Development Authority to apply a portion of its Coal and Gas Road Improvement Fund tax revenue collected from the severance tax imposed upon the

severance of natural gas to the construction of natural gas service lines. Under current law, the locality is permitted to apply a portion of the revenue to the construction or enhancement of water or sewer systems or lines. The amendments add natural gas systems or lines as authorized by § 15.2-2109.3 to the permitted uses of that portion of the fund.

Patron - Morefield

HB2145 Virginia College Savings Plan; deposit of income tax refunds. Permits taxpayers to direct the Department of Taxation to deposit all or any part of an income tax refund into their Virginia College Savings Plan accounts. The provisions of the bill shall be effective for taxable years beginning on or after January 1, 2014. This bill is identical to SB 1220.

Patron - O'Bannon

HB2150 Commonwealth's tax code; conformity with federal law; emergency. Advances the conformity with the federal tax code from December 31, 2011, to January 2, 2013, and restores conformity with the federal earned income tax credit. The bill contains an emergency clause. This bill is identical to SB 1241.

Patron - Purkey

HB2155 Technical corrections for administration of the insurance premiums license tax. Makes technical corrections to facilitate the transfer of the administration of the state insurance premiums license tax from the State Corporation Commission to the Department of Taxation pursuant to legislation passed by the 2011 Session of the General Assembly. This bill is identical to SB 1216.

Patron - Byron

HB2167 Individual income tax deductions; life, medical, and dental insurance premiums. Provides that beginning January 1, 2013, an individual age 66 or older with earned income of at least \$20,000 for the year and federal adjusted gross income not in excess of \$30,000 for the year is allowed to deduct the amount he pays annually for (i) a prepaid funeral insurance policy that covers him or (ii) medical or dental insurance premiums for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws.

Patron - Purkey

HB2219 Cigarette taxes; certain bond or irrevocable letter of credit requirements. Provides that the bond or irrevocable letter of credit required to be filed by a wholesale dealer to obtain cigarette tax stamps without payment of the cigarette tax be in a face amount determined by the Tax Commissioner to cover possible losses from nonpayment of the tax, but not to exceed two times the anticipated average monthly amount of purchases of cigarette tax stamps by the wholesale dealer. Under current law, the face amount of the bond or irrevocable letter of credit that is required to be filed is fixed at approximately two times the anticipated average monthly amount of purchases of cigarette tax stamps by the wholesale dealer. This bill is identical to SB 1092.

Patron - Peace

HB2236 Sales and use tax exemption; labor or services related to rental property. Clarifies that the sales and use tax exemption for separately stated charges for installing personal property sold, includes property that is rented.

Patron - Pogge

HB2303 Transient occupancy tax; Arlington County. Reinstates the authority of Arlington County, which expired pursuant to a January 1, 2012, sunset date, to impose

an additional transient occupancy tax at a rate not to exceed one-fourth of one percent. The revenues from the tax shall be spent solely for the purpose of promoting tourism and business travel in the county. The bill has a sunset date of July 1, 2016. This bill is identical to SB 851.

Patron - Brink

HB2313 Revenues and appropriations primarily for transportation. Makes several changes to the revenues collected by the Commonwealth, and the distribution of such revenues, primarily for the benefit of transportation. The changes are as follows:

The bill eliminates the \$0.175 per gallon tax on motor fuels, and replaces it with a percentage-based tax of 3.5% for gasoline and 6% for diesel fuel. The bill provides for a refund of an amount equal to a 2.5% tax paid on diesel fuel for vehicles having a gross vehicle weight rating of 10,000 pounds or less.

The bill imposes a \$100 annual registration fee on hybrid vehicles, alternative fuel vehicles, and electric motor vehicles. Current law imposes a \$50 fee on electric motor vehicles. The revenues are designated for the Highway Maintenance and Operating Fund.

The bill raises the state sales and use tax across the Commonwealth from 4% to 4.3% and designates the increased revenues for the Highway Maintenance and Operating Fund, the Inter-city Passenger Rail Operating and Capital Fund, and the Commonwealth Mass Transit Fund.

The bill establishes procedures for the collection of the state sales and use tax from retail dealers located outside Virginia for sales made in the Commonwealth, contingent upon the federal government passing legislation authorizing such collection. In the event that such revenues are collected, a portion of the revenues will be allocated to localities for education, a portion will be allocated to localities with a stipulation that some of the funds be used by the locality for transportation needs, and a portion of the revenues will be deposited in the Transportation Trust Fund. A portion will also be used to reimburse localities that currently impose a retail sales tax on the sale of certain fuels used for domestic consumption, as the bill also repeals the authority to impose such tax. If the federal government does not pass legislation authorizing the Commonwealth and other states to collect sales taxes from retail dealers located outside the state by January 1, 2015, then the motor fuels tax imposed on gasoline will be raised from 3.5% to 5.1% (the motor fuels tax on diesel fuel will remain at 6%, with eligibility for a 0.9% refund for vehicles weighing less than 10,000 pounds). If the federal government passes such legislation after January 1, 2015, the rate of tax on gasoline will revert to 3.5%.

The bill amends the tax on the sale of motor vehicles (the "titling tax"). Currently, the sales tax on motor vehicles is 3%. A new rate of 4.3% will be phased in over four years.

The bill increases the share of existing general sales and use tax revenues used for transportation from 0.50% to 0.675%, phased in over four years. The additional allocation will be deposited into the Highway Maintenance and Operating Fund. The bill also allocates an additional 0.125% of existing general sales and use tax revenues to public education.

The bill generates additional revenues in the Hampton Roads and Northern Virginia Regions. In Hampton Roads, an additional state sales tax of 0.70%, and an additional 2.1% state tax on wholesale distributors of motor fuels, is imposed in the localities that comprise the Hampton Roads Transportation Planning Organization. These additional revenues are depos-

ited into a Hampton Roads Transportation Fund, to be used for regional road construction projects, to be determined by the Hampton Roads Transportation Planning Organization. In Northern Virginia, there is imposed an additional state sales tax of 0.70%, an additional 3.0% state transient occupancy tax, and an additional state recordation fee equal to \$0.25 per \$100 of the value of the real property for which the deed, instrument, or writing is being recorded. The additional revenues are deposited into a Northern Virginia Transportation Authority Fund, with 30% of the funds being distributed to the member localities for use on transportation projects, and the remainder to be used for regional transportation projects.

The 0.70% state sales and use taxes in Northern Virginia and Hampton Roads are in addition to the 0.3% state sales and use tax increase that applies throughout the Commonwealth.

Of the increased revenues in the Highway Maintenance and Operating Fund, \$100 million in fiscal years 2014, 2015, and 2016 will be dedicated to Phase II of the Dulles Metrorail Extension Project, subject to certain conditions. Beginning in fiscal year 2020, \$20 million dollars from the Highway Maintenance and Operating Fund will be deposited into the Route 58 Corridor Development Fund.

The bill prohibits tolling on Interstate 95 south of Fredericksburg without prior approval of the General Assembly.

The bill also makes several technical changes related to the administration of these various provisions.

Patron - Howell, W.J.

SB720 Transient occupancy tax; Grayson County. Adds Grayson County to the list of counties authorized to levy a transient occupancy tax not to exceed five percent. The bill makes technical revisions.

Patron - Carrico

SB766 Sales and use tax exemption for hurricane preparedness equipment; eligible equipment. Adds gas-powered chain saws with a selling price of \$350 or less and chain saw accessories to the list of equipment eligible for the sales and use tax exemption for hurricane preparedness equipment.

Patron - Wagner

SB799 Real property tax; special valuation for land preservation. Permits Goochland County to adopt certain variations in administering the special valuation of real property for land preservation for real property in service districts created after July 1, 2013.

Patron - Garrett

SB851 Transient occupancy tax; Arlington County. Reinstates the authority of Arlington County, which expired pursuant to a January 1, 2012, sunset date, to impose an additional transient occupancy tax at a rate not to exceed one-fourth of one percent. The revenues from the tax shall be spent solely for the purpose of promoting tourism and business travel in the county. The bill has a sunset date of July 1, 2016. This bill is identical to HB 2303.

Patron - Howell

SB918 Local coal severance taxes. Establishes gross receipts for purposes of the local coal severance tax by providing that the only deduction allowed from gross receipts is for non-local transportation and processing costs of coal. The bill establishes a one percent tax on the gross receipts from coal severed from the earth by coal producers, except that the gross receipts tax on coal from mines that sell less than 10,000 tons

of coal per month is three-quarters of one percent. The bill also moves the local coal severance taxes out of Chapter 37 of Title 58.1, which sets forth local license tax laws. The bill is identical to HB 2100.

Patron - Puckett

SB932 Income tax credit; landlords participating in housing choice voucher program. Reduces from \$450,000 to \$250,000 the amount of income tax credits that may be issued each fiscal year by the Department of Housing and Community Development to landlords participating in housing choice voucher programs. The bill is identical to HB 2059.

Patron - Vogel

SB980 Transient occupancy tax; Dickenson County. Adds Dickenson County to the list of counties that may impose a transient occupancy tax not to exceed five percent, rather than the two percent rate available to all counties. Any revenue attributable to any rate over two percent shall be spent solely for tourism and travel promotion purposes. This bill is identical to HB 1670.

Patron - Puckett

SB1009 Neighborhood Assistance Act tax credits. Makes several changes to the requirements that a neighborhood organization must meet in order for a proposal to be approved under the Neighborhood Assistance Act tax credit program. In order to be approved for an allocation of credits from the Department of Education, an organization must have been in existence for at least one year, and at least 50 percent of its revenues must be used to provide services to low-income persons or eligible persons with disabilities. In order to be approved for an allocation of credits from either the Department of Education or the State Board of Social Services, a neighborhood organization and any of its affiliates must meet the requirements set forth in the applicable guidelines or regulations. The bill also clarifies the requirements for a neighborhood organization to submit an annual audit, review, or compilation.

Patron - Stanley

SB1021 Cigarette and other tobacco products taxes; electronic transactions. Authorizes (i) the Attorney General and the Department of Taxation to accept electronic filing of reports by stamping agents and manufacturers and (ii) the Department of Taxation to allow electronic purchase of cigarette tax stamps.

Patron - Howell

SB1054 Voluntary contributions of taxpayer refunds; Chesapeake Bay Watershed. Adds the Chesapeake Bay Watershed Implementation Plan submitted by the Commonwealth of Virginia, as an option under the Voluntary Chesapeake Bay Restoration Contribution, to the list of organizations that may receive contributions of taxpayer refunds. The bill is identical to HB 2039.

Patron - Black

SB1092 Cigarette taxes; certain bond or irrevocable letter of credit requirements. Provides that the bond or irrevocable letter of credit required to be filed by a wholesale dealer to obtain cigarette tax stamps without payment of the cigarette tax be in a face amount determined by the Tax Commissioner to cover possible losses from nonpayment of the tax, but not to exceed two times the anticipated average monthly amount of purchases of cigarette tax stamps by the wholesale dealer. Under current law, the face amount of the bond or irrevocable letter of credit that is required to be filed is fixed at approximately two times the anticipated average monthly

amount of purchases of cigarette tax stamps by the wholesale dealer. This bill is identical to HB 2219.

Patron - Hanger

SB1111 Local gas severance taxes. Makes technical amendments that provide a period of time in which natural gas companies may appeal a local gas severance tax assessment made on or after January 1, 2014, for license years 2014, 2013, 2012, or 2011. In 2012, the General Assembly passed legislation delaying the time period in which natural gas companies could appeal gas severance tax assessments and suspending the collection of gas severance tax assessments. The bill creates a time period in which natural gas companies may appeal such assessments. The bill is identical to HB 1771.

Patron - McDougle

SB1133 Tangible personal property tax; computer equipment and peripherals used in data centers. Creates a separate classification, for purposes of permitting localities to set a lower personal property tax rate, on computer equipment and peripherals used in a data center. This bill is identical to HB 1699.

Patron - McDougle

SB1140 Commonwealth Mass Transit Fund. Implements performance-based funding for mass transit for revenues generated above \$160 million in 2014 and after. Creates the Transit Service Delivery Advisory Committee to advise the Department of Rail and Public Transportation on the distribution of such funds and how transit systems can incorporate the metrics into their transit development plans.

Patron - Petersen

SB1216 Technical corrections for administration of the insurance premiums license tax. Makes technical corrections to facilitate the transfer of the administration of the state insurance premiums license tax from the State Corporation Commission to the Department of Taxation pursuant to legislation passed by the 2011 Session of the General Assembly. The bill is identical to HB 2155.

Patron - Newman

SB1220 Virginia College Savings Plan; deposit of income tax refunds. Permits taxpayers to direct the Department of Taxation to deposit all or any part of an income tax refund into their Virginia College Savings Plan accounts. The provisions of the bill shall be effective for taxable years beginning on or after January 1, 2014. This bill is identical to HB 2145.

Patron - Norment

SB1225 Entitlement to sales and use tax revenues; City of Fredericksburg. Adds the City of Fredericksburg to the list of localities that are permitted to retain sales and use tax revenue generated within a public facility to pay off bonds issued for the construction of the public facility.

Patron - Stuart

SB1227 Tax credits for donations to nonprofits providing assistance to low-income families. Makes several changes to the Neighborhood Assistance Act Tax Credit and Education Improvement Scholarships Tax Credits programs including (i) allowing tax credits for donations of marketable securities under the Education Improvement Scholarships Tax Credits program, so long as such securities are sold by the recipient scholarship foundation within 14 days of receipt of the donation; (ii) changing reporting requirements to the Department of Education, changing the time frame for scholarship foundations to disburse moneys for scholarships, and changing the penalties for failing to make such reports and dis-

bursments under the Education Improvement Scholarships Tax Credits program; and (iii) for the Neighborhood Assistance Act Tax Credit program, establishing \$125,000 as the maximum annual amount of donations by an individual for which tax credits may be issued. The bill also makes several other technical changes.

Patron - Stanley

SB1236 Personal property tax; advertising signs. Provides that outdoor advertising signs constitute a separate class of personal property for purposes of assessment, and requires localities to tax such signs as personal property, not as real property. The bill also prohibits such signs or income generated by such signs to be considered in assessing the value of real property. The bill states that an emergency exists and it is in force from its passage. The bill applies to tax years beginning on or after January 1, 2013. This bill is identical to HB 1860.

Patron - Watkins

SB1241 Commonwealth's tax code; conformity with federal law; emergency. Advances the conformity with the federal tax code from December 31, 2011, to January 2, 2013, and restores conformity with the federal earned income tax credit. The bill contains an emergency clause. This bill is identical to HB 2150.

Patron - Stosch

SB1262 Admissions tax. Authorizes Stafford County to impose an admissions tax for attendance at entertainment venues, beginning July 1, 2014. The authority to impose the tax will expire on July 1, 2015, if no entertainment venues exist in Stafford County by that date.

Patron - Stuart

SB1270 Marina operators to file lists of boat owners. Includes state and local agencies among certain operators of marinas or boat storage places that must file with the commissioner of the revenue a list of boat owners and the name and number of the boats in the marina.

Patron - Ruff

SB1296 Unclaimed tax credits; report. Declares a tax credit obsolete if it has not been claimed by any taxpayer during the preceding five calendar years, and prohibits the Department of Taxation from authorizing any taxpayer to claim a tax credit once it has been declared obsolete. The Department shall report annually to the House Committee on Appropriations, the House Committee on Finance, and the Senate Committee on Finance on credits that have been declared obsolete and shall post such report on its website.

Patron - Stosch

SB1356 Board of equalization; Loudoun County. Authorizes the governing body of Loudoun County to appoint the members of its board of equalization rather than the appointment of such members by the circuit court.

Patron - Vogel

Failed

HB1303 Tax credit for small businesses hiring graduates of Virginia's public colleges. Establishes, beginning January 1, 2013, 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 public institutions of higher education in the Commonwealth. 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 2015.

Patron - Herring

HB1304 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 Virginia within a Historically Underutilized Business Zone or a state enterprise zone.

The Department of Business Assistance would issue the tax credits and would be authorized to issue up to \$10 million in tax credits each fiscal year. The tax credit would sunset on December 31, 2017.

Patron - Habeeb

HB1313 Income tax. Deconforms Virginia income tax laws from two provisions of the Patient Protection and Affordable Care Act that otherwise would increase the state income tax.

Patron - Marshall, R.G.

HB1329 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.

Patron - Head

HB1330 Admissions tax in certain counties; Loudoun County. Adds Loudoun County to the list of counties that are authorized to levy a tax on admissions charged for attendance at events.

Patron - Greason

HB1336 Tax credit for employees who telework. Creates a \$250 income tax credit for employees who telework a minimum of 20 hours per week during at least 45 weeks of the taxable year. The employee would apply for tax credit to the Department of Taxation. The Department would determine whether the applicant has met the statutory requirements for the tax credit and would issue tax credits to those employees meeting such requirements. Tax credits would be issued on a first-come, first-served basis. The Department would not be allowed to issue more than \$1 million in tax credits in any fiscal year. Any unused credit would not be allowed to be carried forward or carried back against the individual's tax liability. The credit would be available for taxable years beginning on or after January 1, 2013, but before January 1, 2018.

Patron - Ramadan

HB1354 Sales and use tax exemption; service charges of photographers and videographers. Provides a sales and use tax exemption for separately stated service charges of photographers and videographers.

Patron - Pogge

HB1370 Small business job creation tax credit. Creates an individual and corporate income tax credit beginning January 1, 2013, 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. Any unused tax credit would be allowed to be carried forward for five taxable years. The credit would sunset on January 1, 2016.

Patron - Bell, Richard P.

HB1381 Plastic bag tax. Imposes a tax of five cents (\$0.05) beginning on July 1, 2014, 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 one cent (\$0.01) of the five-cent (\$0.05) tax or two cents (\$0.02) 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. The revenues from the tax would be deposited into the Virginia Water Quality Improvement Fund.

Patron - Morrissey

HB1402 Individual income tax adjusted for inflation. Adjusts elements of Virginia's individual income tax to account for inflation. The individual income tax income brackets, return filing thresholds, standard deduction, and personal exemption amounts would be adjusted every two years beginning with taxable year 2015 by the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), for all items, for the 24-month period ending on September 30 of the calendar year immediately preceding the affected calendar year.

Patron - Cole

HB1403 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

HB1409 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.

HB1437 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, 2013, that have not been in service for more than three years.

Patron - Purkey

HB1438 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. The bill contains technical amendments.

Patron - Purkey

HB1450 Additional state sales and use tax in the Hampton Roads Planning District; referendum. Provides for an additional one percent sales and use tax in the counties and cities located in the Hampton Roads Planning District, with the additional revenues generated by the tax to be used for regional transportation projects. The tax would become effective on January 1, 2014, and only if approved by a majority of the voters in the Planning District at the November 2013 election.

Patron - Stolle

HB1457 Estate tax reinstated. Reinstates the estate tax for persons dying on or after July 1, 2013. 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 the Medicaid cost of meeting 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. Five percent of the remaining revenues shall be used to fund home-based and community-based services to enable older adults and people with disabilities to remain in home settings.

Patron - Watts

HB1462 Land preservation tax credit; assessments of additional tax. Provides that any additional tax or penalty relating to the claiming of a land preservation tax credit be assessed by the Department of Taxation within one year of the filing date of the income tax return on which the credit was claimed. The bill provides that no court action could be undertaken after the expiration of the one-year period for the collection of any such additional tax that was not assessed during the one-year period. The bill would only apply to land preservation tax credits issued by the Department of Taxation beginning January 1, 2013.

Patron - Webert

HB1472 Transportation funding and administration. Provides additional funding for transportation by (i) imposing a motor fuels sales tax rate of five percent 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 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. The bill removes the sunset date (June 30, 2018) from the legislation that reduced the special real property tax rate on commercial property in Northern Virginia 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

HB1512 Income tax subtraction; income from building space leased to public school divisions. Establishes an individual and corporate income tax subtraction beginning in 2013 for income from the lease of commercial or industrial space to a local public school division that used such space primarily to (i) provide instruction to K through 12 public school students or students in a publicly funded pre-kindergarten program or (ii) administer K through 12 public education pro-

grams or publicly funded pre-kindergarten education programs.

Patron - Krupicka

HB1523 Sales and use tax exemption for hurricane preparedness equipment; eligible equipment. Adds gas-powered chainsaws with a selling price of \$350 or less and chainsaw accessories to the list of equipment eligible for the sales and use tax exemption for hurricane preparedness equipment.

Patron - Villanueva

HB1534 Local taxes; interest on refunds and delinquent taxes. Authorizes localities to not pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer, but only if the locality does not collect interest on taxes that are delinquent due to errors made by the locality.

Patron - Dance

HB1566 Local recordation tax. Authorizes localities to impose an additional recordation tax at a rate equal to one-tenth of the state recordation rate, if the tax is approved by referendum. The revenue from the tax shall be used solely to provide affordable shelter.

Patron - Orrock

HB1578 Local taxes; interest on refunds and delinquent taxes. Authorizes each locality not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer, provided that the locality does not collect interest on taxes that are delinquent because of errors made by the locality. The benefit of not collecting or paying interest applies only when the refund or payment of the delinquent taxes is made within 60 days of notice of the error.

Patron - Wilt

HB1581 Sales and use tax exemption; nonprofit entities. Exempts entities organized under § 501(c)(6) of the Internal Revenue Code from collecting sales and use tax on occasional sales of meals that occur fewer than 24 times a year. Under current law, this exemption is available only to entities organized under § 501(c)(3) of the Internal Revenue Code and to entities organized for a charitable purpose under § 501(c)(4) of the Internal Revenue Code that are eligible for the sales and use tax exemption on their purchases.

Patron - Garrett

HB1650 Sales and use tax revenue; distributed to certain localities. Provides that if a heavy rail commuter mass transportation infill station is constructed in a service district in a locality, then the locality is entitled to retain the sales and use tax revenue generated in the service district, not to exceed \$1.25 million per year, to pay bonds issued to construct such station.

Patron - Krupicka

HB1657 Sales and use tax exemption; funeral-related goods. Provides a sales and use tax exemption on the retail sale of tangible personal property related to funerals.

Patron - O'Quinn

HB1663 Local motor fuels tax. Authorizes any county or city to impose a tax at a rate not to exceed \$0.10 per gallon on motor fuel sold by a wholesale distributor to a retail dealer in the locality. The revenue from such tax shall be used solely for transportation projects.

Patron - Minchew

HB1677 Transportation funding. Adjusts the sources and amounts of funding for transportation by repealing

the tax on all motor fuels except diesel fuel and diesel blended fuel, increasing the retail sales and use tax rate by 0.75 percent and allocating the additional revenue to transportation according to the current formula for motor fuels tax revenue allocation, and doubling the amount of current sales and use tax revenue dedicated to the Transportation Trust Fund.

Patron - Hugo

HB1687 Real property tax; increases in assessed value for prior years. Reduces the period of time in which the assessed value of real property may be increased for prior years from the three preceding tax years to the preceding tax year.

Patron - Iaquinto

HB1694 Land preservation tax credits; application for credits prior to any donation. Provides that beginning January 1, 2014, a taxpayer requesting at least \$1 million in land preservation tax credits with application respect to a proposed donation could elect to apply to the Department of Taxation for a conditional issuance of tax credits prior to making any donation of land. However, the bill also provides that no tax credit of \$1 million or more could be conditionally issued for any proposed donation unless the conservation value of the proposed donation is verified by the Director of the Department of Conservation and Recreation.

The Tax Commissioner, in general, would be required to provide such donors with a determination letter within 120 days conditionally issuing the land preservation tax credits, in whole or in part, or denying the application for tax credits. After receiving 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. Upon the Department's receipt of the certified copies, the donor's application for land preservation tax credits would be deemed complete at that time. The Department then would provide the donor with a written certification issuing the tax credits that were previously conditionally issued. If the Tax Commissioner issues land preservation tax credits to any 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 demonstration of the presence of fraud or the misrepresentation of a material fact by the taxpayer.

Patron - Minchew

HB1798 Entitlement to certain sales and use tax revenues; City of Bristol. Provides that payments of sales and use tax revenue generated on the premises of a public facility located in the City of Bristol used to pay bonds issued to construct the public facility shall begin upon certification by the governing body of the municipality that a business license has been issued to an occupant of the public facility, even though the public facility has not been completed.

Patron - O'Quinn

HB1800 Land preservation tax credit; conveyances for public use. Provides that beginning in 2014 the land preservation tax credit would equal 60 percent of the fair market value of any land that is conveyed for (i) the purpose of a public park, public recreational facility, or public trail access easement or (ii) such other public use that will provide a substantial public benefit as identified in guidelines developed by the Department of Conservation and Recreation.

Patron - Lewis

HB1804 State severance tax; uranium. Establishes a three percent state severance tax on the gross receipts of any uranium severed from the earth in the Commonwealth. One-

half of the proceeds of the tax shall be deposited in the general fund of the Commonwealth. The other half of the proceeds shall be distributed to the locality from which the uranium was severed.

Patron - Miller

HB1812 Real property owned by the Commonwealth; local service charges. Alters the provisions governing local service charges on property owned by the Commonwealth (i) by including the value of hospitals and educational institutions owned by the Commonwealth in calculating the threshold that must be met before a locality may impose the service charge (under current law, the value of property owned by the Commonwealth must exceed 3% of the total value of all real property in the locality) and (ii) by including emergency medical services in the services whose cost is used to determine the amount of the service charge.

Patron - McQuinn

HB1831 Tax incentives for beginning businesses. Exempts beginning businesses owned by disabled veterans with service-connected disabilities from certain fees imposed by the State Corporation Commission (SCC) and exempts all beginning businesses from the local business license tax. The bill also establishes state tax credits for beginning businesses for local personal property taxes paid by such businesses. The exemptions and tax credits would apply up through the first two full years that the business is in operation in the Commonwealth. The SCC fee exemptions and the business license tax exemption would only apply to businesses beginning operations on or after July 1, 2013, while the state tax credits would apply to businesses beginning operations on or after January 1, 2013.

Patron - Lingamfelter

HB1846 Local gas severance taxes. Establishes fair market value for purposes of the local gas severance taxes by defining fair market value as the gross receipts from the first sale of gas to an unrelated party less reasonable, actual expenses including the costs of moving and processing the gas, depreciation, compression, marketing, overhead, maintenance, processing, transportation, property taxes, and return on investment. The bill moves the local gas severance taxes out of Chapter 37 of Title 58.1, which sets forth local license tax laws.

The one percent local gas severance taxes would be applied to the fair market value of the gas at the time it is produced at the wellhead within the county or city.

Patron - Orrock

HB1878 Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities. Makes several changes to sources of revenue of the Commonwealth:

Establishes a five percent tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the Highway Maintenance and Operating Fund, the Transportation Trust Fund, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes.

Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new five percent tax on motor fuels sales.

Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate.

Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013.

Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.

Patron - Morrissey

HB1888 Individual income tax and fuels taxes; adjusted for inflation. Adjusts elements of Virginia's individual income tax and fuels taxes annually to account for inflation. The individual income tax income brackets, return filing thresholds, standard deduction, and personal exemption amounts would be adjusted annually beginning in 2014 by the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), for all items, from October 1 through September 30 for the immediately preceding year. Virginia's fuels taxes would be adjusted each July 1 beginning in 2013 by the percentage change in the U.S. Department of Labor's Producer Price Index for Other Nonresidential Construction - Land Transportation from May 1 through April 30 immediately preceding the affected July 1.

Patron - LeMunyon

HB1916 Solar thermal system tax credit. Establishes beginning in 2013 an individual and corporate income tax credit for solar energy space heating, water heating, space cooling, and industrial and commercial process heating systems placed in service. The credit would equal 35 percent of the installed cost of the system and only the ultimate consumer or user of the system would be allowed to claim the credit. The credit would not exceed (i) \$500,000 for solar energy systems placed in service for any purpose other than use for a single-family dwelling or placed in service and having in excess of 120 square feet of collector area or (ii) \$2,500 for every other solar energy system placed in service.

The credit would be required to be claimed in three equal annual installments for solar energy systems serving other than a single-family dwelling. The credit would expire and no further credit could be claimed if the solar energy system is disposed of, taken out of service, or moved out of the Commonwealth during any of the installment years. Any unused credit could be carried forward for three taxable years. The credit would sunset in 2018.

Patron - Surovell

HB1930 Individual income tax adjusted for inflation. Adjusts elements of Virginia's individual income tax to account for inflation. The individual income tax income brackets, return filing thresholds, standard deduction, and personal exemption amounts would be adjusted annually beginning in 2014 by the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), for all items, from October 1 through September 30 for the immediately preceding year.

Patron - Comstock

HB1957 Personal property tax book. Requires that, with respect to motor vehicles, a vehicle's make, model, year, and owner's name be included in the personal property tax book.

Patron - Brink

HB1958 Transmission of certain motor vehicle registration forms to the commissioner of the revenue.

Requires the owners or operators of apartment houses, and certain residential associations, at the request of the commissioner of the revenue, to provide their tenants or owners motor vehicle registration forms prescribed by the commissioner, require that their tenants or owners complete the forms, and collect such forms and transmit them to the commissioner.

Patron - Brink

HB1963 Taxable income; deduction for payment of certain tolls. Allows a qualified taxpayer to deduct from his Virginia adjusted gross income an amount equal to 50 percent of the amount paid by the taxpayer for tolls in a qualified locality. A qualified locality is one in which the unemployment rate is higher than the statewide average and (i) in which a public-private transportation project that includes tolling is located or (ii) that is adjacent to a locality in which such a project is located. A qualified taxpayer is a taxpayer who resides in a qualified locality.

Patron - James

HB2003 Income tax; commercial and industrial building rehabilitation tax credit. Creates a tax credit beginning in 2013 for new businesses that move into a locality and rehabilitate or retrofit a commercial or industrial building that is at least 25 years old and that has been vacant, in the case of a commercial building, for at least three years, and for an industrial building, for at least five years. The credit would equal the cost of the rehabilitation or retrofitting, not to exceed \$100,000. The bill provides that any unused tax credit could be carried forward for up to five taxable years. The tax credit would expire on January 1, 2018.

Patron - Torian

HB2034 Repeal of land preservation tax credit. Repeals the land preservation tax credit effective January 1, 2014. The bill provides that such repeal would in no way affect any land preservation tax credits issued prior to such date or the administration of the same.

Patron - Jones

HB2063 Establishing and adjusting sources of revenues for appropriations of the Commonwealth. Makes several changes to sources of revenue of the Commonwealth as follows:

Establishes a 5% tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the Highway Maintenance and Operating Fund, the Transportation Trust Fund, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes.

Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new 5% tax on motor fuel sales.

Repeals income tax credits for vehicle emissions testing equipment effective for taxable years beginning on or after January 1, 2013.

Authorizes planning district commissions to be eligible to receive revenues to be used solely for transportation purposes within the planning district. The revenues would be generated by an additional 0.5% state sales and use tax and an additional state recordation tax of 15 cents per \$100 in the localities

located in the planning district commission. In order to be eligible, the planning district commission must determine, in order of priority, a list of 10 transportation projects that it would like to fund with the revenues. Additionally, the governing bodies of the localities representing at least a majority of the residents within the planning district commission must pass a resolution in support of the generation of such revenues. After these requirements have been met, the General Assembly must specifically authorize the imposition of such taxes in the localities in the planning district commission during the next session of the General Assembly. If the revenues are authorized, then, if applicable, a locality would no longer be authorized to impose a local income tax.

Patron - Rust

HB2131 Real property tax in certain service districts; Fairfax County. Modifies and clarifies the special real property taxes that Fairfax County may impose in a service district to pay for the costs of the additional improvements and services provided in the district. The bill states that the tax may be imposed on property used for different purposes, not just zoned for different purposes. In addition, if the use or zoning of real property changes from one that is taxed in the service district to one that is not, then the local governing body may require the property owner to pay a lump sum equal to the present value of future taxes that will be lost as a result of the change in use or zoning.

Patron - Keam

HB2179 Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities. Makes several changes to sources of revenue of the Commonwealth:

Establishes a five percent tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the Highway Maintenance and Operating Fund, the Transportation Trust Fund, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes;

Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new five percent tax on motor fuels sales;

Prohibits the placement of tolls on existing roads in the Commonwealth without the approval of the General Assembly;

Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate;

Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013;

Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.

Patron - Rust

HB2224 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.

HB2253 Transportation funding. Makes several changes to state and local taxes and fees to account for and provide funding for transportation.

The bill makes several changes to the individual and corporate income tax. The bill (i) decreases all individual income tax rates by 0.2%; (ii) adopts market-based sourcing for corporate income tax for the sourcing of services, marketable securities, and property; and (iii) repeals (a) the land preservation tax credit, (b) the long-term care insurance tax credit, and (c) the coalfield employment enhancement tax credit, including the ability of electricity generators to allocate tax credits earned by such persons for purchasing coal to persons with an economic interest in coal.

The bill imposes a 5% state tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed for maintenance of roads in the secondary state highway system and construction of new roads.

The bill also increases the additional state registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new 5% tax on motor fuels sales.

The bill imposes a 2% state transient occupancy tax, an initial 1% state motor vehicle registration fee, and a \$0.20 per \$100 recordation fee in any locality in Northern Virginia that is imposing either of the two local taxes set forth below.

The bill completely exempts food for human consumption from state and local sales taxes, repeals the sales and use tax exemption for nonprofit entities, and increases the amount of state sales tax distributed to localities from 1% to 1.23%.

The bill authorizes Fairfax County, Loudoun County, and Prince William County to impose a 4% food and beverage tax without a referendum, to be used for the construction of roads that reduce traffic congestion. The bill authorizes Arlington County and the cities in Northern Virginia to impose an additional 0.5% local sales and use tax to be used for the construction of roads that reduce traffic congestion.

The bill also authorizes localities in Hampton Roads to impose an additional 1% sales and use tax to be used for the construction of roads that reduce traffic congestion.

All provisions of the bill, except the adoption of market-based sourcing for corporate income tax, are effective January 1, 2016. The market-based sourcing for corporate income tax is effective January 1, 2014.

Patron - Albo

HB2259 Entitlement to sales and use tax revenues; development of regional impact. Adds Washington County as a locality entitled to retain certain sales and use taxes generated on the premises of a development of regional impact, to pay bonds issued for the development. The bill alters the criteria used to define such a development by removing the requirement that the development be located in a locality that has a certain level of unemployment.

Patron - Johnson

HB2282 Tax credit for removing barriers at places of public accommodation. Establishes beginning January 1, 2013, an individual and corporate income tax credit equal to 50 percent of the amount paid by a business to remove physical barriers at places of public accommodation, as defined under the Americans with Disabilities Act (e.g., hotels, restaurants, etc.), in order to allow greater access and usage by disabled persons. The credit would not exceed \$1,000 in amounts incurred by the business to remove barriers at each place of public accommodation. The Department of Housing and Community Development would administer the tax credit program.

Any unused tax credits could be carried forward for five years. The credit would sunset on January 1, 2018.

Patron - Plum

HB2285 Alternative fuels taxes. Establishes beginning January 1, 2014, alternative fuels tax rates for biodiesel fuel, liquefied natural gas, liquefied petroleum gas, methanol, compressed natural gas, hydrogen, and electricity used in operating a highway vehicle.

Patron - May

HB2290 Tax credit for hiring military veterans. Establishes beginning January 1, 2013, but before January 1, 2018, an individual and corporate income tax credit for taxpayers hiring returning or disabled military veterans into new full-time jobs paying an annual salary of at least \$30,000. 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 for each returning or disabled military veteran hired. 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. Any unused tax credit could be carried forward for five years.

Patron - Head

HB2307 Individual income tax refunds. Allows individuals to elect to have their income tax refunds mailed to their addresses. The bill contains an emergency clause.

Patron - Carr

HB2332 Taxation of tobacco products. Abolishes the 10% tax on the distributor of tobacco products and the method of calculating tax on loose-leaf tobacco based on its net weight. The bill establishes a 5% tax on tobacco products at the retail sales level. The bill also requires the licensure of retail dealers of tobacco products. Retail dealers must pay a \$30 license fee annually and report the 5% tax to the Department of Taxation monthly.

Patron - Keam

HB2333 Transportation funding and administration. Provides additional funding for transportation by (i) imposing a motor fuels sales tax rate of five percent for highway maintenance and (ii) increasing the additional registration fee on electric vehicles from \$50 to \$102 and imposing it on hybrid electric motor vehicles, with all revenue from such fee distributed to the Intercity Passenger Rail Operating and Capital Fund (owners of hybrid electric motor vehicles would be eligible for a refund of motor fuels taxes paid).

The bill also reduces the sales and use tax rate on food for human consumption from 1.5% to one percent, and repeals the authority for certain localities to impose a local income tax. The bill removes the sunset date (June 30, 2018) from the legislation that reduced the special real property tax rate on commercial property in Northern Virginia from \$0.25 per \$100 of assessed value to \$0.125 per \$100 of assessed value.

The bill also authorizes planning district commissions to be eligible to receive revenues to be used solely for transportation purposes within the planning district. The revenues would come from an additional 0.5% state sales and use tax and an additional state recordation tax of 40 cents per \$100 in the localities located in the planning district. In order to be eligible, the planning district commission must determine, in order of priority, a list of 10 transportation projects that it would like to fund with the revenues. Additionally, the governing bodies of the localities representing at least 60% of the residents within the planning district commission must pass a resolution in support of the generation of such revenues. After these requirements have been met, the General Assembly must specifically authorize the imposition of such taxes in the localities in the planning district commission during the next session of the General Assembly.

Patron - Watts

SB691 Sales and use tax exemption; bullion and currency. Exempts from sales and use tax (i) gold, silver, platinum, and palladium bullion, and (ii) currency.

Patron - Martin

SB692 Elimination of the corporate income tax. Eliminates the corporate income tax for taxable years beginning on or after January 1, 2014, by setting the rate of the tax at zero percent.

Patron - Martin

SB700 Taxes on fuels; issuance of bonds. Makes the retail sale of gasoline, diesel fuel, and other fuels subject to the general 5% 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 as specifically set forth in the general appropriation act to be financed or funded using moneys from the Fund. 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 revenues deposited into the Highway Construction Projects Trust Fund, over the long term, approximately 38% of such revenues would be used for projects in the Northern Virginia highway construction district, 31% for projects in the Hampton Roads highway construction district, and 31% for projects in all other highway construction districts in the Commonwealth.

Patron - Alexander

SB710 Local taxes; interest on refunds and delinquent taxes. Authorizes a locality to not pay interest on refunds owed to a taxpayer that are due to willful errors made by the taxpayer. The bill also directs the Chairmen of the House and Senate Committees on Finance to convene a working group to consider the feasibility and fiscal impact on local governments of establishing uniform methods of assessing interest earned on overpayment of taxes or charged for underpayment of taxes and uniform criteria for evaluating the timely repayment of taxes. The bill incorporates SB 937.

Patron - Hanger

SB717 Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities. Makes several changes to sources of revenue of the Commonwealth:

Establishes a five percent tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the Highway Maintenance and Operating Fund, the Transportation Trust Fund, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes.

Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new five percent tax on motor fuels sales.

Prohibits the placement of tolls on existing roads in the Commonwealth without the approval of the General Assembly.

Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate.

Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013.

Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.

Patron - Watkins

SB730 Exemptions for nonprofit entities; veterans organizations. Adds veterans organizations to those nonprofit entities that can qualify for sales and use tax exemption.

Patron - Puller

SB733 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 defines 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, as published by the Federal Highway Administration of the U.S. Department of Transportation.

The bill establishes 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 17.5 cents (\$0.175) per gallon for each gallon of gasoline, gasohol, and diesel fuel.

Patron - Petersen

SB745 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 less 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 less, for taxable years beginning on or after January 1, 2013. The bill provides that 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

SB747 Income tax; industrial building rehabilitation tax credit. Creates a tax credit, not to exceed \$100,000, for businesses that rehabilitate or retrofit vacant older industrial buildings in which a new business is located for taxable years beginning on and after January 1, 2014, and ending December 31, 2018.

Patron - Stanley

SB749 Tax credits for donations to science, technology, engineering, or math (STEM) educational programs at qualified schools. Establishes a tax credit beginning in taxable year 2014 through taxable year 2018 for donations made to STEM organizations. The tax-credit-derived funds must be used by the STEM organization to support STEM education at public schools in the Commonwealth with a high concentration of students eligible for free or reduced lunch. The credit would equal 65 percent of the donation made by the taxpayer and may be carried forward for five years. The program would have a cap of \$25 million per year. The Department of Education would administer the program.

Patron - Stanley

SB767 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 requires 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, 2014. This bill incorporates SB 1094.

Patron - Wagner

SB817 Property exempt from taxation by designation. Adds Historic Pocahontas, Inc., to the list of organizations whose property is exempt from taxation, so long as the corporation continues to be organized and operated not for profit.

Patron - Puckett

SB824 Additional state sales and use tax in the Hampton Roads Planning District; referendum. Provides for an additional one percent sales and use tax in the counties

and cities located in the Hampton Roads Planning District, with the additional revenues generated by the tax to be used for regional transportation projects. The tax would become effective on January 1, 2014, and only if approved by a majority of the voters in the Planning District at the November 2013 election.

Patron - McWaters

SB831 Gold-Certified Veteran Employment Grant Fund and Program. Creates the Gold-Certified Veteran Employment Grant Fund and Gold-Certified Veteran Employment Grant Program. Businesses who obtain the gold level of certification in the Department of Veterans Services Virginia Values Veterans Certification Program may apply for grants from the Fund. The grant is \$500 when a veteran is hired and employed throughout the year in a new full-time job created by a business and that pays an annual salary of at least \$50,000. An additional \$500 is granted if the veteran is a disabled military veteran. The bill limits the grant to a one-time amount of \$10,000 per business but businesses who maintain gold-level certification may apply for additional grants of \$1,000 per year.

Patron - Puller

SB848 Grants for certain students attending Virginia two-year colleges. Provides that a student pursuing undergraduate work in engineering, mathematics, nursing, teaching, or science shall be eligible to receive an additional \$2,500 more than students pursuing other academic courses of study under the two-year college grant program. Current law allows such students to receive \$1,000 more. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Edwards

SB855 Transportation; funding and administration. Increases the base fuel tax rate in Virginia by 10 cents to \$0.275 per gallon of gasoline, gasohol, and diesel fuel, and then increases or decreases the rate each year 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 U.S. 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.

The bill also establishes a \$10 fee for the sale of each new electric motor vehicle battery, with the proceeds being deposited into the Highway Maintenance and Operating Fund.

Finally, the bill increases the membership of the Commonwealth Transportation Board from 17 members to 23 members, with four members representing Northern Virginia, three members representing Hampton Roads, and two members representing Richmond. Currently, each of those areas has one representative on the Board.

Patron - Petersen

SB859 Taxable income; deduction for payment of certain tolls. Allows a qualified taxpayer to deduct from his Virginia adjusted gross income an amount equal to 50 percent

of the amount paid by the taxpayer for tolls in a qualified locality. A qualified locality is one in which the unemployment rate is higher than the statewide average and (i) in which a public-private transportation project that includes tolling is located or (ii) that is adjacent to a locality in which such a project is located. A qualified taxpayer is a taxpayer who resides in a qualified locality.

Patron - Blevins

SB861 Entitlement to certain sales and use tax revenues; City of Bristol. Provides that payments of sales and use tax revenue generated on the premises of a public facility located in the City of Bristol used to pay bonds issued to construct the public facility shall begin upon certification by the governing body of the municipality that a business license has been issued to an occupant of the public facility, even though the public facility has not been completed.

Patron - Carrico

SB919 State severance tax; uranium. Establishes a three percent state severance tax on the gross receipts of any uranium severed from the earth in the Commonwealth. One-half of the proceeds of the tax shall be deposited in the general fund of the Commonwealth. The other half of the proceeds shall be deposited into an Economic Development and Environmental Trust Fund established for each locality from which uranium is mined. Each locality's fund would be administered by a board appointed by the governing body of the locality.

Patron - Watkins

SB925 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 0.75 percent tax rate, phased in over a period of three years.

Patron - McWaters

SB937 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. The bill was incorporated into SB 710.

Patron - Smith

SB970 Paper and plastic bag fee. Imposes a fee of \$0.05 on paper and plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning, and prescription drugs are exempt from the fee. Retailers are allowed to retain \$0.01 of the \$0.05 fee or \$0.02 if the retailer has a customer bag credit program. The revenues raised by the fee will be deposited in the Virginia Water Quality Improvement Fund. Failure to collect and remit the fee is punishable by fines of \$250, \$500, and \$1,000 for the first, second, and third or subsequent offenses, respectively.

Patron - Ebbin

SB1000 Tax credits for donations to scholarship foundations. Provides for the repeal of tax credits for donations to scholarship foundations for kindergarten through twelfth grade students attending nonpublic schools.

Patron - Marsh

SB1036 Corporate income tax; add back of certain intangible expenses to income. Clarifies the applicability of the exceptions to the add back of intangible expenses to a corporation's taxable income. The bill states that it is declarative of existing law.

Patron - Edwards

SB1067 Taxation of all-terrain vehicles. Exempts all-terrain vehicles from retail sales and use tax and applies a five percent motor vehicle sales and use tax. This bill is incorporated into SB 1038.

Patron - Carrico

SB1094 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 requires 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, 2014. This bill was incorporated into SB 767.

Patron - Hanger

SB1101 Sales tax exemption; school supplies, clothing, and footwear. Moves the "back-to-school" sales tax holiday for certain school supplies, clothing, and footwear from the first weekend in August to the third weekend in August.

Patron - McDougle

SB1206 Education Improvement Scholarships Tax Credits. Eliminates the requirement that schools with students who receive scholarships from tax-credit-derived sources report achievement test results to the Department of Education, and that the Department of Education publish aggregated data about such students and their test results on the Department's website. Instead, the schools will be required to report achievement test results to the foundation awarding the scholarship to the student. The bill also clarifies that a scholarship foundation meets the requirement that it was established to provide financial aid for the education of students residing in the Commonwealth if the foundation's articles of incorporation or bylaws so state.

Patron - Stanley

SB1286 Taxation of solar energy equipment. Exempts solar energy equipment facilities and devices from state and local taxation.

Patron - Deeds

SB1289 Entitlement to sales and use tax revenues; development of regional impact. Adds the County of Washington as a locality entitled to retain certain sales and use taxes generated on the premises of a development of regional impact located in the County, to pay bonds issued for the development. The bill also eliminates the requirement that the locality have an unemployment rate at least three percentage points higher than the statewide average.

Patron - Carrico

SB1302 Tax credit for employees who telework. Creates a \$500 income tax credit for employees who telework a minimum of 20 hours per week during at least 45 weeks of the taxable year. The employee would apply for tax credit to the Department of Taxation. The Department would determine whether the applicant has met the statutory requirements for the tax credit and would issue tax credits to those employees meeting such requirements. Tax credits would be issued on a first-come, first-served basis. The Department would not be allowed to issue more than \$2 million in tax credits in any fiscal year. Any unused credit would not be allowed to be carried forward or carried back against the individual's tax liability.

The credit would be available for taxable years beginning on or after January 1, 2013, but before January 1, 2018.

Patron - Stanley

SB1306 Neighborhood Assistance Act tax credits; eligible neighborhood organizations. Provides that, in order to be eligible for an allocation of credits under the Neighborhood Assistance Act tax credit program from the Department of Social Services, at least 40 percent of the neighborhood organization's revenues must be used to provide services to low-income persons.

Patron - Wagner

SB1308 Taxation of tangible personal property. Requires localities to tax campers and other recreational vehicles as real property if they are used as a primary residence and do not travel more than 250 miles per year. The bill provides for refunds for personal property taxes paid in 2012 on such campers and other recreational vehicles in the amount of the difference between the personal property tax and the real property tax. The bill also reduces past-due personal property tax amounts owed for such campers and other recreational vehicles to the amount owed under the real property tax rate for 2012.

Patron - Edwards

SB1311 County food and beverage tax. Adds to the list of counties that may collect a food and beverage tax counties that have withdrawn from the secondary state highway system and therefore maintain their own roads and are adjacent to a city that also operates its own road system, and chartered counties that do not currently impose a food and beverage tax.

Patron - McEachin

SB1313 Local income tax. Adds the City of Portsmouth to the list of localities authorized to impose a local income tax to generate revenue to be used for transportation purposes. The bill also removes the requirement that the local income tax be approved by a referendum and repeals the five-year sunset on the local income tax.

Patron - Stosch

SB1328 Revenues and appropriations of the Commonwealth. Makes several changes to the revenues collected by the Commonwealth, and the distribution of such revenues, as follows:

The bill raises the state sales and use tax from 4% to 4.5%, and designates the increased revenues for the Transportation Trust Fund, to be allocated in the same manner as other sales and use tax revenues designated for the Transportation Trust Fund.

The bill 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 requires 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. Additional revenues generated by this change would be dedicated to transportation. The effective date of these provisions of the bill is January 1, 2014.

The bill eliminates the statewide cents-per-gallon taxation of gasoline and blended fuel containing gasoline under the Virginia Fuels Act but leaves the current cents-per-gallon tax in place for other types of motor fuels. The bill establishes a new 5.5% tax on motor fuels sales based on the statewide average

wholesale price of a gallon of self-service unleaded regular gasoline.

The bill increases the registration fee for electric motor vehicles from \$50 to \$75, and levies the annual fee on alternative fuel vehicles.

Patron - Wagner

SB1340 Revenues and appropriations of the Commonwealth. Makes several changes to the revenues and appropriations of the Commonwealth, specifically relating to transportation funding, as follows:

The bill raises the state sales and use tax rate from four percent to five percent. Of these new revenues, an amount equal to a one-half percent sales and use tax will be deposited in the Transportation Trust Fund, and the percentage of the Transportation Trust Fund sales and use tax revenues dedicated to mass transit will be raised to 25%. Of the other one-half percent of the new one percent sales and use tax, two-thirds will be distributed to localities to use for education, and one-third will be used to fund higher education in the Commonwealth.

In fiscal years 2014, 2015, 2016, and 2017, \$80 million dollars each year that would otherwise be distributed to the Transportation Trust Fund will be designated to the Phase II Dulles Corridor Metrorail Extension Project, subject to certain conditions.

The bill raises the cents-per-gallon rate of the tax on motor fuels by five cents on July 1, 2013, and July 1, 2014, and then begins indexing the cents-per-gallon rate on July 1, 2015.

The bill makes additional technical changes.

Patron - Saslaw

SB1355 Revenues and appropriations of the Commonwealth. Makes several changes to the revenues collected by the Commonwealth, and the distribution of such revenues, as follows:

The bill raises the registration fees for vehicles and trailers and designates these increased revenues for the Commonwealth Mass Transit Fund and the Intercity Passenger Rail Operating and Capital Fund.

The bill raises the state sales and use tax from 4% to 4.8% and designates the increased revenues for the Commonwealth Transportation Fund.

The bill establishes procedures for the collection of the state sales and use tax from remote sellers for sales made in the Commonwealth, contingent upon the federal government passing legislation authorizing such collection. In the event that such revenues are collected, a portion of the revenues will be allocated to the localities with a stipulation that some of the funds be used by the locality for transportation needs and a portion of the revenues will be deposited in the Transportation Trust Fund.

The bill eliminates the statewide taxation of gasoline and blended fuel containing gasoline under the Virginia Fuels Act but leaves the current tax in place for other types of motor fuels.

The bill raises the annual license fee for electric vehicles from \$50 to \$100 and imposes the fee on hybrid electric vehicles and alternative fuel vehicles.

The bill repeals the application of the local sales and use tax to the sale of certain fuels used for domestic consumption, and

replaces the revenue for the localities that imposed the sales and use tax with a portion of the new revenues generated by the bill.

The bill also makes several technical changes related to the administration of these provisions.

The provisions of the bill are effective July 1, 2013, except that the changes in the distribution of Fuels Act revenues related to the repeal of the tax on gasoline is effective July 1, 2014.

Patron - Newman

SB1365 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. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Wagner

SB1370 Entitlement to sales and use tax revenue; City of Winchester. Allows a public facility in the City of Winchester to include retail, restaurants, offices, and other spaces devoted to commercial uses, so long as such commercial use is ancillary to the primary purpose of the facility, and the building is not owned by the City. Generally, under current law, public facilities that are entitled to a portion of sales tax revenue collected at the facility do not include shopping centers or malls.

Patron - Vogel

Trade and Commerce

Passed

HB1363 Private security services businesses; exemption. Exempts employees and sales representatives of an electronic security equipment retailer where they (i) sell the equipment at a store location, online, or by telephone, but not at the end user's premises; (ii) are not electronic security technicians; and (iii) do not have access to end user confidential information regarding the end user's electronic security equipment from dispatcher training requirements.

Patron - Fariss

HB1481 Secondhand articles; scrap metal purchasers; penalty. Provides that any person or business that purchases scrap metal in excess of \$20,000 during a 12-month period shall be subject to requirements regarding the purchase of nonferrous scrap, metal articles, and proprietary articles. The bill requires scrap metal purchasers to take and maintain for 30 days an image of any proprietary articles purchased. The bill also requires scrap metal purchasers to submit to the chief law-enforcement officer a report of all of purchases of certain items, if requested by such law-enforcement officer, using a form prescribed by the Virginia State Police. The bill incorporates HB 1323.

Patron - Merricks

HB1506 Purchase of service firearms; minimum years of service. Reduces from 15 years to 10 years the mini-

imum number of years that certain officers must serve in order to qualify to purchase their service handguns.

Patron - Lewis

HB2273 Enterprise Zone Grant Program; redesignation of certain joint enterprise zones. Provides that when a county or city was previously added to an existing enterprise zone to create a joint enterprise zone, the Department of Housing and Community Development shall redesignate the enterprise zone when the term of the joint enterprise zone expires. The redesignated enterprise zone's duration shall be equal to the length of time the original enterprise zone existed before the county or city was added to create the joint enterprise zone.

Patron - McClellan

Failed

HB1323 Scrap metal processors; reports of purchases. Requires each scrap metal processor to furnish to the chief law-enforcement officer of the locality in which it conducts business a report of its purchases of nonferrous scrap, metal articles, and proprietary articles, other than aluminum cans and interior household items. The reports are due on the next business day following the date of a purchase. Currently, scrap metal processors are required to submit such reports only if requested by a law-enforcement officer of the locality. The bill was incorporated into HB 1481.

Patron - Morris

HB1375 Customer access to restrooms; civil penalty. Requires a retail establishment that has a toilet facility for its employees to allow a customer who suffers from Crohn's disease, ulcerative colitis, or other medical condition that requires immediate access to a toilet facility, to use that facility during normal business hours if certain conditions are met. The measure does not apply to certain filling stations or service stations or to banks or savings institutions. The operator of a retail establishment that violates this requirement is subject to a civil penalty of not more than \$100. A violation does not subject the retail establishment to further liability to the customer.

Patron - Krupicka

HB1738 Invention development services; disclosure and civil penalty. Requires each contract for invention development services to include on its cover sheet a disclosure of the invention developer's rate of successful outcomes, measured as the percentage of its contracts that have resulted in the procurement of a license, buyer, or patent for an invention. The measure also increases the maximum amount of a civil penalty that the Attorney General may recover in an enforcement action from \$3,000 to \$25,000. The measure also clarifies that collected civil penalties will be deposited in the general fund.

Patron - Farrell

HB1857 Propane; discriminatory pricing. Prohibits dealers from engaging in discriminatory pricing by selling or offering to sell propane at different prices or rates when the difference is attributable to the ownership status of the storage tank into which the propane is delivered. The measure applies to individuals who purchase propane at retail for consumption in a residential dwelling for heating, cooling, cooking, and other domestic purposes. It does not apply to sales of propane (i) in a container having a capacity that does not exceed 100 gallons, (ii) for use as fuel to propel a motor vehicle, or (iii) in connection with the provision of non-utility gas service. In addition, beginning with contracts entered on or after July 1, 2013, dealers are prohibited from charging a customer for the removal of a storage tank owned by the dealer and located on

the customer's property when the customer has discontinued propane delivery service from the dealer and has requested the removal of the tank. A violation constitutes a prohibited practice under the Virginia Consumer Protection Act.

Patron - Orrock

HB1966 Enterprise zones; criteria. Permits a locality to apply for enterprise zone status based on distress factors in the area of the proposed enterprise zone, rather than in the entire locality.

Patron - James

HB2064 Protection of trade secrets; penalties. Makes any person who knowingly and intentionally misappropriates a trade secret or uses a misappropriated trade secret guilty of a Class 1 misdemeanor and, upon a second or subsequent conviction, guilty of a Class 6 felony. The chapter is renamed the "Virginia Uniform Trade Secrets Act." A provision that currently authorizes the issuance of injunctions to stop an actual or threatened misappropriation of a trade secret is revised to require such a misappropriation to be enjoined in the absence of exceptional circumstances. A provision allowing an injunction to condition future use upon payment of a reasonable royalty in exceptional circumstances is deleted. The measure adds provisions regarding the Act's interaction with patent and copyright laws, including directives that (i) it shall be interpreted to be in harmony with federal patent and copyright laws; (ii) trade secrets shall have the attributes of private property; (iii) the scope and subject matter of a trade secret shall be interpreted to the fullest extent possible as not preempted by patent laws; (iv) subject matter that is not eligible or is eligible for patent that otherwise qualifies as a trade secret shall be accorded full trade secret rights; and (v) trade secrets shall not be held invalid or unenforceable for failure to disclose the trade secret in any patent or application for patent. Finally, the measure deletes the provision that established a minimum award of \$350,000 of punitive damages if a willful and malicious misappropriation exists.

Patron - May

HB2135 Virginia Consumer Protection Act. Makes the misleading, deceptive, or fraudulent use of a trademark, service mark, or mark a prohibited practice under the Virginia Consumer Protection Act. The measure also (i) specifies that online advertising is a form of advertising covered by the exemption for advertising media and (ii) provides that the advertising media exemption does not apply if a medium's publisher, owner, agent, or employee had reason to know that the advertisement was of a prohibited character.

Patron - Hugo

HB2198 Commercial credit reporting. Establishes a procedure through which a commercial enterprise operating in Virginia about whom a commercial credit report has been compiled may obtain a copy of the report upon request annually at no cost and, if the report contains an inaccurate statement of fact, may notify the commercial credit reporting agency of the inaccuracy. The agency is required to delete the disputed item from the report or include in the report a notice of the subject's assertion that the statement is inaccurate. A violation is a prohibited practice under the Virginia Consumer Protection Act.

Patron - Watson

HB2233 Enterprise zones. Provides that the expiration date of any enterprise zone located in a locality in which the monthly unemployment rate exceeded six percent in any of the 12 months immediately preceding January 1, 2013, shall be extended until the final day of the calendar year in which the Virginia Employment Commission determines the unemployment rate in such locality is equal to or less than six percent for

a period of 12 consecutive months, or until five years after the original date of expiration, whichever occurs later. The bill expires on December 31, 2018.

Patron - Poindexter

SB687 Virginia Casino Gaming Commission; regulation of casino gaming; penalties. Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the licensing scheme for casino gaming and provides penalties for violations of the casino gaming law. Under the bill, casino gambling shall be limited to localities that in which at least 50 percent of the land area is exempt from local real property taxation pursuant to federal law or Article X, Section 6 (a) (1) through (a) 5 and (a) 7 of the Constitution of Virginia. The bill also contains technical amendments.

Patron - Lucas

SB689 Virginia Casino Gaming Commission; penalties. Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming in the state. Under the bill, the conduct of casino gaming is limited to localities in which at least 40 percent of the assessed value of all real estate situated in the locality is exempt from local property taxation pursuant to federal law or Article X, Section 6 or 6-A of the Constitution of Virginia. The bill also contains technical amendments.

Patron - Lucas

SB695 Virginia Toll Relief Act; Virginia Casino Gaming Commission; regulation of casino gaming; penalties. Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. The bill also contains technical amendments.

Patron - Lucas

SB696 Virginia Toll Abatement Act; Virginia Casino Gaming Commission; regulation of casino gaming; penalties. Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Under the bill conduct of casino gaming shall be limited to counties, cities, and towns that are located in Planning District 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, or 23. The bill also contains technical amendments.

Patron - Lucas

SB697 Virginia Transportation Enhancement and Toll Abatement Act; Virginia Casino Gaming Commission; regulation of casino gaming; penalties. Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Under the bill conduct of casino gaming shall be limited to counties, cities, and towns that are located in Planning Districts 8, 9, 10, and 15 through 23. The bill also contains technical amendments.

Patron - Lucas

SB714 Virginia Toll Mitigation Act; Virginia Casino Gaming Commission; regulation of casino gaming; penalties. Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Proceeds of the gross receipts tax and admission tax imposed on casino gaming operators will be paid into the Toll Mitigation Fund, which shall be used to mitigate the tolls established to support construction and maintenance of the (i) Dominion Boulevard Bridge and Roadway

Improvement Project and (ii) Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project. Under the bill, a referendum of the location of a casino gaming operation shall be limited to localities within the Hampton Roads Transportation District, and no initial license to operate a casino gaming operation may be issued unless a regional referendum approving casino gaming has been conducted and approved.

Patron - Lucas

SB1141 Virginia Petroleum Products Franchise Act; franchises in Planning District 8. Exempts a third party that purchases a motor fuel franchise located in Planning District 8 from the divorcement requirement if the acquiring third party, its successors, assigns, affiliates, and subsidiaries are not refiners. The divorcement requirement prohibits a refiner of petroleum products from operating a retail motor fuel outlet within one and one-half miles of a retail outlet operated by a franchised dealer. The existing provision that makes the divorcement clause applicable only to a franchised location sold or assigned on or after January 1, 2008, is removed.

Patron - McDougle

SB1274 Tanning facilities; age limit; parental consent. Prohibits minors younger than 15 years of age from using tanning devices at tanning facilities. The measure also prohibits unemancipated minors age 15, 16, or 17 years from using tanning devices at tanning facilities unless a parent or legal guardian has consented in writing. Currently, the parent or legal guardian of a prospective customer younger than 15 years of age is required to sign a written warning statement.

Patron - Barker

SB1295 Enterprise zones; criteria. Permits a locality to apply for enterprise zone status based on distress factors in the area of the proposed enterprise zone, rather than in the entire locality.

Patron - Blevins

SB1369 Virginia Riverboat Gaming Commission; regulation of riverboat gaming; penalties. Creates the Virginia Riverboat Gaming Commission as the licensing body for riverboat gaming. The bill sets up the regulatory system for riverboat gaming and provides penalties for violations of the riverboat gaming law. The bill contains technical amendments.

Patron - Lucas

Unemployment Compensation

Passed

HB1372 Unemployment compensation; disqualification from benefits due to loss of license or certification. Provides that an individual is ineligible for unemployment benefits if he has been discharged because he lost or failed to renew a license or certification that is required for his job.

Patron - Head

HB1707 Unemployment compensation; notice penalty for fraud. Requires the Virginia Employment Commission to provide claimants with notices of the sanctions to which a claimant is subject as a consequence of providing false or misleading statements to obtain state unemployment compensation benefits.

Patron - Ransone

SB775 Unemployment compensation; noncharging of overpayments; penalty for fraudulent claims. Provides that an employer shall not be relieved from a claimant's benefit charges relating to an overpayment of unemployment benefits when (i) the overpayment results from the employer's failure to respond timely or adequately to a request for information and (ii) the employer has established a pattern of failing to respond timely or adequately to such requests. A similar requirement is established for reimbursable employing units. A pattern of failing to respond timely or adequately to such requests exists if an employer fails to respond adequately to a request for information four times in a four-year period. After the first three such failures, the Virginia Employment Commission (VEC) is required to give the employer a notice, and is required to assess a \$75 civil penalty for a third failure. The VEC is required to monitor the implementation of this provision and report its findings periodically to the Commission on Unemployment Compensation. The measure also provides that any person who is disqualified for unemployment benefits as a result of a fraudulent act or omission shall be assessed a penalty of 15 percent of the amount of any unemployment benefits received for which he was not entitled. Finally, the measure allows benefit overpayments and penalties to be recovered through offsets and eliminates the provision that makes individuals who have obtained benefits as the result of fraud ineligible for benefits until such benefits have been repaid. The enactment of a non-charging provision and a fraud penalty are required pursuant to the federal Trade Adjustment Assistance Extension Act of 2011. The measure is a recommendation of the Commission on Unemployment Compensation.

Patron - Watkins

SB776 Virginia New Hire Reporting Center; employer reporting of newly hired employees. Expands the obligations of employers to report information about the hiring of employees to the Virginia New Hire Reporting Center. Employers are required to submit information concerning each newly hired employee to the Center within 20 days of the employment of a newly hired employee. The measure defines a newly hired employee as an employee who has not previously been employed by the employer or who was previously employed by the employer but has been separated from such prior employment for at least 60 consecutive days. The enactment of the expanded definition of a newly hired employee is required pursuant to the federal Trade Adjustment Assistance Extension Act of 2011. The measure also clarifies the purposes for which the Division of Child Support Enforcement may use the information. This is a recommendation of the Commission on Unemployment Compensation.

Patron - Watkins

SB1035 Unemployment compensation; collection of overpayments. Provides that any person who has received an overpayment of unemployment benefits under a federal program or a program of any other state is liable to the Virginia Employment Commission for the overpayment. Currently, liability for benefit overpayments extends only to benefits under Title 60.2. The measure also provides that the procedure for collecting overpayments resulting from administrative error does not apply if the overpayment involves benefits under a federal program or a program of any other state. The requirement that the state collect overpayments made under unemployment compensation programs of other states and the federal government is established by § 2103 of the Middle Class Tax Relief and Job Creation Act of 2012. The measure has an emergency clause that provides that it shall apply to weeks beginning after the end of the 2013 regular legislative session. This is a recommendation of the Commission on Unemployment Compensation.

Patron - Watkins

Failed

HB1382 Unemployment compensation; disqualification from benefits due to loss of license or certification. Provides that an individual is ineligible for unemployment benefits if he has been discharged because he lost or failed to renew a license or certification that is required for his job.

Patron - Webert

HB1466 Unemployment compensation; benefit ratio. Establishes a methodology for calculating an employer's benefit ratio when the employer has no taxable payroll for the 12-month period preceding a calendar year.

Patron - Kory

HB1935 Unemployment compensation; Self-Employment Assistance Program. Establishes the Self-Employment Assistance Program, under which unemployed individuals receive unemployment compensation while they are establishing their own businesses and becoming self-employed. Participants receive an allowance in lieu of weekly regular benefit payments, and may use the allowance for entrepreneurial training, business counseling, and technical assistance.

Patron - Lopez

SB1230 Unemployment compensation; short-time compensation program. Establishes a short-time compensation 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' health and retirement benefits cannot be reduced or eliminated under the plan. The measure requires the Commission to submit reports on the program's implementation and accomplishments, with recommendations to improve its effectiveness. The measure becomes effective January 1, 2014.

Patron - Barker

SB1357 Eligibility of graduate students for unemployment benefits. Disqualifies a graduate student from receiving unemployment compensation benefits based on services performed as a student summer employee during a summer break period, if the individual was notified in writing at the time of his hiring that his employment is only for the summer break period.

Patron - Norment

Virginia Energy Plan

Passed

HB1790 Virginia Nuclear Energy Consortium. Establishes the Virginia Nuclear Energy Consortium Authority as a political subdivision of the Commonwealth for the purposes of making the Commonwealth a national and global leader in nuclear energy and serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues. The 17-member board of directors of the Authority is directed to form a nonstock, non-profit corporation, referred to as the Virginia Nuclear Energy Consortium. Membership in the Consortium is open to speci-

fied educational institutions, Virginia-based federal research laboratories, nuclear-related nonprofit organizations, business entities with operating facilities in Virginia that are engaged in activities directly related to the nuclear energy industry, and other persons whose membership is approved by the Consortium's board of directors. The purposes of the Consortium include carrying out the rights, powers, and duties of the Authority and conducting other activities useful in (i) making the Commonwealth a leader in nuclear energy, (ii) serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues, and (iii) raising money on behalf of the Authority in the corporate and nonprofit community and from other nonstate sources. The Consortium is required to report to the Authority on its nonproprietary activities semiannually, and audits of its financial accounts shall be made available in accordance with the provisions of the Freedom of Information Act. This bill is identical to SB 1138.

Patron - Garrett

HB2305 Solar panels in community associations. Clarifies that a community association may establish reasonable restrictions concerning the size, place, and manner of placement of solar energy collection devices on property designated and intended for individual ownership and use. The bill also requires the resale certificate required under the Virginia Condominium Act and the disclosure packet under the Virginia Property Owners' Association Act to contain a statement setting forth any restriction, limitation, or prohibition on the right of an owner to install or use solar energy collection devices on his property. In addition, the bill adds to the seller's representation to a prospective purchaser of residential property under the Virginia Residential Property Disclosure Act that the seller makes no representations with respect to right to install or use solar energy collection devices on the property.

Patron - Ramadan

SB1138 Virginia Nuclear Energy Consortium. Establishes the Virginia Nuclear Energy Consortium Authority as a political subdivision of the Commonwealth for the purposes of making the Commonwealth a national and global leader in nuclear energy and serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues. The 17-member board of directors of the Authority is directed to form a nonstock, nonprofit corporation, referred to as the Virginia Nuclear Energy Consortium. Membership in the Consortium is open to specified educational institutions, Virginia-based federal research laboratories, nuclear-related nonprofit organizations, business entities with operating facilities in Virginia that are engaged in activities directly related to the nuclear energy industry, and other persons whose membership is approved by the Consortium's board of directors. The purposes of the Consortium include carrying out the rights, powers, and duties of the Authority and conducting other activities useful in (i) making the Commonwealth a leader in nuclear energy, (ii) serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues, and (iii) raising money on behalf of the Authority in the corporate and nonprofit community and from other nonstate sources. The Consortium is required to report to the Authority on its nonproprietary activities semiannually, and audits of its financial accounts shall be made available in accordance with the provisions of the Freedom of Information Act. This bill is identical to HB 1790.

Patron - McWaters

Waters of the State, Ports and Harbors

Passed

HB1327 Port of Virginia Economic and Infrastructure Development Zone Grant Fund. Adds the City of Franklin and the Counties of Page and Shenandoah to the list of localities in which certain businesses related to commerce through the Port of Virginia may locate or expand and be eligible to apply for grants based on the number of new jobs created. The bill is contingent upon funding in the general appropriation act passed by the 2013 Session of the General Assembly, which becomes law, and the General Assembly finds that such requirement has been satisfied.

Patron - Morris

HB1345 Membership of Rappahannock River Basin Commission. Reduces the membership of the Commission from 34 to 32 members. The reduction in the number of members is due to redistricting in 2012 that resulted in the removal of one Senate district and one House of Delegates district from the Basin area. The bill also reduces the number of members that constitute a quorum from 12 to 11.

Patron - Cole

HB1757 Wetlands mitigation bank. Establishes a special nonreverting fund known as the Wetland and Stream Replacement Fund to receive moneys paid to the State Water Control Board for mitigation of any impacts that a project may have on wetlands. The moneys in the fund are to be disbursed to purchase mitigation bank credits, if available within three years. If no credits are available within the three-year period, other actions are stipulated.

Patron - Scott, E.T.

HB2276 Virginia Port Authority, Virginia Economic Development Partnership, and Commonwealth Transportation Board. Implements reforms of the Virginia Port Authority by adding the Chief Executive Officer of the Virginia Economic Development Partnership to the Board of Commissioners, adding the Virginia Port Authority Executive Director to the Commonwealth Transportation Board, and preventing the Commonwealth and the Virginia Port Authority from accepting any unsolicited proposal under the Public-Private Transportation Act or the Public-Private Education Facilities and Infrastructure Act regarding the ownership or operation of any seaport or port facility. The bill also provides that members of the Board of Commissioners of the Virginia Port Authority that are appointed by the Governor may be removed by the Governor only for misconduct, and not at his pleasure. The bill grants the powers of industrial development authorities to the Virginia Port Authority, except for the powers to sell or convey the port facilities or to hire employees such as attorneys, and exempts the port from various purchasing and procurement requirements. This bill is identical to SB 1305.

Patron - Jones

SB768 Chesapeake Bay Watershed Implementation Plan. Directs state agencies to remove the Lynnhaven River watershed from inclusion in the James River Basin for purposes of the Chesapeake Bay Watershed Implementation Plan.

Patron - Wagner

SB1305 Virginia Port Authority, Virginia Economic Development Partnership, and Commonwealth

Transportation Board. Implements reforms of the Virginia Port Authority by adding the Chief Executive Officer of the Virginia Economic Development Partnership to the Board of Commissioners, adding the Virginia Port Authority Executive Director to the Commonwealth Transportation Board, and preventing the Commonwealth and the Virginia Port Authority from accepting any unsolicited proposal under the Public-Private Transportation Act or the Public-Private Education Facilities and Infrastructure Act regarding the ownership or operation of any seaport or port facility. The bill also provides that members of the Board of Commissioners of the Virginia Port Authority that are appointed by the Governor may be removed by the Governor only for misconduct, and not at his pleasure. The bill grants the powers of industrial development authorities to the Virginia Port Authority, except for the powers to sell or convey the port facilities or to hire employees such as attorneys, and exempts the port from various purchasing and procurement requirements. The bill incorporates SB 713, SB 716, and SB 1351. The bill is identical to HB 2276.

Patron - Wagner

Failed

HB1334 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. This bill is incorporated into HB 1691.

Patron - Purkey

HB1691 Virginia Port Authority; acquisition and lease of property; limitations. Prevents the Commonwealth and the Virginia Port Authority from accepting any unsolicited proposal under the Public-Private Transportation Act or the Public-Private Education Facilities and Infrastructure Act regarding the ownership or operation of any seaport or port facility. The bill incorporates HB 1334, HB 1896, and HB 2000.

Patron - Jones

HB1896 Virginia ports; change in ownership or concession. Requires approval of both the Governor and the General Assembly before any change in ownership of or concession affecting any Virginia port is permitted. This bill is incorporated into HB 1691.

Patron - Carr

SB713 Public-Private Transportation Act; definition of transportation facility; port facility excluded. Removes port facility as defined in § 62.1-140 from the definition of "transportation facility" under the Public-Private Transportation Act. The bill was incorporated into SB 1305.

Patron - Lucas

SB716 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. The bill was incorporated into SB 1305.

Patron - Black

SB880 Inventory of nontidal waters that are available for public recreation. Directs the Department of Game and Inland Fisheries and the Virginia Marine Resources Commission to cooperatively inventory nontidal waters that flow above state-owned bottomlands and that may be used by the public for recreation. The bill prohibits an agency decision regarding the listing of particular waters from constituting a legal determination or affecting land ownership.

Patron - Deeds

SB1095 Bond issuance for wastewater treatment facilities. Authorizes the Virginia Public Building Authority to issue an additional \$179 million in bonds to continue installing nutrient removal technology in eligible wastewater treatment facilities to comply with the Chesapeake Bay TMDL and the Watershed Implementation 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 includes technical amendments.

Patron - Hanger

SB1107 Lake level contingency plans. Provides that any temporary reduction in wastewater releases from power generating facilities during drought conditions will not be considered in determining discharge limits for other existing downstream permitted facilities.

Patron - McDougale

SB1268 Lake level contingency plans. Provides that any temporary reduction in wastewater releases from power generating facilities during drought conditions will not be considered in determining discharge or withdrawal limits for other existing downstream permitted facilities.

Patron - McEachin

SB1351 Virginia Port Authority, Virginia Economic Development Partnership, and Commonwealth Transportation Board. Implements reforms of the Virginia Port Authority by adding the Chief Executive Officer of the Virginia Economic Development Partnership to the Board of Commissioners, adding the Virginia Port Authority Executive Director to the Commonwealth Transportation Board, and providing the Virginia Port Authority with additional procurement and other exemptions. This bill is incorporated into SB 1305.

Patron - McWaters

Welfare (Social Services)

Passed

HB1439 Background checks; children's residential facilities regulated by the Department of Juvenile Justice. Provides that the requirement for criminal history background checks for children's residential facilities shall also apply to local secure detention facilities. This bill is identical to SB 992.

Patron - Watson

HB1443 Licensure by the Commissioner of Social Services; submission of financial information. Reduces from three to one the number of credit references that an applicant for initial licensure as a child welfare agency, assisted living facility, or adult day care center must submit to be exempt from the requirement that the applicant make his financial records available to the Commissioner of Social Services for review; adds a requirement for submission of an operating budget at the time of application for an initial license as a child welfare agency, assisted living facility, or adult day care center seeking an exemption from the requirement that an applicant make financial records available to the Commissioner of Social Service; and eliminates the requirement that the Commissioner investigate the financial responsibility of an applicant for renewal of a license as a child welfare agency, assisted living

facility, or adult day care center. The bill contains an emergency clause. This bill is identical to SB 1310.

Patron - O'Bannon

HB1577 TANF; restrictions on use of cash assistance. Prohibits the use of Temporary Assistance for Needy Families benefits in any electronic benefit transaction (i) for the purchase of alcoholic beverages, tobacco products, lottery tickets, or sexually explicit visual materials or (ii) in any government store established for the sale of alcoholic beverages, establishment in which pari-mutuel wagering or charitable gaming is conducted, establishment in which tattooing or body-piercing is performed for hire or consideration, or adult entertainment establishment in which performers appear nude or partially nude. The bill incorporates HB 1307 and HB 2153. This bill is identical to SB 1180.

Patron - Wilt

HB1640 Child care providers; background checks for eligibility for child care subsidy payments. Requires any person seeking to enter into a contract with the Department of Social Services or a local department of social services for the provision of child care services for which subsidy payments may be paid to undergo a background check, and authorizes the dissemination of criminal history record information to the Department of Social Services or local department of social services for the purpose of screening such individuals.

Patron - Greason

HB1721 Child abuse and neglect investigations; time limit for reports. Provides that time during which the local department of social services is waiting to receive records that are necessary for the investigation of alleged sexual abuse of a child or alleged abuse or neglect of a child that resulted in the death of the child shall not be counted towards the time limit by which such investigation must be completed.

Patron - O'Bannon

HB1743 Independent living services. Provides that local departments of social services and licensed child-placing agencies may make independent living services available to persons 18 to 21 years of age who are released from commitment to the Department of Juvenile Justice after reaching 18 years of age and who were committed or entrusted to the care of a local board of social services or child-placing agency at the time they were committed to the custody of the Department of Juvenile Justice. The bill expands the definition of "independent living services" to include services provided to a person who is at least 18 years of age but who has not yet reached the age of 21 years who, immediately prior to his commitment to the Department of Juvenile Justice, was in the custody of the local board of social services. The provisions of the bill are contingent on funding in a general appropriation act passed during the 2013 Session of the General Assembly, which becomes law.

Patron - Brink

HB2014 Notification of incarcerated individuals ineligible for public assistance. Requires the Department of Corrections to provide to the Department of Social Services, on at least a monthly basis, a list of persons committed to the custody of the Department of Corrections during the preceding month, to facilitate identification of prisoners who were receiving public assistance benefits prior to commitment and who may, as a result of their incarceration, be ineligible to receive benefits.

Patron - Lewis

HB2045 Foster care and adoption; decisions regarding federal benefits; appeal to the Commissioner.

Establishes a right to review by the Commissioner of Social Services of any decision of a local board of social services granting, denying, or changing a benefit available to a child in foster care for any individual whose claim for benefits related to foster care services available pursuant to state or federal law is denied or not acted upon by the local department with reasonable promptness.

Patron - Robinson

HB2122 Photographs of abused, incapacitated adult. Provides that in any case of suspected abuse of an incapacitated adult, photographs, X-rays, and other medical imaging of such incapacitated adult may be taken without the consent of the person responsible for the incapacitated adult as a part of the medical evaluation of the person. Such photographs, X-rays, and other medical imaging may be introduced into evidence in any civil or criminal proceeding. This bill is identical to SB 997.

Patron - Herring

HB2193 Child abuse investigations; employees of school divisions. Expands the class of individuals whom a local department of social services must report to a local school board upon determination that a complaint alleging that such individual has committed child abuse or neglect is a founded complaint from any full-time, part-time, permanent, or temporary teacher to any full-time, part-time, permanent, or temporary employee of a school division.

Patron - Merricks

HB2270 Withdrawal from district board of social services. Establishes a process for withdrawal from a district board of social services by the local governing body of a county or city and provides for judicial review in cases in which the Board of Social Services fails or refuses to approve the terms and conditions of a proposed plan for withdrawal from a district board of social services by a local government. The bill contains a reenactment clause.

Patron - Tyler

HB2271 Adoption assistance payments and post-adoption services for children adopted from foster care. Requires the Department of Social Services to utilize all federal adoption bonus payments received in a fiscal year to support post-adoption services.

Patron - Orrock

HB2279 Placement of children. Eliminates language providing that regulations of the Board of Social Services shall not prohibit 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.

Patron - Fariss

SB750 Nursing homes and assisted living facilities; notice of liability insurance coverage. Provides that regulations of the Board of Health shall require nursing homes and certified nursing facilities to maintain liability insurance coverage in a minimum amount of \$1 million and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15 to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. The bill provides that failure to maintain such minimum insurance coverage shall result in revocation of the facility's license. The bill also provides that regulations of the Board of Social Services shall require that assisted living facilities disclose to any resident or prospective resident

whether the assisted living facility maintains liability insurance in force to compensate residents for injuries and losses and that no facility shall state that liability insurance is in place unless such insurance provides a minimum amount of coverage established for purposes of disclosure by regulations of the Board of Social Services. The bill incorporates SB 869.

Patron - Stanley

SB863 Independent living services. Provides that local departments of social services and licensed child-placing agencies may make independent living services available to persons 18 to 21 years of age who are released from commitment to the Department of Juvenile Justice after reaching 18 years of age and who were committed or entrusted to the care of a local board of social services or child-placing agency at the time they were committed to the custody of the Department of Juvenile Justice. The bill expands the definition of "independent living services" to include services provided to a person who is at least 18 years of age but who has not yet reached the age of 21 years who, immediately prior to his commitment to the Department of Juvenile Justice, was in the custody of the local board of social services.

Patron - Favola

SB992 Background checks; children's residential facilities regulated by the Department of Juvenile Justice. Provides that the requirement for criminal history background checks for children's residential facilities shall also apply to local secure detention facilities. This bill is identical to HB 1439.

Patron - Locke

SB997 Photographs of abused, incapacitated adult. Provides that in any case of suspected abuse of an incapacitated adult, photographs, X-rays, and other medical imaging of such incapacitated adult may be taken without the consent of the person responsible for the incapacitated adult as a part of the medical evaluation of the person. Such photographs, X-rays, and other medical imaging may be introduced into evidence in any civil or criminal proceeding. This bill is identical to HB 2122.

Patron - Barker

SB1180 TANF; restrictions on use of cash assistance. Prohibits the use of Temporary Assistance for Needy Families benefits in any electronic benefit transaction (i) for the purchase of alcoholic beverages, tobacco products, lottery tickets, or sexually explicit visual materials or (ii) in any government store established for the sale of alcoholic beverages, establishment in which pari-mutuel wagering or charitable gaming is conducted, establishment in which tattooing or body-piercing is performed for hire or consideration, or adult entertainment establishment in which performers appear nude or partially nude. This bill is identical to HB 1577.

Patron - Reeves

SB1310 Licensure by the Commissioner of Social Services; submission of financial information. Reduces from three to one the number of credit references that an applicant for initial licensure as a child welfare agency, assisted living facility, or adult day care center must submit to be exempt from the requirement that the applicant make his financial records available to the Commissioner of Social Services for review; adds a requirement for submission of an operating budget at the time of application for an initial license as a child welfare agency, assisted living facility, or adult day care center seeking an exemption from the requirement that an applicant make financial records available to the Commissioner of Social Service; and eliminates the requirement that the Commissioner investigate the financial responsibility of an applicant for

renewal of a license as a child welfare agency, assisted living facility, or adult day care center. The bill contains an emergency clause. This bill is identical to HB 1443.

Patron - Hanger

Failed

HB1307 TANF; restrictions on use of cash assistance. Prohibits the use of Temporary Assistance for Needy Families cash assistance paid to an eligible recipient (i) for the purchase of alcoholic beverages, tobacco products, or lottery tickets or (ii) in any transaction in any government store established for the sale of alcoholic beverages, establishment in which pari-mutuel wagering or charitable gaming is conducted, or adult entertainment establishment in which performers appear nude or partially nude. This bill was incorporated into HB 1577.

Patron - Ingram

HB1412 Substance abuse screening and assessment of public assistance recipients. Requires local departments of social services to screen each Virginia Initiative for Employment Not Welfare (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 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 Temporary Assistance for Needy Families (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 1789.

Patron - Crockett-Stark

HB1458 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

HB1511 Assisted living facilities; access to temporary emergency electrical power source. Requires the Board of Social Services to include in regulations governing licensed assisted living facilities a requirement that each licensed assisted living facility with six or more residents have a temporary emergency electric power source on site and be able to connect to and utilize such temporary emergency electrical power source for the provision of electricity during an interruption of normal electrical power supply, in order to protect the health, safety, and welfare of residents and ensure the continued delivery of vital services for residents.

Patron - Hope

HB1529 Justice for Victims of Sterilization Act. Establishes the Justice for Victims of Sterilization Act to provide compensation to persons involuntarily sterilized between 1924 and 1979. The bill creates the Justice for Victims of Sterilization Compensation Fund to be administered by the Department of Social Services. Under the bill, claims payments are

limited to \$50,000 per claim. The provisions of the bill shall expire on July 1, 2018.

Patron - Marshall, R.G.

HB1742 Foster care; independent living services. Extends from 60 days to 180 days the period after discontinuation of independent living services during which a person in foster care who has not yet reached the age of 21 may request restoration of independent living services. The bill requires local departments to provide information and counseling to persons ages 18 to 21 who elect to leave foster care or terminate independent living services regarding available independent living services, should the person choose to continue receiving them, and the option and process of restoration of services, should the person choose to discontinue them.

Patron - Brink

HB1789 Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. This bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.

Patron - Bell, Robert B.

HB1998 Food stamps program. Updates obsolete references to Food Stamps program and requires the State Board of Social Services to establish broad-based categorical eligibility for supplemental nutrition assistance under the Supplemental Nutrition Assistance Program.

Patron - Sickles

HB2009 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 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. This bill was incorporated into HB 1789.

Patron - Cline

HB2109 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 oppor-

tunity 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 HB 1789.

Patron - Morefield

HB2153 TANF; restrictions on use of cash benefits. Provides that recipients of Temporary Assistance for Needy Families shall not access cash benefits through use of an electronic benefit transfer transaction in any government store established for the sale of alcoholic beverages; any casino, gambling casino, or gaming establishment in which pari-mutuel wagering or charitable gaming is conducted; or adult entertainment establishment in which performers or other individuals associated with the business disrobe or appear nude or partially nude. This bill was incorporated into HB 1577.

Patron - Garrett

HB2252 Virginia Children's Mental Health Commission established. Establishes the Virginia Children's Mental Health Commission to promote coordination of services and resources among agencies involved in the delivery of mental health services, including school-based mental health services, for children in the Commonwealth and to increase public awareness of such services and resources.

Patron - Lopez

HB2284 Licensure by the Commissioner of Social Services; submission of financial information. Reduces from three to one the number of credit references that an applicant for initial licensure as a child welfare agency, assisted living facility, or adult day-care center must submit to be exempt from the requirement that the applicant make his financial records available to the Commissioner of Social Services for review and eliminates the requirement that the Commissioner investigate the financial responsibility of an applicant for renewal of a license as a child welfare agency, assisted living facility, or adult day-care center. The bill contains an emergency clause.

Patron - Head

HB2329 Death of joint petitioner prior to entry of final order of adoption. Provides that in cases in which married persons, or persons who were previously married who are permitted to adopt a child, have jointly petitioned to adopt a child and one of the petitioners dies before entry of a final order of adoption, the adoption may proceed in the name of both petitioners and, upon entry of a final order, the child shall be, to all intents and purposes, the child of both petitioners. The bill also provides that in cases in which a child is placed with prospective adoptive parents who are married persons and one spouse dies prior to filing of a petition for adoption of the child, the surviving spouse may file a petition to adopt the child and have the deceased spouse named as the parent of the child and the court may grant such petition upon submission of evidence that the deceased prospective adoptive parent intended to adopt the child.

Patron - Toscano

SB708 Assisted living facilities; self-administration of medications. Requires the Board of Social Services to include in regulations governing the administration and management of medications in assisted living facilities developed by the Board of Social Services in conjunction with the Board of Nursing and the Board of Pharmacy a provision that a resident for whom the uniform assessment indicates the ability to self-administer medications may store medications that would normally be self-administered in a secure location in his room, may self-administer such medications, and shall not be required to allow the facility to store or administer such medi-

cations or pay any cost associated with the storage or administration of such medications.

Patron - Hanger

SB721 Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each Virginia Initiative for Employment Not Welfare (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. In cases in which drug testing is required, the cost of testing shall be paid by the Department of Social Services. 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 Temporary Assistance for Needy Families (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.

Patron - Carrico

SB835 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 that 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. This bill is contingent upon an appropriation of general funds effectuating the provisions of this bill.

Patron - Favola

SB862 Foster care; independent living services. Extends from 60 days to 180 days the period after discontinuation of independent living services during which a person in foster care who has not yet reached the age of 21 may request restoration of independent living services. The bill requires local departments to provide information and counseling to persons ages 18 to 21 who elect to leave foster care or terminate independent living services regarding available independent living services, should the person choose to continue receiving them, and the option and process of restoration of services, should the person choose to discontinue them. The provisions of the bill are contingent on funding in a general appropriation act passed during the 2013 Session of the General Assembly, which becomes law.

Patron - Favola

SB941 Alleged child abuse or neglect; authority to talk to child or sibling. Limits the authority of a person required to make a report or conduct an investigation or family assessment in cases of alleged child abuse or neglect to talk to a child or his sibling without the consent or presence of the child's or sibling's parent, guardian, legal custodian, or other person standing in loco parentis to cases in which the child has been taken into emergency custody. The bill establishes a procedure whereby a person required to conduct an investigation or family assessment may seek a court order for the parent, guardian, legal custodian, or person standing in loco parentis to produce the child suspected of being abused or neglected or his

sibling for the purpose of an interview in cases in which the child has not been taken into emergency custody.

Patron - Reeves

SB952 Child support arrearage reduction program. Directs the Department of Social Services to establish a state-wide child support arrearage reduction program whereby the total amount of an arrearage owed to the Department for the payment of public assistance to or for the benefit of a dependent child or children or their custodial parent by an obligor who is responsible for the support of such child or children or custodial parent whose household income is less than 150 percent of the federal poverty level shall be reduced upon timely payment of child support owed, pursuant to an agreement between the obligor and the Department. The provisions of the bill are contingent on funding in a general appropriation act passed during the 2013 Session of the General Assembly, which becomes law.

Patron - Favola

Wills, Trusts, and Fiduciaries

Passed

HB1351 Credit unions; Virginia Small Estate Act. Provides that federal credit unions operating in the Commonwealth, to the extent allowable under federal law, shall comply with provisions of the Virginia Small Estate Act requiring a person having possession of an asset belonging to a decedent with a value of no more than \$50,000 to pay or deliver that asset to the designated successor of the decedent. This bill is identical to SB 905.

Patron - Habeeb

HB1594 Small estates; checks and negotiable instruments. Provides that if the successor to a decedent receives certain small assets in the form of checks, drafts, or other negotiable instruments that are payable to the decedent, the successor may endorse or negotiate such checks, drafts, or other negotiable instruments.

Patron - Minchew

HB1752 Powers of personal representatives; digital accounts. Provides that the personal representative of a deceased minor has the power to assume the deceased minor's terms of service agreement for a digital account with an Internet service provider, communications service provider, or other online account service provider for the purposes of consenting to and obtaining the disclosure of the deceased minor's communications and subscriber records. The provider shall provide the personal representative with access to the deceased minor's communications and subscriber records within 60 days from the receipt of a written request from the personal representative and a copy of the deceased minor's death certificate. This bill incorporates HB 1584. This bill is identical to SB 913.

Patron - Wright

HB2197 Construction of the use of old Code sections in wills, etc. Provides that references to former Code sections that were repealed and replaced during the recodification of Title 64.1 in wills, trust instruments, powers of attorney, or other instruments made after the effective date of Title 64.2 shall be construed to refer to the current Code section in Title 64.2.

Patron - Peace

SB758 Uniform Trust Code; interested trustees subject to ascertainable standard. Expands the rule in the Uniform Trust Code that subjects an interested trustee to an ascertainable standard to include a person who is deemed to have any power of a trustee, whether because such person has the right to remove or replace any trustee or because a reciprocal trust or power doctrine applies.

Patron - Edwards

SB759 Guardianship and conservatorship. Makes various changes to guardianship and conservatorship laws, including: (i) permitting another person to initiate a guardianship proceeding before an incapacitated child turns 18 if there is no living parent; (ii) requiring a petition to state the basis for the court's jurisdiction; (iii) requiring the court to hold a hearing on the appointment of a guardian or conservator within 120 days from filing; (iv) confirming that the court should consider the respondent's best interests when determining the need for a guardian or conservator; (v) granting a conservator the power to make elections for a family allowance, exempt property allowance, and homestead allowance; and (vi) granting a court the ability to authorize a conservator, for good cause shown, to create and fund a trust for an incapacitated person.

Patron - Edwards

SB905 Credit unions; Virginia Small Estate Act. Provides that federal credit unions operating in the Commonwealth, to the extent allowable under federal law, shall comply with provisions of the Virginia Small Estate Act requiring a person having possession of an asset belonging to a decedent with a value of no more than \$50,000 to pay or deliver that asset to the designated successor of the decedent. This bill is identical to HB 1351.

Patron - Reeves

SB913 Powers of personal representatives; digital accounts. Provides that the personal representative of a deceased minor has the power to assume the deceased minor's terms of service agreement for a digital account with an Internet service provider, communications service provider, or other online account service provider for the purposes of consenting to and obtaining the disclosure of the deceased minor's communications and subscriber records. The provider shall provide the personal representative with access to the deceased minor's communications and subscriber records within 60 days from the receipt of a written request from the personal representative and a copy of the deceased minor's death certificate. This bill is identical to HB 1752.

Patron - Ruff

SB1052 Revising and recodifying the laws pertaining to wills, trusts, and fiduciaries. Reinserts language that was inadvertently omitted from Chapter 614 of the Acts of Assembly of 2012, which created Title 64.2. The bill contains an emergency clause and provides that it is effective retroactively to the date Title 64.2 took effect. This bill is a recommendation of the Virginia Code Commission.

Patron - McDougle

SB1093 Uniform Real Property Transfer on Death Act; adoption. Codifies the Uniform Real Property Transfer on Death Act, which authorizes the creation of a transfer on death deed, which, when properly executed and recorded, passes title directly to named beneficiaries without probate upon the transferor's death. The uniform act was approved by the National Conference of Commissioners on Uniform State Laws in 2009. The bill contains technical amendments.

Patron - Hanger

Failed

HB1584 Fiduciary access to digital assets. Enables a fiduciary to gain access to the digital accounts and digital assets of the person or estate to whom he owes a fiduciary duty upon making a written request to the custodian of the digital accounts and digital assets and submitting proof of the fiduciary relationship. This bill was incorporated into HB 1752.

Patron - Bulova

SB711 Testamentary trustees; relief of duty to file an inventory or annual accounts. Provides that any trustee under a will of a decedent, whenever probated, shall be relieved of the duty to file an inventory or annual accounts with the commissioner of accounts if the will does not direct the filing of such inventory or accounts and the trustee (i) obtains the written consent of all adult beneficiaries and the consent of all incapacitated beneficiaries and (ii) files those consents with the commissioner on or before the date on which the inventory or next required accounting would otherwise be due. Currently, this relief is only available for trustees of wills probated on or after July 1, 2010.

Patron - Stuart

SB757 No-contest clauses; exceptions. Allows the beneficiary of a will or trust to institute an action to seek interpretation or enforcement of a provision of a will or trust without triggering the penalties of a no-contest clause. This bill does not eliminate the general utility of no-contest clauses to prevent unwarranted challenges or contests to the validity of a will or trust.

Patron - Edwards

SB760 Pre-death proof of wills and trusts. Allows a testator or settlor to petition the court during his lifetime to determine the validity of his will or revocable trust. The bill requires that notice of the proceeding be given to all interested persons and provides that the court order proving the will or revocable trust is binding after the testator's or settlor's death.

Patron - Edwards

SB761 Fiduciary attorney-client privilege. Provides for the common law attorney-client privilege to be extended to fiduciaries when they are seeking advice from counsel. This bill specifies that only the person acting as a fiduciary is considered the client of the attorney for the purposes of this privilege.

Patron - Edwards

SB914 Fiduciary access to digital assets. Enables a fiduciary to gain access to the digital accounts and digital assets of the person or estate to whom he owes a fiduciary duty upon making a written request to the custodian of the digital accounts and digital assets and submitting proof of the fiduciary relationship.

Patron - Ruff

Workers' Compensation

Passed

HB1305 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 clarifies that where the factual circumstances are of sufficient strength from which the only rational inference to be drawn is that the accident arose out of and in the course of employment, it shall be presumed the accident arose out of and in the course of employment, unless such presumption is overcome by a preponderance of competent evidence to the contrary.

Patron - Habeeb

HB1347 Workers' compensation; injuries incurred by public safety officers. States that an injury to a public safety officer in situations where weather constitutes a particular risk of his employment shall be compensable where the injury arose out of and in the course of his employment. This bill is identical to SB 896.

Patron - Wright

HB1656 Workers' Compensation Commission; location of offices. Eliminates a requirement that the offices of the Workers' Compensation Commission be located in a building in the City of Richmond.

Patron - Kilgore

HB1733 Workers' compensation; peer review of services rendered by physicians. Allows any party to a dispute regarding medical treatment or services that has been referred to a peer review committee to have the matter remanded to the Workers' Compensation Commission if the matter has not been resolved within six months of its referral. A case remanded to the Commission shall not be re-referred to a peer review committee.

Patron - Loupassi

HB2018 Workers' compensation coverage for trainees at criminal justice training academies. Clarifies that any individual who receives training at a criminal justice training academy is not an employee of the academy. The academy is not required to provide workers' compensation coverage or benefits to such an individual. The employer that arranges for an individual to be trained at a criminal justice training academy is required to provide workers' compensation coverage and benefits to the individual during the period he is receiving training at the academy.

Patron - Garrett

HB2174 Workers' compensation; awards of compensation. Provides that wages paid to an employee who is physically unable to return to his pre-injury work due to a compensable injury and who is provided work within his capacity at a wage equal to or greater than his pre-injury wage shall be considered compensation paid pursuant to an award for compensation but shall not result in a reduction of the maximum number of weeks of compensation benefits. Any award of compensation may be reviewed by the Workers' Compensation Commission.

Patron - Lewis

SB896 Workers' compensation; injuries incurred by public safety employees. States that an injury to a public safety officer in situations where weather constitutes a particular risk of his employment shall be compensable where the injury arose out of and in the course of his employment. The bill incorporates SB 1126, SB 915, and SB 1199 and is identical to HB 1347.

Patron - Reeves

Failed

HB1612 Workers' compensation; fee schedule for medical care services and prompt payment. Limits the pecuniary liability of an employer for medical, surgical, and hospital services provided on or after October 1, 2014, pursuant to the Virginia Workers' Compensation Act to the maximum amount that may be paid pursuant to fee schedules established by the Workers' Compensation Commission, unless a contract provides otherwise. The Workers' Compensation Commission is directed to promulgate regulations establishing medical care fee schedules governing all medical care services rendered pursuant to the Virginia Workers' Compensation Act. The schedules shall become effective on October 1, 2014. The bill requires the medical care fee schedule regulations to (i) be comprehensive in scope, (ii) be based on Medicare where applicable, (iii) utilize Medicare coding and reimbursement rules, and (iv) address fees of physicians and surgeons, hospitals, ancillary services provided by other health care facilities and providers, pharmacy and pharmaceutical services, and utilization review issues and procedures. The Commission is required to review the fee schedules annually and when appropriate revise them. The measure also requires an insurer or self-insured employer, effective October 1, 2014, to either pay a medical bill or deny payment of the bill within 60 days of receiving a bill and supporting medical documentation. If the Commission finds that the self-insured employer or insurer unreasonably denied payment for medical services, it shall order payment for the services with interest.

Patron - Hugo

HB1636 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 - Cosgrove

HB2160 Workers' compensation; medical benefits. Establishes a one-year period of limitations on actions by a health care provider for payment of charges for services rendered under the Virginia Workers' Compensation Act. The period starts to run on the later of the date the services were provided or the date a medical award covering such services becomes final. The measure also provides that the prohibition on balance billing by health care providers applies both during the pendency of a claim for benefits and after an award of compensation is made. The balance billing prohibition will apply to an injury for which compensation is sought under a claim or that is covered by an award when any portion of the bill at issue, for the date of service at issue, has been paid by the employer, carrier, or third-party administrator.

Patron - Kilgore

HB2206 Workers' compensation insurance; payments to providers of health care services. Provides that the rate of payment for medical, surgical, and hospital services provided under the Virginia Workers' Compensation Act may be (i) established in an agreement between the health care provider and an employer, insurance carrier, third-party administrator, or preferred provider organization or (ii) negotiated by the provider and insurance carrier or employer for a single episode of care. If such persons do not enter into such an agreement or negotiate a rate, the Workers' Compensation Commission shall determine the rate of payment, which shall

be limited to the charges that prevail in the same community for similar treatment when such treatment is paid for by the injured person. The measure also establishes a two-year limitation period on actions to recover denied fees. Employers and insurance carriers are required to make available billing and reimbursement requirements to health care providers or make the same available via the Internet in real time to enable providers to electronically verify if a claim has been reported and to accept reports and claims from health care providers electronically. The measure creates a prompt payment requirement directing that providers be paid within 40 days after receipt of an itemization of the health care services provided. Agreements between insurance carriers and providers are required to include the fee schedule, reimbursement policy, or statement as to the manner in which claims will be calculated and paid. Amendments to provider agreements will not be effective unless the provider has been provided with the applicable portion of the proposed amendment at least 60 calendar days before the effective date and the provider has not notified the carrier within 30 days of receipt of such notice of the provider's intention to terminate the agreement. The employee's attorney fees shall be the responsibility of the employer or insurance carrier that contested the compensability of the claim. The measure prohibits balance billing of an employee by a provider when an employer or the employer's insurance carrier voluntarily makes full payment for services provided to an injured employee under the terms of a valid provider agreement in advance of an award of compensation being made.

Patron - Ware, R.L.

SB704 Workers' compensation; disease presumption; corrections officers. Adds correctional officers to the list of public safety employees who are entitled to a presumption that hypertension and heart disease and certain infectious diseases are occupational diseases compensable under the Virginia Workers' Compensation Act. The bill was incorporated into SB 774.

Patron - Puckett

SB727 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

SB774 Workers' compensation; disease presumption; correctional officers. Adds correctional officers to the list of public safety employees who are entitled to a presumption that hypertension and heart disease and certain infectious diseases are occupational diseases compensable under the Virginia Workers' Compensation Act. The bill incorporates SB 704.

Patron - Blevins

SB915 Workers' compensation; injuries to public safety officers. Provides that an injury incurred by a public safety officer that occurs in the course of his employment at a location that is off the regular premises of his employment shall be deemed to have arisen out of employment if the injury would not have occurred but for the fact that the conditions and obligations of his employment placed the public safety officer at the location where the injury was incurred. Such an employee shall not be required to prove (i) that the nature of his employment exposed him to a special, additional, peculiar, or particular risk of injury to which a member of the public is not generally subject or (ii) a causal connection between the

conditions under which his employment was required to be performed and the resulting injury. The measure would eliminate an employer's defense that such an injury was an act of God not covered by the Virginia Workers' Compensation Act. The measure would not apply to injuries incurred prior to July 1, 2013. The bill was incorporated into SB 896.

Patron - Ruff

SB1126 Workers' compensation; injuries to public safety employees. Provides that a public safety employee who is injured in the course of his employment is not required to prove that the nature of his employment exposed him to a special, additional, peculiar, or particular risk of injury to which a member of the public is not generally subject. The measure further provides that (i) an injured public safety employee is not required to prove a causal connection between the conditions under which his employment was required to be performed and the resulting injury and (ii) the characterization of the causation of such an injury as an act of God shall not be a defense to a claim for compensation under this title. The bill was incorporated in SB 896.

Patron - Norment

SB1199 Workers' compensation; injuries to public safety officers. Provides that a public safety officer who is injured in the course of his employment while on duty on a public or private street or highway in the Commonwealth is not required to prove that the nature of his employment exposed him to a special, additional, peculiar, or particular risk of injury to which a member of the public is not generally subject. The measure further provides that such an injured employee is not required to prove a causal connection between the conditions under which his employment was required to be performed and the resulting injury. The bill was incorporated into SB 896.

Patron - Saslaw

Constitutional Amendments

Passed

HJ551 Constitutional amendment (first resolution); real property tax exemption for spouses of soldiers killed in action. Provides that the General Assembly may provide a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action. Such tax exemption may not be claimed by a surviving spouse who has remarried.

Patron - Ramadan

Failed

HJ535 Constitutional amendment (first resolution); qualifications to vote; restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds an alternative for restoration of rights pursuant to law for nonviolent felons.

Patron - Herring

HJ536 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 are 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 constitutes an illegal combination or conspiracy and is void.

Patron - Bell, Richard P.

FHJ537 Constitutional amendment (first resolution); powers of General Assembly; limitations. Provides that the General Assembly may suspend or nullify any or all portions of any administrative rule or regulation by joint resolution agreed to by a majority of the members elected to each house. The General Assembly may designate a joint legislative commission or pair of standing committees representing both houses to suspend any administrative rule or regulation during the interim that the General Assembly is not in regular session.

Patron - Habeeb

FHJ539 Constitutional amendment (first resolution); qualifications to vote; executive clemency; restoration of right to vote. Provides that no person convicted of a felony shall be qualified to vote unless he has completed service of his sentence, including any modifications of the sentence, and made payment in full of any restitution, fines, costs, and fees assessed against him as a result of the felony conviction. The proposed amendment removes the power of the Governor or other appropriate authority (such as another state's law) to restore the right to vote to a felon.

Patron - Habeeb

FHJ542 Constitutional amendment (first resolution); limits on taxes and revenues; Revenue Stabilization Fund; taxpayer refunds. Provides for the refund of surplus revenues, above the amount required to be deposited to the Revenue Stabilization Fund, to the Commonwealth's income-tax payers, provided such surplus exceeds \$50 million.

Patron - Marshall, R.G.

FHJ547 Constitutional amendment (first resolution); qualifications to vote; restoration of civil rights. Directs the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds an alternative for restoration of rights pursuant to law for nonviolent felons.

Patron - Farrell

FHJ549 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.

Patron - Purkey

FHJ563 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.

Patron - Morrissey

FHJ564 Constitutional amendment (first resolution); General Assembly powers; limitations. Provides that the General Assembly may suspend or nullify any or all portions of any administrative rule or regulation by joint resolution agreed to by a majority of the members elected to each house. The General Assembly may designate a joint legislative commission or pair of standing committees representing both houses to suspend any administrative rule or regulation during the interim when the General Assembly is not in a regular session.

Patron - Head

FHJ573 Constitutional amendment (first resolution); property tax exemption for nonprofit medical clinics serving the indigent. Exempts from taxation property owned by nonprofit medical clinics organized to provide health care services without charge to the indigent.

Patron - Hope

FHJ574 Constitutional amendment (1st resolution); fundamental rights of parents. Provides that the right of parents to direct the care, upbringing, and education of their children is a fundamental right that shall not be infringed upon by the Commonwealth without a demonstration that the interest of the Commonwealth is of the highest order and not otherwise served.

Patron - Pogge

FHJ584 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and any other transportation fund established by general law, other than a general appropriation law. 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 such transportation systems and projects as authorized by the General Assembly by law, but excluding a general appropriation law. 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. This resolution was incorporated into HJ 622.

Patron - Watts

FHJ585 Constitutional amendment (first resolution); qualifications to vote; restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds an alternative for restoration of rights pursuant to law for nonviolent felons.

Patron - Tyler

FHJ594 Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in a year to the preceding year's total appropriations plus a percentage equal to the sum of the percentage increase in the rate of infla-

tion plus the rate of population increase. However, additional appropriations may be made (i) for tax relief, (ii) for deposits to the Revenue Stabilization Fund, or (iii) for nonrecurring capital projects. "Total appropriations" is defined so as not to include appropriated moneys that are received from the federal government or an agency or unit thereof. This resolution incorporates HJ 677.

Patron - Loupassi

[F]HJ601 Constitutional amendment (first resolution); free elections, method of voting. Provides that all elections ought to be convenient to the voter and equally provided for throughout the Commonwealth, and that provision shall be made in all elections other than primary and special elections for votes to be cast starting at least 30 days before the general election date. Votes may be cast early in person, by mail, or by other means as provided by law without qualification.

Patron - Krupicka

[F]HJ602 Constitutional amendment (first resolution); right to early childhood education. Requires the Board of Education to develop Learning Readiness Quality Standards for state-supported early learning programs. The General Assembly is mandated to allocate funds to ensure that every Virginia family has the option to use a high quality early learning program that meets the standards and that is available for each child in the year in which the child reaches four years of age through a qualified early learning program.

Patron - Krupicka

[F]HJ603 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 amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law.

Patron - Ware, O.

[F]HJ611 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 - O'Bannon

[F]HJ622 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds. The General Assembly by general law, other than a general appropriation law, may alter the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within three years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except for making certain debt service

payments on transportation-related bonds and notes. This resolution incorporates HJ 584, HJ 651, and HJ 652.

Patron - Jones

[F]HJ651 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, 2014, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds. The General Assembly by general law, other than a general appropriation law, may alter the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes. This resolution was incorporated into HJ 622.

Patron - Villanueva

[F]HJ652 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, 2014, 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 was incorporated into HJ 622.

Patron - O'Bannon

[F]HJ659 Constitutional amendment (first resolution); registration of voters. Permits the General Assembly to provide by law for the use of a portion of an applicant's social security number on the voter registration application. Currently, an applicant must provide his full social security number in order to register to vote. The resolution incorporates HJ 668.

Patron - LeMunyon

[F]HJ663 Constitutional amendment (first resolution); Nonpartisan Redistricting Commission created. Provides for a seven-member temporary commission to prepare redistricting plans in 2021 and each tenth 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 amendment provides for Commission comments on plans as they change in the legislative process. The amendment 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

FHJ664 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.

Patron - Carr

FHJ665 Constitutional amendment (first resolution); marriage. Proposes the repeal of the constitutional amendment dealing with marriage that was approved by referendum at the November 2006 election. That amendment to the Bill of Rights (i) defined marriage as "only a union between one man and one woman"; (ii) prohibited the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage"; and (iii) prohibited the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

Patron - Surovell

FHJ668 Constitutional amendment (first resolution); registration of voters. Permits the General Assembly to provide by law for the use of a portion of an applicant's social security number on the voter registration application. Currently, an applicant must provide his full social security number in order to register to vote. The resolution was incorporated into HJ 659.

Patron - Surovell

FHJ672 Constitutional amendment (first resolution); qualifications to vote; restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds an alternative for restoration of rights pursuant to law for nonviolent felons.

Patron - Lopez

FHJ674 Constitutional amendment (first resolution); qualifications to vote; restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds an alternative for restoration of rights pursuant to law for nonviolent felons.

Patron - James

FHJ677 Constitutional amendment (first resolution); limitation on debt. Provides that in any 10-fiscal-year period beginning with fiscal years of the Commonwealth starting on or after July 1, 2014, no more than five percent of the average of the projected revenues for each fiscal year shall be used directly or indirectly for principal, interest, or other payments

on debt. This limitation may be exceeded only by a vote of at least two-thirds of the members elected to each house of the General Assembly. The bill provides that the General Assembly shall define the terms "debt" and "projected revenues." This resolution was incorporated into HJ 594.

Patron - Cline

FHJ678 Constitutional amendment (first resolution); legislative sessions; term of Governor. Requires the General Assembly, beginning in 2017 and every fourth year thereafter, to adjourn its regular session for a period of 30 days after organizing but before conducting any business in order to allow the newly elected Governor to commence his term of office before the General Assembly begins to take up the business of the Commonwealth.

Patron - Cline

FHJ679 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.

Patron - Brink

FHJ684 Constitutional amendment (first resolution); charter schools. Grants the Board of Education authority to establish charter schools within the school divisions of the Commonwealth.

Patron - Lingamfelter

FHJ693 Constitutional amendment (first resolution); statewide school division for schools denied accreditation. Authorizes the General Assembly to establish a statewide school division to supervise and administer schools that have been denied accreditation for a number of consecutive school years, as determined by the General Assembly. Supervision of the statewide school division is to be vested in a single statewide school board established as may be provided by law. Funding of the statewide division is to be provided by law.

Patron - Habeeb

FHJ721 Constitutional amendment (first resolution); restoration of voting rights. Provides for the automatic restoration of voting 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. The bill further provides that persons convicted of violent felonies, felony drug crimes, or election fraud crimes may have their voting rights restored by the Governor upon completion of sentence, including any term of probation or parole, and authorizes the General Assembly to provide by law for the restoration of voting rights to such persons. The restoration of rights pursuant to this provision has no effect on the right to possess firearms.

Patron - Howell, A.T.

FHJ909 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, 2014, 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.

Patron - Jones

[E]SJ261 Constitutional amendment (first resolution); freedom of speech. Expands the freedom of speech provisions of the Constitution of Virginia to permit prayer and the recognition of religious beliefs, heritage, and traditions on public property, including public school property. The amendment also provides that the Commonwealth and its political subdivisions, including public school divisions, shall not compose prayers and shall not require any person to join in prayer or other religious activity. The resolution was incorporated into SJ 287.

Patron - Carrico

[E]SJ266 Constitutional amendment (first resolution); restoration of voting rights. Provides that a person convicted of a nonviolent felony who has completed service of his sentence and paid in full any restitution, fines, costs, and fees assessed against him shall be qualified to vote. A person convicted of a violent felony shall only be qualified to vote if his rights are restored by the Governor. The General Assembly will define what felonies are violent and nonviolent. This resolution incorporates SJ 269 and SJ 321.

Patron - Lucas

[E]SJ269 Constitutional amendment (first resolution); restoration of civil rights. Provides that no person convicted of a felony shall be qualified to vote "unless he has served his full sentence and been released back to civil society." The proposed amendment deletes the present constitutional language that provides for restoration of civil rights by "the Governor or other appropriate authority." This resolution was incorporated into SJ 266.

Patron - Petersen

[E]SJ272 Constitutional amendment (first resolution); real property tax exemption for spouses of soldiers killed in action. Provides a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action.

Patron - Black

[E]SJ275 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.

Patron - Obenshain

[E]SJ276 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.

Patron - Garrett

[E]SJ281 Constitutional amendment (first resolution); tax credits. Provides that no tax credit shall remain in effect longer than five years unless it is reenacted by the General Assembly.

Patron - Petersen

[E]SJ287 Constitutional amendment (first resolution); free exercise of religion. Adds to the present constitutional provision on freedom of religion and provides that the right to worship includes prayer in private or public settings, on government premises, on public property, and in all public schools. The amendment also requires public schools to display the Bill of Rights of the United States Constitution. The proposed amendment is based on a provision in the Missouri Constitution approved by the Missouri voters August 7, 2012. The resolution incorporates SJ 261.

Patron - Stanley

[E]SJ292 Constitutional amendment (first resolution); selection and qualification of judges; pro tempore appointment by Governor. Prohibits the Governor from appointing any person to judicial office after such person failed in either the House of Delegates or the Senate to receive a majority vote.

Patron - Black

[E]SJ293 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 are 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 constitutes an illegal combination or conspiracy.

Patron - Black

[E]SJ302 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

[E]SJ303 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

ESJ319 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 four 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, 2018, 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, 2024.

The resolution also specifies how certain other factors and variables used in setting contribution rates are to be determined.

Patron - Ebbin

ESJ321 Constitutional amendment (first resolution); restoration of voting rights. Provides for the automatic restoration of voting 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. The bill further provides that persons convicted of violent felonies, felony drug crimes, or election fraud crimes may have their voting rights restored by the Governor upon completion of sentence, including any term of probation or parole, and authorizes the General Assembly to provide by law for the restoration of voting rights to such persons. The restoration of rights pursuant to this provision has no effect on the right to possess firearms. This resolution was incorporated into SJ 266.

Patron - McEachin

ESJ327 Constitutional amendment (first resolution); statewide school division for schools denied accreditation. Authorizes the General Assembly to establish a statewide school division to supervise and administer schools that have been denied accreditation for a number of consecutive school years, as determined by the General Assembly. Supervision of the statewide school division is to be vested in a single statewide school board established as may be provided by law. Funding of the statewide division is to be provided by law, and transfer of certain per pupil shares of various funds from the local school district of residence to the statewide district is authorized.

Patron - McDougle

ESJ367 Constitutional amendment (first resolution); appointment of electoral boards and officers of election. Provides that appointments to local electoral boards and as

officers of election shall be on a nonpartisan basis, eliminating current provisions for party representation.

Patron - Ebbin

Other Resolutions

Passed

PHJ550 Diwali Day. Designates the last Saturday in October, in 2013 and in each succeeding year, as Diwali Day in Virginia.

Patron - Ramadan

PHJ552 K-9 Veterans Day. Designates March 13, in 2013 and in each succeeding year, as K-9 Veterans Day in Virginia.

Patron - Cox, J.A.

PHJ608 Pakistan Independence Day. Designates August 14, in 2013 and in each succeeding year, as Pakistan Independence Day in Virginia.

Patron - Hugo

PHJ617 Rotary Day in Virginia. Designates June 1, in 2013 and in each succeeding year, as Rotary Day in Virginia.

Patron - O'Bannon

PHJ650 Commemorating the 50th anniversary of Dr. Martin Luther King, Jr.'s "I Have a Dream" speech.

Patron - McClellan

PHJ724 Hepatitis B Awareness Day. Designates May 19, in 2013 and in each succeeding year, as Hepatitis B Awareness Day in Virginia.

Patron - Keam

PHJ727 Distracted Driving Awareness Month. Designates April, in 2013 and in each succeeding year, as Distracted Driving Awareness Month in Virginia.

Patron - Kory

PHJ731 National Wear Red Day. Designates February 1, in 2013 and in each succeeding year, as National Wear Red Day in Virginia.

Patron - Robinson

PHJ758 Urban Agriculture Month. Designates October, in 2013 and in each succeeding year, as Urban Agriculture Month in Virginia.

Patron - Byron

PHJ823 Barbershop Harmony Week. Designates the first full week in April, in 2013 and in each succeeding year, as Barbershop Harmony Week in Virginia.

Patron - Loupassi

PHJ830 Governor; portrait. Establishes a committee for the purpose of commissioning a portrait of Governor Robert F. McDonnell for display in the Capitol.

Patron - Cox, M.K.

PHJ831 Appointments by the Joint Rules Committee and the Speaker of the House of Delegates. Confirms appointments by the Joint Rules Committee to the Board of Trustees of the Virginia Retirement System, the Commonwealth Health Research Board, the Virginia Council for the

Interstate Compact for Juveniles, and the Virginia State Council for Interstate Adult Offender Supervision; and appointments by the Speaker of the House of Delegates to the Board of Directors of the Virginia Commonwealth University Health System Authority and the Board of the Virginia Office for Protection and Advocacy.

Patron - Howell, W.J.

PHJ868 Child Identification Program Day. Designates May 25, in 2013 and in each succeeding year, as Child Identification Program Day in Virginia.

Patron - Yancey

PHJ975 Appointments by the Joint Rules Committee. Confirms appointments by the Joint Rules Committee to the Brown v. Board of Education Scholarship Committee, the Board of Trustees of the Virginia Retirement System, and the Commonwealth Health Research Board.

Patron - Cox, M.K.

PSB987 Memorialization of fallen Virginians at the Virginia War Memorial. Establishes the criteria, as was required by legislation adopted in 2009, for inclusion on the Shrine of Memory at the Virginia War Memorial of Virginians who died while serving in the United States armed forces.

Patron - Miller

PSJ260 Designating observance of Vaisakhi in Virginia. Designates April 14, in 2013 and in each succeeding year, as the day to recognize the observance of Vaisakhi in Virginia.

Patron - Black

PSJ297 Love the Bus Month. Designates February, in 2013 and in each succeeding year, as Love the Bus Month in Virginia.

Patron - McWaters

PSJ324 Appointments by the Governor of certain persons. Confirms appointments to various positions made by Governor McDonnell and communicated to the General Assembly August 1, 2012.

Patron - Obenshain

PSJ352 National Wear Red Day. Designates February 1, in 2013 and in each succeeding year, as National Wear Red Day in Virginia.

Patron - Vogel

PSJ353 Outstanding Virginian celebration. Authorizes a change of venue for the Outstanding Virginian celebration.

Patron - Vogel

PSJ357 Home Education Month. Designates February, in 2013 and in each succeeding year, as Home Education Month in Virginia.

Patron - Martin

PSJ368 Recognizing that the Second Amendment to the United States Constitution protects an individual's right to keep and bear arms. Recognizes that the Second Amendment to the United States Constitution protects an individual's right to keep and bear arms.

Patron - Garrett

PSJ384 Diwali Day. Designates the last Saturday in October, in 2013 and in each succeeding year, as Diwali Day in Virginia.

Patron - Black

PSJ409 Appointments by the Governor of certain persons. Confirms appointments to various positions made by Governor McDonnell and communicated to the General Assembly February 4, 2013.

Patron - Obenshain

PSJ455 South Vietnamese Recognition Day. Designates April 30, in 2013 and in each succeeding year, as South Vietnamese Recognition Day in Virginia.

Patron - Black

Failed

FHB2223 Prevent infringement of private property rights under United Nations Agenda 21. Precludes the Commonwealth and its political subdivisions from adopting or implementing policy recommendations as may be required by United Nations Agenda 21 that infringe upon or restrict private property rights without due process.

Patron - Cline

FHJ565 United States Constitution; amendment. Makes application to the Congress of the United States to call an amendment convention for the sole purpose of proposing a constitutional amendment that requires a balanced federal budget.

Patron - LeMunyon

FHJ567 VegWeek. Designates the last full week in April, in 2013 and in each succeeding year, as VegWeek in Virginia.

Patron - Hope

FHJ586 Weight limits on interstate highways. Memorializes the Virginia Congressional Delegation to support efforts to allow states to authorize higher weight limits for commercial motor vehicles carrying agricultural and forestry products on interstate highways.

Patron - Tyler

FHJ598 Public education; problem of hunger in the classroom. Recognizes the need to tackle the problem of hunger in the classroom and requests the Superintendent of Public Instruction to communicate through a memorandum to all local school divisions the goal of using innovation and creativity to expand access to breakfast to ensure no student starts the day hungry.

Patron - Garrett

FHJ626 Companion Animal Protection Day. Designates January 23, in 2013 and in each succeeding year, as Companion Animal Protection Day in Virginia.

Patron - Kory

FHJ645 Alcohol and substance abuse on college campuses. Encourages the institutions of higher education in Virginia to heighten awareness of the perils of alcohol and substance abuse on college campuses. The resolution notes that parents and college officials must work collaboratively, concertedly, and decisively to educate college students concerning the dangers of alcohol and prescribed and controlled substance abuse.

Patron - McQuinn

FHJ653 Tenth amendment of the United States Constitution. Reaffirms Virginia's rights and the rights of its citi-

zens under the 10th amendment of the United States Constitution.

Patron - Lingamfelter

FHJ654 Opposing United Nations Agenda 21. Recognizes the need to oppose United Nations Agenda 21 due to its radical plan of purported "sustainable development." The resolution states that the General Assembly recognizes the policy's infringement on the American way of life and individual freedoms and ability to erode American sovereignty. The resolution would be transmitted to the U.S. Secretary of State, the Secretary-General of the United Nations, and the Virginia Congressional Delegation in order that they may be apprised of the sense of the General Assembly of Virginia in this matter during their deliberations.

Patron - Lingamfelter

FHJ667 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.

Patron - Surovell

FHJ690 Federal ethanol mandates for gasoline. Memorializes the Congress of the United States to repeal federal laws and regulations mandating that gasoline sold in the United States contain ethanol.

Patron - Purkey

FHJ732 Federal Bureau of Investigation headquarters. Memorializes the Congress of the United States to encourage the U.S. General Services Administration to consider Virginia as the site for the new Federal Bureau of Investigation headquarters.

Patron - Sickles

FHJ744 Recognition of the United Cherokee Indian Tribe of Virginia, Incorporated. Recognizes the existence of the United Cherokee Indian Tribe of Virginia, Incorporated, within the Commonwealth.

Patron - Fariss

FHJ755 Tax restructuring; report. Requests the Virginia Municipal League, Virginia Association of Counties, Virginia Small Business Commission, and Virginia Manufacturing Development Commission to evaluate and develop a plan for implementing tax restructuring to eliminate the BPOL, Machinery and Tool, and Merchants' Capital Taxes.

Patron - Howell, W.J.

FHJ910 Richmond Ballet; Leap Week. Designates the third full week in March, in 2013 and in each succeeding year, as Richmond Ballet, The State Ballet of Virginia, Leap Week in Virginia.

Patron - Massie

FHR129 Encouraging the Governor of the Commonwealth to work together with the General Assembly to extend the Commonwealth's program of medical assistance pursuant to Title XIX of the United States Social Security Act as authorized by the Patient Protection and Affordable Care Act. Encourages the Governor to work together with the General Assembly to extend the Commonwealth's program of medical assistance services as authorized by the Patient Protection and Affordable Care Act.

Patron - Hope

FHR130 Toll mitigation measures. Recognizes the need for mitigation measures for disadvantaged populations adversely affected by the imposition of tolls in the Commonwealth.

Patron - James

FHR167 Presidential power. Memorializes the Congress of the United States to examine independently the U.S. Justice Department White Paper asserting a constitutional basis for the Executive Branch's assertion of authority to target and kill United States's citizens off the battlefield under certain conditions.

Patron - Marshall, R.G.

F SJ273 Banking legislation. Memorializes the Congress of the United States to enact legislation that would reinstate the separation of commercial and investment banking functions that were in effect under the Glass-Steagall Act (Banking Act of 1933). Legislation enacted should be modeled on H.R. 1489 of the 112th Congress.

Patron - Black

F SJ280 Public education; problem of hunger in the classroom. Recognizes the need to tackle the problem of hunger in the classroom and requests the Superintendent of Public Instruction to communicate through a memorandum to all local school divisions the goal of using innovation and creativity to expand access to breakfast to ensure no student starts the day hungry.

Patron - Carrico

F SJ294 Nonviolence. Encourages the public schools of Virginia to promote the ideals, heroes, and successes of nonviolence.

Patron - Alexander

F SJ300 Recognition of the Appalachian Cherokee Nation. Recognizes the existence within the Commonwealth of the Appalachian Cherokee Nation of Virginia and the United Cherokee Indian Tribe of Virginia, Inc. This resolution incorporates SJ 326 and SJ 354.

Patron - Vogel

F SJ325 United Nations Arms Trade Treaty. Memorializes the President of the United States and the United States Senate to not ratify the United Nations Arms Trade Treaty.

Patron - Martin

F SJ326 Recognition of the Appalachian Cherokee Nation. Recognizes the existence of the Appalachian Cherokee Nation within the Commonwealth. This resolution was incorporated into SJ 300.

Patron - Alexander

F SJ354 Recognition of the United Cherokee Indian Tribe of Virginia, Incorporated. Recognizes the existence of United Cherokee Indian Tribe of Virginia, Incorporated within the Commonwealth. This resolution was incorporated into SJ 300.

Patron - Newman

F SJ370 Weight limits on interstate highways. Memorializes the Virginia Congressional Delegation to support efforts to allow states to authorize higher weight limits for commercial motor vehicles carrying agricultural and forestry products on interstate highways.

Patron - Lucas

Miscellaneous (Including Budget and Bonds)

Passed

HB1392 Revenue bond bills for higher education; modifications. Modifies revenue bond bills for institutions of higher education enacted in 2008 by changing a project at Radford University from "construct residence halls" to "renovate residence halls." The bill also modifies revenue bond bills for institutions of higher education enacted in 2012 by (i) changing a project at the College of William and Mary from "renovate dormitory" to "renovate dormitories," (ii) increasing the amount allocated for such project from \$5,000,000 to \$14,650,000, and (iii) increasing the maximum aggregate amount of bonds that may be issued from \$125,594,000 to \$135,244,000. The bill states that an emergency exists and that the bill is in force from its passage. This bill is identical to SB 754.

Patron - Putney

HB1500 Budget Bill. Amends Chapter 3, 2012 Special Session I Acts of Assembly.

Patron - Putney

HB1703 Municipal deed restrictions on certain property in Virginia Beach. Provides that certain deed restrictions shall include the ability to enter into public-private partnerships with nonprofit entities that provide services for the benefit of veterans and disabled persons.

Patron - Iaquinto

HB1953 U.S. Route 58 Corridor Development Program; issuance of bonds. Changes the maximum amount of bonds that the Commonwealth Transportation Board may issue from an aggregate principal amount not exceeding \$704,300,000 to an aggregate principal amount not exceeding \$1,300,000,000, provided that the debt service on the additional bonds that may be issued pursuant to the bill shall be paid solely by the recordation tax revenue dedicated for the development of the U.S. 58 Corridor. The bill is contingent upon a comprehensive, statewide transportation funding bill being passed by the 2013 Session of the General Assembly.

Patron - Poindexter

HB2175 Veterans care center; construction in Northern Virginia. Authorizes the Governor to request federal funds to construct a new veterans care center in Northern Virginia, and requires the State Treasurer to issue a short-term treasury loan in an amount up to \$28.5 million for the state share of construction costs, once the U.S. Department of Veterans Affairs has determined that federal funds will be allocated for the new center.

Patron - Cox, M.K.

HB2194 Capital outlay plan. Establishes a revised six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. This bill is identical to SB 1265.

Patron - Lingamfelter

SB754 Revenue bond bills for higher education; modifications. Modifies revenue bond bills for institutions of higher education enacted in 2008 by changing a project at Radford University from "construct residence halls" to "renovate residence halls." The bill also modifies revenue bond bills for

institutions of higher education enacted in 2012 by (i) changing a project at the College of William and Mary from "renovate dormitory" to "renovate dormitories," (ii) increasing the amount allocated for such project from \$5,000,000 to \$14,650,000, and (iii) increasing the maximum aggregate amount of bonds that may be issued from \$125,594,000 to \$135,244,000. The bill states that an emergency exists and that the bill is in force from its passage. This bill is identical to HB 1392.

Patron - Stosch

SB1132 Claims; Bennett Barbour's estate. Provides relief in the amount of \$162,527 to the estate of Bennett Barbour, who was incarcerated twice for a total of five years and 11 months after being convicted of crimes of rape, burglary, and grand larceny; three years and 11 months of his time served is attributable to the rape conviction. Mr. Barbour has been issued a writ of actual innocence for the rape conviction. The relief will be paid as a lump sum to his estate within 60 business days immediately following the execution of a release from any present or future claims Mr. Barbour or his estate may have.

Patron - McEachin

SB1265 Capital outlay plan. Establishes a revised six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. This bill is identical to HB 2194.

Patron - Ruff

Failed

SB800 Budget Bill. Amends Chapter 3, 2012 Special Session I Acts of Assembly.

Patron - Stosch

SB1096 Adjustment of the calculation of the local composite index for public school funding. Directs the Department of Education to adjust its funding calculations for the local ability to pay by using the use-value assessment of real property, instead of the true value, in localities that have adopted use-value taxation.

Patron - Hanger

SB1237 Claims; Calvin Wayne Cunningham. Provides relief in the amount of \$291,041 to Calvin Cunningham, who was incarcerated for a total of seven years after being convicted of crimes of rape and burglary. Mr. Cunningham has been issued a writ of actual innocence. The relief will be paid as follows: (i) an initial lump sum of \$58,208 to be paid within 60 days immediately following the execution of a release by Mr. Cunningham from any present or future claims he may have and (ii) the sum of \$232,833 to purchase an annuity before September 30, 2013, for the primary benefit of Mr. Cunningham with the terms of such annuity structured in Mr. Cunningham's best interests based on consultation among Mr. Cunningham or his representatives, the State Treasurer, and other necessary parties.

Patron - Lucas

SB1244 Virginia Retirement System benefits. Provides for an increase, beginning July 1, 2013, of the monthly retirement allowance payable to any person who retired with at least 15 years of creditable service before January 1, 1990, under the Virginia Retirement System or the State Police Officers' Retirement System (or predecessor retirement systems).

Patron - Colgan

SB1319 Sale of state property. Authorizes the sale of the 9th Street Office Building and/or the property upon which the 8th Street Office Building was formerly located by the Commonwealth.

Patron - Ruff

SB1329 Expansion of Medicaid. Expands the class of Medicaid recipients in Virginia to include those meeting the criteria in the federal Patient Protection and Affordable Care Act. Such expansion would expire if federal financial participation for the expanded population is reduced below 90 percent. The bill also authorizes the Department of Medical Assistance Services to seek federal authorization to reform the Medicaid service delivery model in Virginia.

Patron - Wagner

SB1375 Claims; Edna Twiddy. Grants relief in the amount of \$50,000 to Edna Twiddy to allow her to purchase an easement to gain access to her land that is lost from road widening.

Patron - Garrett

Charters

Passed

HB1390 Charter; Town of Kilmarnock. Amends the town's charter of 1952, as amended, regarding the town's boundaries; the service of council members appointed to fill vacant seats; the authorities of the town manager and the director of public utilities; the use of electronic meeting minutes; and other matters. The amendments clarify the duties and terms of service of the town clerk and town treasurer and reduce the proportion of council members who must vote to set the salaries of council members from two-thirds of the full membership to a majority of those in attendance. The bill also strikes antiquated provisions from the charter, such as provisions dealing with the operation of a workhouse, the appointment of special policemen, and the storage of gunpowder, and makes technical amendments.

Patron - Ransone

HB1440 Charter; Town of Monterey. Enacts a charter for the Town of Monterey in Highland County, repealing the former charter of 1952, as amended. The charter describes the powers and boundaries of the town; provides for a mayor and town council and sets a schedule for their elections; provides for the appointment of a town clerk and sets out his duties; and establishes the powers of the council, including the powers to create policing arrangements, provide punishments for violations of ordinances, and levy taxes. The charter also contains general provisions addressing the authority of the town and other matters.

Patron - Bell, Richard P.

HB1452 Charter; Town of Chase City. Increases salary caps for the mayor and members of town council. The bill also removes outdated provisions related to a municipal court.

Patron - Wright

HB1493 Charter; City of Hampton. Updates provisions related to the initial meeting of council and the election of the school board. SB 842 is identical to this bill.

Patron - Ward

HB1533 Charter; City of Fairfax. Increases the maximum transient occupancy tax that the city may levy from four percent to six percent. Any amount above four percent shall be placed into an economic development opportunity fund to be used solely for economic development, marketing, or tourism initiatives. SB 1343 is identical to this bill.

Patron - Bulova

HB1698 Charter; Town of Clintwood. Updates the boundary description in the charter of the Town of Clintwood. Other changes include removing or updating references to outdated town officers, removing outdated provisions related to the mayor's powers, revising council salary provisions, and removing and updating outdated town powers. SB 788 is identical to this bill.

Patron - Johnson

HB1706 Charter; City of Norfolk. Shifts the election cycle for the mayor by providing that the person elected mayor at the 2014 election shall be elected for a term of two years only.

Patron - Stolle

HB1755 Charter; Town of Bedford. Creates a charter for the Town of Bedford, formerly the City of Bedford. The charter describes the incorporation, boundaries, and powers of the new town; provides for the administration, government, and financial administration of the town through its mayor, council, and town manager; and contains general provisions addressing the continuance of the government of the former city and other matters.

Patron - Knight

HB1961 Charter; City of Portsmouth. Changes the deadline for the filing of a petition nominating a candidate for the office of mayor or city council member from the first Tuesday in June to the second Tuesday of June of the year of election. The amendment also moves the deadline for appointing a campaign treasurer from the first to the second Tuesday of June and makes the technical change of allowing the circulation of petitions to begin on January 1, as permitted by the Code of Virginia, rather than on the first Tuesday in January. SB 688 is identical to this bill.

Patron - James

HB2260 Charter; Town of Coeburn. Clarifies that the town council may appoint certain town officers.

Patron - Johnson

HB2318 Charter; Town of Richlands. Provides a new charter for the town. The bill updates references to the Code of Virginia, provides gender neutrality, and corrects outdated provisions.

Patron - Morefield

SB688 Charter; City of Portsmouth. Changes the deadline for the filing of a petition nominating a candidate for the office of mayor or city council member from the first Tuesday in June to the second Tuesday of June of the year of election. The amendment also moves the deadline for appointing a campaign treasurer from the first to the second Tuesday of June and makes the technical change of allowing the circulation of petitions to begin on January 1, as permitted by the Code of Virginia, rather than on the first Tuesday in January. HB 1961 is identical to this bill.

Patron - Lucas

SB788 Charter; Town of Clintwood. Updates the boundary description in the charter of the Town of Clintwood. Other changes include removing or updating references to out-

dated town officers, removing outdated provisions related to the mayor's powers, revising council salary provisions, and removing and updating outdated town powers. HB 1698 is identical to this bill.

Patron - Puckett

SB842 Charter; City of Hampton. Updates provisions related to the initial meeting of council and the election of the school board. HB 1493 is identical to this bill.

Patron - Locke

SB1040 Charter; Town of Bedford. Creates a charter for the Town of Bedford, formerly the City of Bedford. The charter describes the incorporation, boundaries, and powers of the new town; provides for the administration, government, and financial administration of the town through its mayor, council, and town manager; and contains general provisions addressing the continuance of the government of the former city and other matters.

Patron - Newman

SB1198 Charter; City of Falls Church. Allows the city to set the tax year for real estate, tangible personal property, and machinery and tools by ordinance.

Patron - Saslaw

SB1343 Charter; City of Fairfax. Increases the maximum transient occupancy tax that the city may levy from four percent to six percent. Any amount above four percent shall be placed into an economic development opportunity fund to be used solely for economic development, marketing, or tourism initiatives. HB 1533 is identical to this bill.

Patron - Petersen

Failed

HB1418 Charter; City of Falls Church. Allows the city to set the tax year for real estate, tangible personal property, and machinery and tools by ordinance.

Patron - Scott, J.M.

HB1530 Charter; City of Manassas Park. Provides that the city may set its school calendar based on several criteria related to Advanced Placement exams, students qualifying for free or reduced meals, and students receiving English for speakers of other languages (ESOL) services.

Patron - Marshall, R.G.

HB2051 Charter; Town of Front Royal. Amends the town's charter by updating the boundary description. The bill also details the duties of town officers, updates references to the timing of elections, clarifies various town powers, and eliminates or updates numerous other provisions.

Patron - Webert

SB939 Charter; City of Salem. Provides that no primary elections shall be held for nomination of candidates for the office of councilman. The bill also provides that all candidates for the office of councilman shall file their notice of candidacy and be nominated only by petition in the manner prescribed by the general laws of the Commonwealth and that candidates for council shall not be identified on the ballot by political affiliation.

Patron - Smith

SB1245 Charter; City of Manassas Park. Provides that the city may set its school calendar based on several criteria related to Advanced Placement exams, students qualifying

for free or reduced meals, and students receiving English for speakers of other languages (ESOL) services.

Patron - Colgan

Study Resolutions

Passed

HJ595 Study; laws and policies governing the investigation of alleged child sexual abuse in the Commonwealth; report. Directs the Virginia State Crime Commission to determine (i) the availability of penalties for sexual conduct between secondary school students 18 years of age and older and teachers; (ii) the reasons why sexual conduct between teachers or other school personnel who maintain a custodial or supervisory relationship over students under the age of 18 is subject to criminal penalties while the same conduct with students 18 years of age or older is not; (iii) the feasibility of penalizing sexual conduct between teachers or other school personnel and students age 18 or older; (iv) the number of cases involving sexual conduct between teachers or other school personnel and students 18 years of age or older each year; (v) laws, regulations, policies, and training practices of the Commonwealth and its agencies governing reporting, investigation, and tracking of complaints of suspected child abuse, including suspected sexual abuse of a child and including such laws, regulations, policies, and training practices of or governing the Department of Social Services, local departments of social services, law-enforcement agencies, schools, and child welfare agencies; (vi) variations or discrepancies in how the various agencies receive, investigate, and track alleged cases of child sexual abuse, particularly those variations or discrepancies that may create opportunities for individuals who are alleged to have committed child sexual abuse and who are the subjects of investigations to destroy evidence, intimidate victims, or otherwise interfere with the conduct of such investigation; and (vii) recommendations for legislative, regulatory, and budgetary changes to reduce or eliminate variations or discrepancies in how the various agencies receive, investigate, and track alleged cases of child sexual abuse in order to increase the quality and effectiveness of child protective services, investigations of alleged child sexual abuse, and prosecutions of individuals alleged to have committed child sexual abuse in the Commonwealth. The Commission is authorized to establish a multi-disciplinary work group to assist in its work. This resolution incorporates HJ 730.

Patron - Loupassi

HJ635 Study; JLARC to study amount of federal revenue Virginia receives at the state and local level annually; importance and impact; report. Directs the Joint Legislative Audit and Review Commission to study the amount of federal revenue that Virginia receives at the state and local level annually, by functional area, and determine its importance and impact. The Commission shall submit its report to the Governor and the 2015 Session of the General Assembly.

Patron - Gilbert

HJ687 Study; health care costs; report. Directs the Joint Commission on Health Care to study the factors affecting health care costs. The Commission shall (i) study and report on promising policies, practices, and initiatives expected to help control health care costs while maintaining quality of care; (ii) identify factors considered to be the primary contributors to the increase of health care costs; (iii) review approaches undertaken in other states and countries to control health care costs;

and (iv) examine the likely impact of federal Patient Protection and Affordable Care Act provisions on the cost of health care.

Patron - O'Bannon

[P]HJ688 Study; JLARC to update report on the implementation of the Workforce Investment Act; report. Directs the Joint Legislative Audit and Review Commission to update its 2003 review of workforce training in Virginia. The Commission is requested to examine the level of transparency of funding of workforce training and development programs and recommend measures to ensure access to information regarding expenditures and the outcomes generated by such expenditures. The Commission shall report to the Governor and the 2015 Session of the General Assembly.

Patron - Byron

[P]HJ689 Study; severe shortage of medical doctors; report. Directs the Joint Commission on Health Care to study the current and impending severe shortage of medical doctors in Virginia. In conducting its study, the Commission shall (i) determine whether a shortage of medical doctors exists in the Commonwealth, by specialty and by geographical region; (ii) project the future need for medical doctors in Virginia over the next 10 years by field of specialty; and (iii) 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 (iv) identify the medical specialty fields primarily affected by the shortage of doctors and recommend ways to alleviate such shortages. The Commission must submit its preliminary findings and recommendations to the 2014 Session of the General Assembly and its final findings and recommendations to the 2015 Session.

Patron - Purkey

[P]SJ277 National Unified Goal for Traffic Incident Management; report. Requests the Virginia Secretary of Public Safety to establish a Statewide Traffic Incident Management Committee to coordinate the adoption and implementation of the National Unified Goal for Traffic Incident Management by highway and emergency response personnel in order to mitigate highway incidents and improve incident response in the Commonwealth.

Patron - Blevins

[P]SJ282 Options for extending foster care maintenance and adoption assistance payments to age 21; report. Requests the Department of Social Services to develop and present options for implementing the extension of foster care maintenance and adoption assistance payments for individuals up to 21 years of age.

Patron - Favola

[P]SJ328 Study; JLARC to study efficiency and effectiveness of elementary and secondary school spending in Virginia; report. Directs the Joint Legislative Audit and Review Commission to study the efficiency and effectiveness of elementary and secondary school spending in Virginia. The Commission shall submit its report in November 2016.

Patron - Saslaw

[P]SJ330 Study; service needs of individuals with autism and autism spectrum disorders transitioning from secondary schools; report. Directs the Joint Commission on Health Care to study the service needs of individuals with autism and autism spectrum disorders transitioning from public

and private secondary schools, including needs related to housing, employment, and day support services.

Patron - Northam

[P]SR30 Study; mitigation of the impact of tolls on Virginia's disadvantaged citizens; report. Directs the Senate Committee on Finance to study ways to mitigate the impact of tolls on Virginia's disadvantaged citizens. This resolution incorporates SJ 312 and SJ 317.

Patron - Lucas

Failed

[F]HJ571 Study; JCHC to study of the feasibility of developing a program of trained primary care personnel to extend the reach of primary care services and reduce health care costs in the Commonwealth; report. Directs the Joint Commission on Health Care to study (i) the feasibility of developing and (ii) the potential impacts on access to and the quality and cost of health care resulting from implementation of a program whereby individuals are trained to provide primary health care services through telephone contacts and home visits, in accordance with standardized protocols and under the supervision of a licensed nurse or physician, using the Grande-Aides model or a similar program.

Patron - Hope

[F]HJ590 Study; joint subcommittee to study the feasibility of a metallic-based monetary unit; report. Establishes a joint subcommittee to study whether the Commonwealth should adopt a metallic-based monetary unit to serve as a contingency currency for the Commonwealth.

Patron - Marshall, R.G.

[F]HJ599 Study; Commerce Clause of the United States Constitution and Virginia's ability to regulate commerce; report. Establishes a joint subcommittee to study the Commerce Clause of the United States Constitution and Virginia's ability to regulate commerce.

Patron - Marshall, R.G.

[F]HJ607 Study; parental rights and third-party custody and visitation awards; report. Requests the Virginia Bar Association to study Virginia's current law regarding the ability of third parties to seek custody of and visitation rights with other parents' children in relation to the parents' constitutional rights to direct the upbringing of their children.

Patron - Farrell

[F]HJ609 Study; composition of biosolids; report. Directs the Department of Environmental Quality to study the substances contained in biosolids generated from wastewater treatment facilities that are applied to lands for agricultural purposes. Report.

Patron - Gilbert

[F]HJ615 Study; expand application of Chesapeake Bay Preservation Act; report. Requests the Department of Conservation and Recreation to study the feasibility of applying the provisions of the Chesapeake Bay Preservation Act to all localities within Virginia's Chesapeake Bay watershed.

Patron - Krupicka

[F]HJ619 Study; JLARC to study state-supported preschool programs; report. Directs the Joint Legislative Audit and Review Commission to study all state-supported preschool programs in the Commonwealth. In conducting the study, the Commission shall (i) inventory and identify all state-supported

preschool programs in Virginia; (ii) determine the socioeconomic status of students served by such programs and whether sufficient outreach is extended to potentially eligible students; (iii) determine where such programs are predominantly located and identify gaps in service; (iv) identify the level of parental involvement; and (v) assess whether these programs meet state requirements for academics, teacher-student ratio, and conformity with federal requirements, if any. The Commission shall also review exemplary public preschool programs in other states to ascertain best practices that may be considered for adoption in Virginia. The Commission must report its findings and recommendations to the 2014 Session of the General Assembly.

Patron - Jones

FHJ620 Study; JLARC to study transportation funding in the Commonwealth; report. Directs the Joint Legislative Audit and Review Commission to study the efficiency and sufficiency of funding for transportation programs in the Commonwealth.

Patron - Jones

FHJ646 Study; eliminate food deserts in Virginia; report. Requests the Secretary of Health and Human Resources to explore and recommend strategies to eliminate food deserts, which are areas devoid of access to affordable fruits, vegetables, whole grains, and other food products and staples necessary for a healthy diet. In conducting the study, the Secretary is also requested to examine ways to make healthy and affordable food products available and accessible to low-income and poor citizens and impoverished communities throughout the Commonwealth. The Secretary of Health and Human Resources must submit his findings and recommendations to the 2014 Regular Session of the General Assembly.

Patron - McQuinn

FHJ657 Study; Department of Veterans Services; report. Requests the Department of Veterans Services to study the unmet needs of Virginia's veteran population and assess the level of preparedness of state and local governments and other service providers to meet those needs. The Department shall recommend whatever changes in law and policy deemed necessary to ensure Virginia veterans have access to the services they need and that the Commonwealth, both at the state and local level, is prepared to provide such services.

Patron - Krupicka

FHJ666 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

FHJ669 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

FHJ675 Study; mitigation of the impact of tolls on Virginia's disadvantaged citizens; report. Establishes a joint subcommittee to study how Virginia can mitigate the impact of tolls on Virginia's disadvantaged citizens.

Patron - James

FHJ676 Study; Board of Education to study alternatives to the Standards of Learning assessments; report. Requests the Board of Education to study alternatives to the Standards of Learning assessments by (i) developing alternative student assessments or (ii) identifying existing student assessments that comply with all state and federal accountability requirements.

Patron - Toscano

FHJ683 Study; Workers' Compensation Commission to study expanding occupational disease presumptions to include correctional officers; report. Requests the Workers' Compensation Commission to study the impact of providing correctional officers the benefits of the rebuttable presumptions that currently provide that hypertension, heart disease, and certain infectious diseases causing the death of, or a health condition or impairment that results in the total or partial disability of, certain public safety employees are occupational diseases suffered in the line of duty that are covered by the Workers' Compensation Act.

Patron - Morefield

FHJ685 Study; JLARC to study the Standards of Quality; report. Directs the Joint Legislative Audit and Review Commission to study the Standards of Quality, giving particular attention to teacher-student ratios in grades K-12 and academic advanced programs. The joint resolution, among other things, directs the Commission to consider the feasibility of (i) converting prevailing costs to ratios for each major category of the support services positions, including ratios for all or some of the categories included in the appropriation act; (ii) establishing alternative staffing approaches to provide school divisions with additional instructional resources to address identified needs; (iii) assigning weights for at-risk students and requiring additional support and services for English language learners and disadvantaged students; (iv) updating technology staffing ratios in view of the role of technology in instruction, assessments, and operations; (v) mitigating the incentive of reducing a school division's special education funding when students with disabilities are mainstreamed; and (vi) updating career and technical education staffing ratios relative to the implementation of new curricular pathways that require high-tech equipment and specialized instruction. The study must be completed prior to the Board of Education's review of the Standards of Quality for the 2014-2016 biennial budget. The Commission must report its findings and recommendations by the first day of the 2014 Regular Session of the General Assembly.

Patron - Keam

FHJ730 Study; Virginia State Crime Commission to study laws and policies governing the investigation of child sexual abuse in the Commonwealth; report. Directs the Virginia State Crime Commission to study laws and policies governing the investigation of alleged child sexual abuse in the Commonwealth and to develop proposals for legislative and other changes to increase the effectiveness of such investigations and of prosecutions of individuals alleged to have committed child sexual abuse.

Patron - Albo

EHJ745 Study; Virginia Freedom of Information Advisory Council; report. Directs the Virginia Freedom of Information Advisory Council to study whether the Virginia Freedom of Information Act, specifically § 2.2-3703 of the Code of Virginia, should be amended to eliminate any exemption from the Virginia Freedom of Information Act not otherwise generally applicable to other public bodies of the Commonwealth and to report its findings and recommendations.

Patron - Hope

EHJ753 Study; Joint Commission on Transportation Accountability; report. Directs the Joint Commission on Transportation Accountability to conduct a one-year study of the policy of tolling transportation facilities in the Commonwealth, the financial performance of the Washington Metropolitan Area Transit Authority (WMATA), the possibility of using a portion of farecard fees collected by WMATA to pay for the Silver Line, registration processes at the Department of Motor Vehicles, the feasibility of widening Interstate Route 66 inside the Capital Beltway, and the effectiveness of transportation studies pertaining to local zoning decisions.

Patron - LeMunyon

ESJ255 Study; JLARC to study elimination of the corporate income tax; report. Directs the Joint Legislative Audit and Review Commission to study the potential impact of the elimination of the corporate income tax in the Commonwealth.

Patron - Black

ESJ278 Study; JLARC to study property tax relief for low-income property owners; report. Directs the Joint Legislative Audit and Review Commission to study issues relating to property tax relief for low-income property owners.

Patron - Locke

ESJ289 Study; joint committee to study the scheduling of elections in Virginia; report. Establishes an eight-member joint committee to conduct a one-year study of the scheduling of elections in Virginia, evaluate the costs of annual statewide elections, and investigate various means to improve the scheduling of elections and to make possible accompanying improvements that will ensure efficient voting practices both at the polls and by absentee voting.

Patron - Deeds

ESJ290 Study; JLARC to study consolidation of law-enforcement agencies under the Virginia State Police; report. Directs the Joint Legislative Audit and Review Commission to study reorganizing all state law-enforcement agencies under the Virginia State Police.

Patron - Deeds

ESJ299 Study; JLARC to study VDOT efficiency; report. Directs the Joint Legislative Audit and Review Commission to study the efficiency of the Virginia Department of Transportation.

Patron - Vogel

ESJ306 Study; JLARC to study pilot program for improving third grade reading and math achievement; report. Directs the Joint Legislative Audit and Review Commission to implement and study a two-year pilot program in selected public elementary schools to determine the effect on third grade Standards of Learning reading and math achievement levels of additional instructional time in reading and mathematics in lieu of participation in SOL assessments in science and in history and social science.

Patron - Miller

ESJ311 Study; criminal history background checks and barrier crimes; report. Establishes a joint subcommittee to study the Commonwealth's requirements related to criminal history background checks and barrier crimes and to make recommendations for changes thereto.

Patron - Edwards

ESJ312 Toll mitigation measures. Recognizes the need for mitigation measures for disadvantaged populations adversely affected by the imposition of tolls in the Commonwealth. This resolution was incorporated into SR 30.

Patron - Lucas

ESJ317 Study; mitigation of the impact of tolls on Virginia's disadvantaged citizens; report. Establishes a joint subcommittee to study how Virginia can mitigate the impact of tolls on Virginia's disadvantaged citizens. This resolution was incorporated into SR 30.

Patron - Lucas

ESJ318 Study; joint subcommittee on state and local government; report. Establishes a joint subcommittee to study local and state government service responsibility and taxing authority.

Patron - Hanger

ESJ331 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 - Northam

Appendix A: Session Statistics

2013 SESSION STATISTICS

	Continued	Introduced	Passed	Failed
House Bills	166	1,046	489	723
House Joint Resolutions	10	443	367	86
House Resolutions	0	156	153	3
House Total	176	1,645	1,009	812
Senate Bills	126	692	323	495
Senate Joint Resolutions	21	204	164	61
Senate Resolutions	1	31	30	2
Senate Total	148	927	517	558
General Assembly Total	324	2,572	1,526	1,370

Appendix B: Session Highlights

Session Highlights 2013

The 2013 *Session Highlights* summarizes significant legislation considered by the 2013 General Assembly as selected by the staff of the Virginia Division of Legislative Services. The brief overview of the General Assembly Session covers legislative actions through *sine die* on Saturday, February 23, 2013.

Agriculture

Passed

HB 1852. Inspection of food establishments and labeling of foods. Exempts private homes where the resident processes and prepares certain food products from inspection by the Virginia Department of Agriculture and Consumer Services (VDACS) as long as certain labeling criteria is met.

Failed

HB 1430. Right to Farm Act. Expands the definition of “agricultural operations” to include the commerce of farm-to-business and farm-to-consumer sales as well as commerce in other related items. The bill would have created a rebuttable presumption that an agricultural operation is in compliance with local zoning ordinances when it operates on property that is zoned agricultural.

SB 1280. Fox and coyote penning; penalty. Makes it unlawful for any person to (i) stage or participate in any competition where a fox or coyote is pursued by dogs in an enclosure or (ii) award or accept any prize, money, or compensation resulting from participating in the competition. The bill limits the number of dogs allowed in an enclosure to no more than five per acre. Any person who violates the provisions of the bill is guilty of Class 3 misdemeanor for a first offense, a Class 2 misdemeanor for a second offense, and a Class 1 misdemeanor for a third or subsequent offense.

Business

Passed

HB 1385. Labor organization; right to vote by secret ballot. Declares that, in any procedure providing for the designation, selection, or authorization of a labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement.

HB 1769/SB 922. Health insurance; plan management and rate review. Authorizes the State Corporation Commission to perform, and the Virginia Department of Health to assist in, plan management functions for participation in the federal health benefit exchange, contingent on certain conditions being met. The bills stipulate that the performance of plan management functions is not deemed to establish a health benefit exchange pursuant to the Patient Protection and Affordable Care Act.

HB 1900/SB 921. Health insurance reform. Revises Virginia’s laws pertaining to the regulation of health insurance and related products in order to be consistent with relevant requirements of the federal Patient Protection and Affordable Care Act that become effective on January 1, 2014.

HB 2261. Electric utility ratemaking. Revises certain incentives and other provisions applicable to investor-owned electric utilities under the 2007 re-regulation legislation.

Failed

HB 1612. Workers’ compensation; fee schedule for medical care services and prompt payment. Limits the pecuniary liability of an employer for medical, surgical,

and hospital services provided on or after October 1, 2014, pursuant to the Virginia Workers' Compensation Act to the maximum amount that may be paid pursuant to fee schedules established by the Workers' Compensation Commission, unless a contract provides otherwise.

Constitutional Amendments

Passed

HJ 551. Constitutional amendment (first resolution); real property tax exemption for spouses of soldiers killed in action. Provides that the General Assembly may establish a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action.

Failed

HJ 909. 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. Numerous resolutions on this subject were introduced in both houses and failed.

SJ 266. Constitutional amendment (first resolution); restoration of voting rights. Provides that a person convicted of a nonviolent felony, as defined by the General Assembly, who has completed service of his sentence and paid in full any restitution, fines, costs, and fees assessed against him shall be qualified to vote. Numerous resolutions on this subject were introduced in both houses and failed.

Courts & Civil Law

Passed

HB 1637/SB 1076. Restoration of parental rights. Creates a procedure for restoring parental rights to a parent whose rights to his child have previously been terminated when the child is at least 14 years of age and the child has not achieved his permanency goal.

HB 1642/SB 908. Parental rights. Provides that parents have a fundamental right to make decisions concerning the upbringing, education, and care of their children.

HB 1752/SB 913. Powers of personal representatives; digital accounts. Provides that the personal representative of a deceased minor may ratify the deceased minor's terms of service agreement with an Internet service provider, communications service provider, or other online account

service provider for purposes of consenting to and obtaining the disclosure of the contents of the deceased minor's digital assets.

Tort Reform. The General Assembly passed several bills as part of a package of legislation designed to reform the Commonwealth's tort laws.

Failed

HB 1375. Customer access to restrooms. Requires a retail establishment with a restroom to allow customers with certain medical conditions the use of the restroom during normal business hours if certain conditions are met.

HB 1483. District court; record on appeal. Provides that upon the appeal of a general district court or juvenile and domestic relations district court judgment in a civil case to circuit court, except cases involving protective orders or a civil offense for a person's refusal to submit to having blood or breath samples taken, only the pleadings filed in the case shall be transmitted to the circuit court.

Criminal Justice

Passed

HB 1432. Writ of actual innocence. Revises one of the allegations necessary to a petition for a writ of actual innocence from "[the evidence] will prove that no rational trier of fact *could* have found proof of guilt beyond a reasonable doubt" to "[the evidence] will prove that no rational trier of fact *would* have found proof of guilt beyond a reasonable doubt."

HB 1582. Armed security officers; protection of schools and child day centers. Permits an armed security officer licensed by the Department of Criminal Justice Services to carry firearms onto private or religious school property if the officer is hired by the private or religious school to provide protection to students and employees. The bill also prohibits the Board of Social Services from adopting any regulations that would prevent a child day center from hiring an armed security officer.

HB 1746/SB 1214. Sentencing guidelines; definition of violent felony. Adds numerous items to the list of violent felonies.

HB 1907/SB 1222. Driving while texting; primary offense; increased penalties. Provides that driving while texting is a traffic infraction punishable, for a first offense, by a fine of \$250 and, for a second or subsequent offense, by a fine of \$500. The bills also increase the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving offense and make other changes.

HB 2012/SB 1331. Drones. Places a moratorium on the use of unmanned aircraft systems by state and local law enforcement and regulatory entities until July 1, 2015, except in defined emergency situations.

HB 2269/SB 832. Pornography; mandatory minimum sentence. Provides that the sentence of a person convicted of certain pornography offenses that carry a five-year mandatory minimum term must serve that term consecutively with any other sentence imposed. The offenses include a second offense involving the reproduction, transmission, or distribution of child pornography or the solicitation of child pornography in order to gain entry into a group engaged in trading or sharing child pornography.

Failed

HB 2207. Assault firearms and firearms magazines. Provides that a person who imports, sells, barter, or transfers an assault firearm is guilty of a Class 6 felony. The bill also provides that a person who imports, sells, barter, or transfers a firearms magazine that is designed to hold more than 20 rounds of ammunition is guilty of a Class 1 misdemeanor.

SB 1001. Transfer of firearms; criminal history records check. Requires that only dealers can sell firearms at firearms shows.

SB 1372. Firearm shows; Virginia State Police. Requires the Department of State Police to be available to perform background checks for non-dealer sales at gun shows if a party in the transaction requests one.

Education

Passed

HB 1871. Student and school employee conduct; bullying. Requires school boards to include in their student conduct codes policies and procedures that prohibit bullying. The bill also requires the Board of Education to develop model policies and procedures and school boards to adopt policies and procedures to educate school board employees about the need to create a bully-free environment.

HB 2028/SB 986. Public schools; cardiopulmonary resuscitation and automated external defibrillators. Allows school boards to require current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR), and the use of automated external defibrillators (AEDs) for bus drivers; increases required school personnel with the training per school; and requires the training for those seeking initial teacher licensure, renewal of a license to teach, or a provisional teaching license with a waiver for disabilities. For students, beginning with first-time ninth grade students in the 2016-2017 school year, the bills add a

requirement that recipients of the standard and advanced diplomas must receive training in emergency first aid, CPR, and the use of AEDs with a waiver for students with disabilities. The bill also provides that local school boards may develop a plan to allow for AEDs in every school.

HB 2151/SB 1223. Public schools; evaluation policies and grievance procedures. Makes several changes to the processes by which teachers and certain administrators are evaluated and to grievance procedures.

Failed

HB 1442. Students receiving home instruction; participation in interscholastic programs. Prohibits public schools from joining an organization governing interscholastic programs that does not deem eligible for participation students who meet certain criteria.

HB 1467. School calendar. Makes local school boards responsible for setting the school calendar and determining the opening day of the school year.

HB 1525. In-state tuition. Specifies the criteria for eligibility for in-state tuition for those who qualify for Deferred Action for Childhood Arrivals.

Elections

Passed

HB 1337. Elections; polling place procedures; voter identification requirements. Removes several items from the list of acceptable identification documents that a voter must present when voting at the polls on election day. The bill also requires that all forms of acceptable identification contain a photograph of the voter or the voter's name and address. The bill has a delayed effective date of July 1, 2014, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2014 Session of the General Assembly.

HB 1346. Presidential elections and primaries; petition requirements. Reduces the number of signatures required for groups other than the major parties to gain access to the presidential election ballot from 10,000 to 5,000 signatures in the Commonwealth and from 400 to 200 signatures in each congressional district. The bill makes similar reductions to 5,000 and 200 in the number of signatures required for a person to qualify for a presidential primary ballot.

SB 1256. Voter identification requirements; photo ID. Requires photo ID at the polls. The bill also adds a valid United States passport to the list of acceptable identification and requires that a student identification card issued by an institution of higher education in the Commonwealth contain a photograph in order to be used by a voter. The bill does not affect the right of a voter who does not present one of the

required forms of identification to cast a provisional ballot. The bill also provides that the State Board shall provide free voter registration cards that contain a voter's photograph and signature if the voter does not possess other satisfactory photo ID. The bill has a delayed effective date of July 1, 2014, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2013 Session of the General Assembly.

Failed

HB 1353. 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. Several other related bills failed.

Freedom of Information Act

Passed

HB 1639. Virginia Freedom of Information Act; correspondence of legislative aides exempt. Clarifies by defining "member of the General Assembly" that the working papers and correspondence of the legislative aides of members of the General Assembly are not subject to the mandatory disclosure provisions of FOIA when the aides are working on behalf of the member.

SB 1263. Virginia Freedom of Information Act; advisory public body. Authorizes an advisory public body to meet electronically provided certain conditions are met. The bill allows a member of any public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances.

SB 1264. Virginia Freedom of Information Act; state law-enforcement agencies. Expands to state law-enforcement agencies the ability to withhold portions of noncriminal incident information and allows law-enforcement agencies to make a verbal response for requests for criminal incident information.

General Laws

Passed

HB 1649. Pawnbrokers and precious metals dealers. Requires pawnbrokers and precious metals dealers to take a digital image of the form of identification used by the person involved in the transaction. The bill also prohibits a pawnbroker from pawning or accepting goods or articles if

the original serial number affixed to the good or article has been removed, defaced, or altered.

HB 2114/SB 1176. State Inspector General. Grants additional powers to the State Inspector General relating to audit functions of state and nonstate agencies and provides that the State Inspector General and no more than 30 members of the investigative unit shall be law-enforcement officers. The bills require the State Inspector General to enter into a memorandum of understanding with the Department of State Police relative to their respective roles and responsibilities. The bills reorganize the State Inspector General's powers and duties and generally reorganize the law relating to the Office of the State Inspector General.

HB 2276/SB 1305. Virginia Port Authority. Implements reforms of the Virginia Port Authority and prevents the Commonwealth and the Virginia Port Authority from accepting any unsolicited proposal under the Public-Private Transportation Act or the Public-Private Education Facilities and Infrastructure Act regarding the ownership or operation of any seaport or port facility. The bills grant the powers of industrial development authorities to the Virginia Port Authority, except for the power to sell or convey the port facilities, and exempt the port from various purchasing and procurement requirements.

SB 1215. Conflict of interest; revolving door for state employees. Provides that certain former employees of state agencies must wait one year before representing clients for compensation before their agencies in matters involving regulatory review by the agencies.

Failed

HB 1823. Public procurement; posting by local public bodies of procurement opportunities. Requires local public bodies to post certain required procurement notices on the Department of General Services' central electronic procurement website and makes newspaper publication or posting on other appropriate websites optional.

SB 781. 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.

Health

Passed

HB 1422/SB 1285. Dispensing of interchangeable biosimilar biological products. Permits pharmacists to dispense a biosimilar that has been licensed by the U.S. Food and Drug Administration as interchangeable with a prescribed biological product unless the prescriber indicates the substitution is not authorized or the patient insists on dispensing of the prescribed biological product.

HB 1933. Lyme disease; disclosure of information to patients. Requires the Department of Health to update its website to contain a notice regarding the accuracy of lab tests for Lyme disease and the potential for false negative results of such testing, and to make such information available to physicians in the Commonwealth for distribution to patients. The bill has an expiration date of July 1, 2015.

SB 933. Movable Soccer Goal Safety Act created. Requires every organization that owns and controls a movable soccer goal to establish a soccer goal safety and education policy that outlines how the organization will address safety concerns related to movable soccer goals. The bill prohibits the sale of movable soccer goals that are not tip-resistant beginning July 1, 2014; instructs the Board of Health to provide technical assistance for improving soccer goal safety; and establishes a stakeholder work group. The bill must be reenacted by the 2014 Session of the General Assembly to become effective.

Failed

HB 1614. Immunizations; human papillomavirus vaccine required for all children. Requires all children, not just females, to be vaccinated against human papillomavirus.

Housing

Passed

HB 2005. Virginia Housing Partnership Revolving Fund. Renames the Virginia Housing Partnership Revolving Fund to the Virginia Housing Trust Fund and codifies language in the latest appropriation act in which \$7 million was appropriated to the Fund.

HB 2305. Solar panels in community associations. Clarifies that a community association may establish reasonable restrictions concerning the size, place, and manner of placement of such solar energy collection devices on property designated and intended for individual ownership and use.

SB 1013. Landlord and tenant laws. Provides that an occupant in a hotel, motel, extended stay facility, vacation residential facility, boarding house, or similar transient lodging shall not be construed to be a tenant living in a dwelling unit under landlord and tenant laws or the Virginia Residential Landlord Tenant Act.

Motor Vehicles

Passed

SB 1038. Non-conventional vehicles. Provides for the titling and registration of mopeds and distinctive license plates for low-speed vehicles. The bill also requires a moped operator to carry government-issued photo identification and wear a face shield, safety glasses, or goggles if his moped does not have a safety glass or windshield. The bill makes all-terrain vehicles, mopeds, and off-road motorcycles subject to the motor vehicles sales and use tax and exempts them from the retail sales and use tax. The bill classifies mopeds for valuation purposes in personal property taxation and allows localities to exempt mopeds from personal property taxation.

SB 1039. Access to vital records. Provides for the Department of Motor Vehicles to issue certified copies of vital records.

SB 1219. Motor carrier and commercial driver's licensing. Amends several motor carrier and commercial driver's licensing laws.

Natural Resources

Passed

HB 2048/SB 1279. Consolidation of water quality programs. Moves several water quality programs currently administered by the Department of Conservation and Recreation to the Department of Environmental Quality.

HB 2254/SB 1291. Management of the menhaden fishery. Establishes a total allowable landings of 144,272.84 metric tons per year for Atlantic menhaden landed in Virginia by the purse seine menhaden reduction sector, the purse seine menhaden bait sector, and the non-purse seine menhaden bait sector, which represents a 20 percent reduction from the average 2009 - 2011 landings. The legislation authorizes the Commission to establish and administer a limited entry purse seine menhaden bait license according to specific criteria, establishes a biological sampling program, and makes other related changes.

SB 1117. Watercraft titling certificates. Repeals Virginia's existing watercraft titling law and enacts in its place the Uniform Certificate of Title for Vessels Act as adopted in 2011 by the National Conference of Commissioners on Uniform State Laws.

Failed

SB 1353. Uranium mining. Allows the Department of Mines, Minerals and Energy to issue permits for the mining of uranium ore.

Social Services

Passed

HB 1577/SB 1180. TANF; restrictions on use of cash benefits. Prohibits the use of Temporary Assistance for Needy Families benefits for certain purchases or in certain establishments.

Taxation

Passed

HB 1923. Worker retraining tax credit. Increases the worker retraining tax credit for worker retraining courses taken by employees at private schools.

HB 2047. Long-term health care insurance tax credit. Repeals the long-term health care insurance tax credit for taxable years beginning on or after January 1, 2014. The bill would not repeal the income tax deduction for long-term health care insurance premiums paid by an individual.

HB 2167. Individual income tax deductions; life, medical, and dental insurance premiums. Provides that beginning January 1, 2013, an individual age 66 or older with earned income of at least \$20,000 for the year and federal adjusted gross income not in excess of \$30,000 for the year is allowed to deduct the amount he pays annually for (i) a prepaid funeral insurance policy that covers him or (ii) medical or dental insurance premiums for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws.

HB 2313. Revenues primarily for transportation. Increases appropriations for transportation by increasing the state sales and use taxes and motor vehicle titling taxes that would apply throughout the Commonwealth. The bill also establishes additional state taxes in Northern Virginia and Hampton Roads to fund transportation. The bill changes the motor fuels taxes from a fixed cents per gallon rate to a percentage tax.

SB 1296. Unclaimed tax credits. Declares a tax credit obsolete if it has not been claimed by any taxpayer within five calendar years.

Failed

SB 767. 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.

SB 1311. County food and beverage tax. Adds to the list of counties that may collect a food and beverage tax (i) counties that have withdrawn from the secondary state highway system and therefore maintain their own roads and are adjacent to a city that also operates its own road system and (ii) chartered counties that do not currently impose a food and beverage tax.

Transportation

Passed

HB 1692/SB 977. Public-Private Transportation Act of 1995. Requires public entities to post a notice, when they receive a proposal under the PPTA, and allows a 120-day submission period for competing proposals. The bills require the notice to include certain information and that after negotiations are complete and a decision to award is made, the public entity post the major business points of the agreement and outline how the public can submit comments.

Failed

HB 1302. Tolling fees. Prevents the Department of Transportation from charging monthly fees for the automatic electronic tolling payment program and its transponders.

HB 1691. Virginia Port Authority. Prevents the Commonwealth and the Virginia Port Authority from accepting any unsolicited proposal under the Public-Private Transportation Act or the Public-Private Education Facilities and Infrastructure Act regarding the ownership or operation of any seaport or port facility.

HB 2049. Commonwealth Transportation Board. Increases the total membership of the Commonwealth Transportation Board from 17 to 20 members by doubling the representation for the Richmond, Hampton Roads, and Northern Virginia highway construction districts.

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