

Virginia General Assembly

2017 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 2017 Regular Session through adjournment sine die on **February 25, 2017**. 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. Bills that have been vetoed by the Governor or that have received Governor's recommendations and may be acted upon by the General Assembly at the Reconvened Session on April 5, 2017, include such notation accordingly. 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

HB1472 State and Local Government Conflict of Interests Act; prohibited contracts; exceptions for certain contracts entered into by an officer or employee of a soil and water conservation district. Provides an exception to the prohibition against contracts between employing agencies and their officers or employees for contracts by an officer or employee of a soil and water conservation district or an immediate family member of such officer or employee to participate in a cost-share program for the installation of best management practices to improve water quality. The exception does not apply to subcontracts or other agreements entered into to provide services for implementation of a cost-share contract established under such program. The bill provides that the exception applies to all contracts entered into on and after July 1, 2017, and to any contract entered into by an officer or employee or an immediate family member of such officer or employee with a soil and water conservation district to participate in a cost-share program for the installation of best management practices to improve water quality prior to July 1, 2017. This bill is identical to SB 965.

Patron - Lingamfelter

HB1490 School board members who engage in war service or are called to active duty in the Armed Forces of the United States; appointment of acting school board members. Requires each school board member who is relieved from the duties of his office by reason of engaging in the war service of the United States when called forth by the Governor or being called to active duty in the Armed Forces of the United States to submit to the school board a list of names of suitable persons to perform the duties of such office as acting school board member during the period in which the regular school board member is engaged in such war service or active duty, in which case the school board is required to consider appointing and may appoint an acting school board member from such list of names. If the school board does not make an appointment from such list, the school board shall notify the submitting member in writing of the rationale for its decision. The bill provides that during such period, the acting school board member shall be vested with all the powers, authority, rights, and duties of the regular school board member for whom he is acting.

Patron - Marshall, R.G.

HB1539 Virginia Freedom of Information Act (FOIA); public access to records of public bodies. Clarifies the definition of public record. The bill also (i) defines "personal contact information" that is excluded from FOIA's mandatory disclosure provisions in certain cases; (ii) clarifies that a requester has the right to inspect records or receive copies at his option; (iii) clarifies language in certain record exclusions under FOIA that certain records may be disclosed at the discretion of the custodian; (iv) consolidates the personnel record exclusion with the limitation on the application of that exclusion, and specifically clarifies that the name, in addition to position, job classification, and salary, of a public employee is

public information as per opinions of the Attorney General and the FOIA Council; (v) eliminates, effective July 1, 2018, the exclusion for the Alcoholic Beverage Control Authority relating to operating and marketing strategies; (vi) eliminates the exclusion for correspondence of local officials as unnecessary; (vii) consolidates various public safety exclusions relating to building plans and drawings and critical infrastructure into a single exclusion; (viii) eliminates the exclusion for administrative investigations of the Department of Human Resource Management, as the exclusion is already covered under the personnel records exclusion; (ix) expands the exclusion for personal information provided to the Virginia College Savings Plan to cover qualified beneficiaries, designated survivors, and authorized individuals, which terms are defined in the bill; (x) consolidates the various record exclusions for the Department of Health Professions and the Department of Health into single exclusions for each Department; (xi) clarifies certain Department of Social Services exclusions; (xii) provides an exclusion for local finance boards that provide postemployment benefits other than pensions; and (xiii) eliminates the record exclusion for Virginia Wildlife Magazine. The bill also limits the application of the working papers exemption by stating that information publicly available or not otherwise subject to an exclusion under FOIA or other provision of law that has been aggregated, combined, or changed in format but does not contain a material revision to such information shall not be deemed working papers. The bill contains numerous technical amendments. This bill is a recommendation of the Freedom of Information Advisory Council pursuant to the HJR 96 FOIA study (2014-2016). This bill received Governor's recommendations.

Patron - LeMunyon

HB1540 Virginia Freedom of Information Act (FOIA); public access to meetings of public bodies. Revises FOIA's various open meeting exemptions relating to legal matters, litigation, certain museums, and the Virginia Commonwealth University Health System Authority. The bill also (i) clarifies where meeting notices and minutes are to be posted, (ii) requires copies of proposed agendas to be made available, (iii) eliminates reporting to the Joint Commission on Science and Technology when a state public body convenes an electronic communication meeting, and (iv) makes technical corrections to several open meeting exemptions to provide context for those meeting exemptions that currently only cross-reference corollary records exemptions. The bill also clarifies closed meeting procedures. The bill contains numerous technical corrections. This bill is a recommendation of the Freedom of Information Advisory Council pursuant to the HJR 96 FOIA study (2014-2016).

Patron - LeMunyon

HB1555 Agency directors; human resources training and succession planning. Directs the Department of Human Resource Management (the Department) to administer training programs to familiarize agency directors with state human resource policies, such as compensation management, benefits administration, and resources available at the Department. The bill requires (i) the Department to offer training programs at least twice per year, (ii) each agency director to attend a training program with the agency chief human resource officer within six months after the director's appointment and thereafter at least once every four years, (iii) the agency chief

human resource officer to provide subsequent training on agency-specific human resource policies, and (iv) each agency director to develop and submit annually to the Department an agency succession plan for key personnel, executive positions, and employees nearing retirement. The bill also requires public institutions of higher education to prepare a succession plan for presentation to the board of visitors with a copy to the Department.

Patron - Ware

[P]HB1587 Uniform Statewide Building Code; security of certain records. Provides that information contained in engineering and construction drawings and plans for any single-family residential dwelling submitted for the purpose of complying with the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) shall be confidential and shall not be subject to disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except to the applicant or the owner of the property upon the applicant's or owner's request.

Patron - Campbell

[P]HB1591 Virginia Economic Development Partnership Authority; site and building assessment program; minimum size of industrial sites. Lowers the minimum size of industrial sites that may be included in the Authority's site and building assessment program from 250 acres to 100 acres. The bill contains a technical amendment. This bill is identical to SB 976.

Patron - James

[P]HB1596 Virginia Public Procurement Act; public works contracts; prevailing wage provisions. Prohibits state agencies from requiring bidders, offerors, contractors, or subcontractors to pay, or require the payment of, wages, salaries, benefits, or other remuneration to persons employed to perform services in connection with a public works project at a rate that is based on the wages and benefits prevailing for the corresponding classes of laborers and mechanics employed. A corresponding prohibition is made applicable to state agencies providing grants or other financial assistance for public works projects, unless otherwise required under federal law. The measure further states that it is the policy of the Commonwealth not to implement, adopt, enforce, or require any program, policy, or provision that requires a public works contract that requires the payment of wages or other remuneration at a rate based on the prevailing wage, whether modeled on the federal Davis-Bacon Act or similar state law. This bill was vetoed by the Governor.

Patron - Webert

[P]HB1693 Virginia Public Procurement Act; contracts for architectural and engineering services relating to multiple construction projects; maximum fee for any single project. Increases the maximum permissible fee for any single project encompassed in a contract for architectural or professional engineering services relating to multiple construction projects from \$100,000 to \$150,000.

Patron - Collins

[P]HB1720 Flag at half staff or mast; public safety personnel. Expands the category of flags required to be flown

at half staff or mast when a service member, police officer, firefighter, or emergency medical services provider is killed in the line of duty to include flags flown at any building owned and operated by any political subdivision of the Commonwealth. In addition, the bill adds state correctional officers to the list of public safety personnel for whom such flags are flown at half staff or mast.

Patron - Anderson

[P]HB1727 State and Local Government Conflict of Interests Act; school boards and school board employees. Provides that school divisions located in Planning District 17, Northern Neck, are not subject to the prohibition against hiring a school division employee who is related to a member of the school board under certain circumstances.

Patron - Ransone

[P]HB1731 Joint Commission on Administrative Rules; periodic review of exemptions from the Administrative Process Act. Requires the Joint Commission on Administrative Rules, beginning November 1, 2017, on a schedule to be established by the Commission, to conduct a review of the exemptions authorized by the Administrative Process Act (APA). The bill also requires agencies having APA exemptions, other than the courts, any agency of the Supreme Court, and any agency that by the Constitution of Virginia is expressly granted any of the powers of a court of record, beginning August 1, 2017, to submit a written report to the Joint Commission on Administrative Rules, which report includes the date the exemption was enacted, a summary of the necessity for the exemption, and a summary of any rule or regulation adopted pursuant to the exemption in the immediately preceding two fiscal years. The bill provides that in the event that an agency having an exemption fails to submit the report required, the Joint Commission on Administrative Rules shall recommend to the Governor and the General Assembly that such agency's exemption be discontinued. The bill also requires general notice of the provisions of this requirement to be posted on the Virginia Regulatory Town Hall and published in the Virginia Register of Regulations by the Joint Commission on Administrative Rules to advise agencies of their obligations under the bill.

Patron - Ransone

[P]HB1734 Virginia Parole Board; exceptions to the Virginia Freedom of Information Act (FOIA). Requires guidance documents of the Virginia Parole Board to be available as public records under FOIA.

Patron - Hope

[P]HB1753 Prohibit certain local government practices that would require contractors to provide certain compensation or benefits. Prohibits local governing bodies from establishing provisions related to procurement of goods, professional services, or construction that would require a wage floor or any other employee benefit or compensation above what is otherwise required by state or federal law to be provided by a contractor to one or more of the contractor's employees as part of a contract with the locality. The prohibition shall not affect contracts between a locality and another party that were executed prior to January 1, 2018, or the renewal or future rebids of services thereof. The bill provides

that localities shall not be prohibited from entering into contracts for economic development incentives in which the company receiving the incentives is required to maintain a certain stated wage level for its employees. This bill was vetoed by the Governor.

Patron - Davis

[P]HB1790 Administrative Process Act; development and periodic review of regulations; report. Requires agencies to develop regulations in the least burdensome and intrusive manner possible and provides guiding principles for the development, adoption, and repeal of regulations. The bill also requires each agency to establish a schedule over a 10-year period for the review of all regulations for which the agency is the primary responsible agency. The schedule shall provide for the annual review of at least 10 percent of an agency's regulations by July 1 of each year. Under the bill, the Governor will submit an annual report containing the findings of the regulation reviews by August 1 of each year to the chairmen of the standing committees of the House of Delegates and the Senate. This bill was vetoed by the Governor.

Patron - Lingamfelter

[P]HB1854 Lobbyist reporting, the State and Local Government Conflict of Interests Act, and the General Assembly Conflicts of Interests Act; filing of required disclosures; registration of lobbyists; candidate filings; judges; definition of gift; informal advice; civil penalties; technical amendments. Makes numerous changes to the laws governing lobbyist reporting, the conflict of interest acts, and the Virginia Conflict of Interest and Ethics Advisory Council (the Council), including (i) allowing the Secretary of the Commonwealth to suspend any penalty that could be assessed against a lobbyist's principal for failing to file the required disclosure if such failure is beyond the control of the principal; (ii) clarifying the procedures for terminating the services of a lobbyist; (iii) requiring that lobbyist registration forms be filed electronically; (iv) eliminating the requirement that a lobbyist list the names, addresses, and telephone numbers of all other lobbyists representing the same principal; (v) creating a separate statement for a lobbyist's principal to waive the principal signature requirement on the lobbyist disclosure form; (vi) granting the clerk of the local governing body or school board the same power as the Council to redact from any disclosure form released to the public any residential address, personal telephone number, or signature; (vii) eliminating the minimum duration of the mandatory refresher ethics orientation session for General Assembly members; (viii) allowing written informal advice from the Council to confer immunity from prosecution upon individuals acting in accordance with such advice; (ix) clarifying the Council's authority to grant extensions from the filing deadline and imposing a \$250 civil penalty on agency heads or local clerks who fail to provide the disclosure forms to filers in a timely manner; (x) requiring lobbyists to provide a report of gifts made during a regular session of the General Assembly no later than three weeks after adjournment to legislators and certain executive branch officials who are required to file a session gift report; and (xi) directing that candidates for statewide office and the General Assembly are required to file a disclosure form with the State Board of Elections and candidates for a constitutional office are required to file a disclosure form with the local general registrar. The bill also

extends the filing deadline for disclosure forms from January 15 to February 1 and clarifies the reporting period covered by the disclosure forms. The bill eliminates events open to individuals who share a common interest from the definition of a "widely attended event," attendance at which is not subject to the gift cap. The bill also exempts from the definition of a "gift" (a) gifts from a person's child-in-law; (b) gifts related to a person's volunteer service; (c) meals provided for attendance at an official meeting of the Commonwealth, its political subdivisions, or certain other entities; and (d) attendance at a reception or similar function. The bill also exempts members of the judiciary from certain provisions governing prohibited gifts and prohibited personal interests in a transaction where such members are already subject to similar or greater prohibitions under the Canons of Judicial Conduct for the State of Virginia. The bill also clarifies that a legislator may have a personal interest in a contract with a government agency, not including a legislative branch agency, when the Virginia Public Procurement Act allows the award of such contract without competition. The bill further clarifies the exceptions that allow state and local officers and employees who have a personal interest in a transaction to participate in the transaction. Finally, the bill contains technical amendments. The bill contains an emergency clause that applies to the changes described in clauses (x) and (xi). This bill is identical to SB 1312. This bill received Governor's recommendations.

Patron - Gilbert

[P]HB1858 Department of Small Business and Supplier Diversity; certification of small, women-owned, and minority-owned businesses. Authorizes the Director of the Department of Small Business and Supplier Diversity to adopt regulations that mandate certification without any additional paperwork of any small, women-owned, or minority-owned business that has obtained certification under any federal small, women-owned, and minority-owned business certification program.

Patron - Lopez

[P]HB1876 Virginia Freedom of Information Act; public access to library records of minors. Excludes from mandatory disclosure library records that can be used to identify any library patron under the age of 18 years. The bill provides that access shall not be denied to the parent, including a noncustodial parent, or guardian of such library patron.

Patron - Pogge

[P]HB1940 Virginia Public Procurement Act; exemptions; Department of Juvenile Justice; pre-release and post-commitment services. Exempts from the Virginia Public Procurement Act the selection of pre-release and post-commitment services by the Department of Juvenile Justice.

Patron - Carr

[P]HB1943 Administrative Process Act; economic impact analysis; opportunity for comment by affected businesses or other entities. Requires the Department of Planning and Budget to revise and reissue its economic impact analysis within the time limits set forth for the Department's review of regulations at the final stage pursuant to the Governor's executive order for executive branch review if one of the following conditions is present and would materially change the Depart-

ment's analysis: (i) public comment timely received at the proposed stage indicates significant errors in the economic impact analysis or (ii) there is a significant or material difference between the agency's proposed economic impact analysis and the anticipated negative economic impacts to the business community as indicated by public comment. The bill provides that the determination as to whether either such condition is present shall be made by the Department and shall not be subject to judicial review. The bill contains an emergency clause. This bill is identical to SB 1431.

Patron - Peace

HB1944 Department of Medical Assistance Services and Department of Behavioral Health and Developmental Services; certain regulations. Requires the Department of Planning and Budget to revise and reissue its economic impact analysis on proposed regulations of any agency subject to the Administrative Process Act within the time limits set forth in the Department's review of regulations at the final stage pursuant to the Governor's executive order for executive branch review if certain conditions are present that would materially change the Department's analysis. The bill also establishes certain requirements related to notice to stakeholders and opportunity for comment when the Department of Medical Assistance Services or the Department of Behavioral Health and Developmental Services posts a new regulation or final stage of a regulation to the Virginia Regulatory Town Hall, proposes a change to a provider manual, or proposes a change to guidance documents related to licensure requirements.

Patron - Peace

HB1952 Department of General Services; review of proposed acquisitions of real property; exceptions. Provides an exception to the requirement that before any agency of the state acquires real property, it must follow the guidelines adopted by the Department of General Services and obtain the prior approval of the Governor. The bill grants this exception in cases of the acquisition of real property to be held in trust for the benefit of a state-recognized Indian tribe, provided that such property is (i) annexed into the existing reservation of such tribe and (ii) located within a one-mile radius of the boundary of such reservation. The bill provides, however, that these acquisitions of real estate shall be subject to the review of the Office of the Attorney General and approval by the Governor.

Patron - Peace

HB1968 Virginia Small Business Financing Authority; administration of Small Business Investment Grant Fund. Makes changes to the Small Business Investment Grant Fund to make it easier for investor applicants to qualify for grants and provide more benefits for investor applicants. The bill (i) allows as a qualified investment any cash equity investment in a qualified business from an individual investor or from an investor who has received compensation; (ii) amends the definition of "small business" to increase the amount of equity capital for a qualifying business from \$3 million to \$5 million; (iii) moves the start date for eligible investments from July 1, 2012, to July 1, 2016; and (iv) increases the amount of the grant from 10 percent of the investment to 50 percent of the investment or \$50,000, whichever is less. The

bill maintains the total grant allocation cap of \$250,000 for each eligible investor.

Patron - Landes

HB1969 Small Business Jobs Grant Fund Program. Reduces from 50 percent to 35 percent the minimum percentage of revenues that a small business must derive from out-of-state sources in order to be eligible for grants from the Small Business Jobs Grant Fund Program. The bill reduces from \$100,000 to \$50,000 the minimum new capital investment that a company is required to make to be eligible for assistance under the Program. Finally, the bill changes the definition of small business for purposes of the Program from a company that has 250 or fewer employees to one that has 50 or fewer employees in its base year and average annual gross receipts of \$3 million or less averaged over the previous 24-month period.

Patron - Landes

HB1971 Virginia Freedom of Information Act; record and meeting exclusions for multidisciplinary child abuse teams. Excludes the records of a multidisciplinary team as they relate to individual child abuse or neglect cases or sex offenses involving a child from mandatory disclosure under the Virginia Freedom of Information Act. The bill also provides an exemption from open meeting requirements to such teams and sexual assault response teams.

Patron - Massie

HB1998 Secure Commonwealth Panel; membership and duties. Revises the membership of the Secure Commonwealth Panel, renamed the Secure and Resilient Commonwealth Panel, and requires the Panel to create an Emergency Management Awareness Group consisting of the Secretary of Public Safety and Homeland Security, the Lieutenant Governor, the Attorney General, the Executive Secretary of the Supreme Court of Virginia, and the Chairmen of the House Committee on Militia, Police and Public Safety and the Senate Committee on General Laws and Technology. The bill requires the Group to meet during a state of emergency to review critical information concerning such situation to facilitate communication between the executive, legislative, and judicial branches of state government. The bill dissolves the Virginia Emergency Response Council and transfers its duties to the Panel. The bill contains technical amendments.

Patron - Lingamfelter

HB2017 Virginia Public Procurement Act; bid, performance, and payment bonds; waiver by localities. Authorizes a locality to waive bid bonds for nontransportation-related construction contracts in excess of \$100,000 but less than \$500,000, and performance and payment bonds for nontransportation-related construction contracts in excess of \$100,000 but less than \$300,000, without having to undertake a prequalification process for bidders with a current Class A contractor license. The bill prohibits localities from entering into more than 10 nontransportation-related construction contracts per year in which either the bid bond or the performance and payment bonds and the prequalification requirement have been waived and in which the contract amount is in excess of \$100,000 but less than \$300,000. The bill contains technical

amendments. The bill has an expiration date of July 1, 2021. This bill received Governor's recommendations.

Patron - Villanueva

HB2096 Procurement; exemption for Virginia Industries for the Blind. Exempts from the requirements of the Public Procurement Act (§ 2.2-4300 et seq.) the Virginia Industries for the Blind when procuring components, materials, supplies, or services for use in commodities and services furnished to the federal government in connection with its operation as an AbilityOne Program-qualified nonprofit agency for the blind.

Patron - Price

HB2105 Investment of Public Funds Act; investment of funds in qualified investment pools. Authorizes a treasurer to act on behalf of his locality to become a participating political subdivision in qualified investment pools without an ordinance adopted by the locality. The bill defines a qualified investment pool as one that has maintained for a year at least 40 participants and \$400 million in invested assets. Investments in qualified investment pools pursuant to the bill are required to comply with the requirements of the Investment of Public Funds Act (§ 2.2-4500 et seq.) applicable to municipal corporations and other political subdivisions. The bill states that none of its provisions shall be construed to diminish existing legal authority of treasurers related to the investment of public funds. This bill is identical to SB 1416. This bill received Governor's recommendations.

Patron - Byron

HB2106 Virginia Board of Workforce Development. Revises the composition of the Virginia Board of Workforce Development (Board) to conform to requirements of the federal Workforce Innovation and Opportunity Act (WIOA). One member shall be a representative of a private career college. The measure also (i) specifies that funding for a full-time Executive Director position shall be provided by Title I of the WIOA and (ii) replaces a requirement that industry credentials that align with high-demand occupations shall include the Career Readiness Certificate with the requirement that such industry credentials include a credential that determines career readiness. The measure shall not become effective if prior to July 1, 2017, the U.S. Department of Labor grants a waiver of the State Board membership composition requirements under the federal Workforce Innovation and Opportunity Act that permits the Board to continue with its current composition.

Patron - Byron

HB2143 Virginia Freedom of Information Act (FOIA); training provided by the Virginia Freedom of Information Advisory Council. Requires the Freedom of Information Advisory Council to maintain on its website a listing of all FOIA officers, including name, contact information, and the name of the public body such FOIA officers serve. The bill requires the name and contact information of FOIA officers trained by legal counsel of a public body to be submitted to the Council by July 1 of each year on a form developed by the Council for that purpose and to be updated in a timely manner in the event of any changes to such information. The bill also provides that training through an online course offered by

the Council shall satisfy the annual training requirement for FOIA officers.

Patron - LeMunyon

HB2144 Virginia Freedom of Information Advisory Council; membership; effect of missing meetings. Increases the Virginia Freedom of Information Advisory Council from 12 members to 14 members by adding one additional member from the House of Delegates and one additional member from the Senate. The bill also provides that if any nonlegislative citizen member of the Council fails to attend a majority of meetings of the Council in a calendar year, the Council shall notify the member's appointing authority, who may, upon receipt of such notification, remove the member and appoint a successor as soon as practicable.

Patron - LeMunyon

HB2146 Virginia Freedom of Information Act (FOIA); Freedom of Information Advisory Council; online public comment form. Requires the Freedom of Information Advisory Council to develop an online public comment form to be posted on its official public government website to enable any requester to comment on the quality of assistance provided to the requester by a public body. The bill also requires all state public bodies subject to the provisions of FOIA and any county or city, and any town with a population of more than 250, to post a link on its official public government website to the online public comment form.

Patron - LeMunyon

HB2148 Veterans Services Foundation; powers and duties; appointment of Executive Director; report. Requires the Veterans Services Foundation to provide an annual report on its funding levels and services to the General Assembly. The bill also (i) authorizes the board of trustees of the Foundation to appoint an Executive Director, (ii) clarifies that the Foundation may make direct requests for appropriations from the General Assembly, (iii) clarifies that only the unrestricted portion of the Veterans Services Fund may be used for Foundation expenses, (iv) requires the Department of Veterans Services to provide qualified finance and development personnel to perform the duties of the treasurer and secretary of the Foundation, and (iv) provides that expenditures and disbursements from the Fund shall be made upon written authorization of the Executive Director with the approval of the board of trustees. The bill requires that allocations and expenditures of donated restricted funds be in accordance with cited provisions of the Uniform Prudent Management of Institutional Funds Act relating to the standard of conduct in managing and investing institutional funds.

Patron - Knight

HB2151 Virginia Resources Authority. Transfers the responsibility for the Virginia Resources Authority from the Secretary of Commerce and Trade to the Secretary of Finance. This bill is identical to SB 1042.

Patron - Aird

HB2178 Virginia Freedom of Information Act (FOIA); proprietary records and trade secrets; charitable gaming supplies. Expands the existing FOIA record exclusion for information of a proprietary nature furnished by a supplier

of charitable gaming supplies to the Virginia Department of Agriculture and Consumer Services to include such information submitted by manufacturers of charitable gaming supplies. The bill also expands the exclusion to include information submitted by suppliers and manufacturers of charitable gaming supplies pursuant to regulations promulgated by the Charitable Gaming Board related to approval of electronic and mechanical equipment.

Patron - Hodges

HB2206 Virginia Veteran and Family Support program; report. Updates the purposes and priorities of the Virginia Veteran and Family Support program to, in a cost-effective manner, refer veterans to mental health, physical rehabilitation, and other services as needed to help them achieve individually identified goals and to monitor their progress toward achieving those goals. The program is available to veterans and members of the Virginia National Guard in the Commonwealth, residents of the Commonwealth in the Armed Forces Reserves who are not in active federal service, and family members of covered military members who have been affected by the covered military members' service and deployments and who are located in the Commonwealth. The bill requires an annual report on the program be sent to the Governor and the General Assembly.

Patron - Cox

HB2217 Address confidentiality program; victims of sexual violence and human trafficking. Expands the types of crimes victims of which are eligible to apply for the address confidentiality program to include sexual violence. The bill provides that such programs may also include specialized services for victims of human trafficking. Current law permits victims of domestic violence and stalking to apply to this program. The bill requires that sexual or domestic violence programs be accredited by the Virginia Sexual and Domestic Violence Program Professional Standards Committee to accept applications and authorizes crime victim and witness assistance programs to accept applications. The bill increases program participants' certification period from one to three years. The bill contains technical amendments.

Patron - Toscano

HB2237 Office of the State Inspector General; extension of jurisdiction to local departments of social services. Extends the jurisdiction of the Office of the State Inspector General by amending the definition of "state agency" to include any local department of social services.

Patron - Cline

HB2245 Virginia Research Investment Committee. Expands the role of the Virginia Research Investment Committee (the Committee) to include, in addition to awarding grants and loans from the Virginia Research Investment Fund, providing guidance and coordination in the use of public funds to support research and commercialization efforts throughout the Commonwealth. Effective January 1, 2018, the bill moves responsibility for the development of the Commonwealth Research and Technology Strategic Roadmap (the Roadmap) from the Center for Innovative Technology to the State Council of Higher Education for Virginia (the Council), which shall submit the plan to the Committee for approval. The Council

would consult with public institutions of higher education, make recommendations on the industry sectors in which the Commonwealth should focus its research and development efforts, and establish a process for maintaining an inventory of the Commonwealth's current research and development efforts. The Roadmap would be used to determine areas of focus for awards from the Virginia Research Investment Fund and the Commonwealth Research Commercialization Fund. The bill also clarifies that the exemption from mandatory disclosure of records under the Freedom of Information Act by applicants for grants and loans from the Committee applies to certain financial records, trade secrets, and research-related information. The bill requires an applicant seeking to invoke the protections of the exemption to submit a written request to the Committee identifying the records or data for which protection is sought and stating the reason why protection is necessary. Under the bill, the exemption also applies to documents prepared exclusively for the application review by the Committee, its staff, or a reviewing entity conducting a scientific review at the request of the Committee. The closed meeting exemption is also amended to include interviews of applicants by the Committee or a reviewing entity conducting a scientific review. The bill contains technical amendments. This bill is identical to SB 1371. This bill received Governor's recommendations.

Patron - Jones

HB2278 Virginia Tourism Authority; Cooperative Marketing Fund; eligibility. Provides that proposals for existing programs that have a measurable return on investment are eligible for matching grant funds under the Cooperative Marketing Fund. The bill also (i) removes the requirement that only private funds be matched and (ii) provides that guidelines established for the Fund may include a preference for proposals submitted by state agencies. This bill is identical to SB 1483.

Patron - Hester

HB2285 Gubernatorial appointments to boards; membership and terms. Clarifies and corrects the statutory requirements for the membership and terms of several boards. The bill also standardizes the term dates for several appointments to the Latino Advisory Board, the Board of Agriculture and Consumer Services, the Board of Education, and the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals so that all terms begin on July 1 and end on June 30.

Patron - Cole

HB2302 Board of Veterans Services; membership; duties. Removes requirements regarding specific areas of expertise for members appointed to the Board of Veterans Services (the Board) by the Governor. The bill also (i) extends the number of consecutive terms for legislative members from four to six two-year terms for members of the House of Delegates and from two to three four-year terms for members of the Senate; (ii) removes the requirement that the Board be organized into at least three standing committees; and (iii) makes other changes to the administration of the Board and the eligibility for reappointment of nonlegislative citizen members of the Board. This bill is identical to SB 1182.

Patron - Anderson

HB2319 National Flood Insurance Program; participation by localities; report. Requires the Secretary of Natural Resources to issue a report by November 1, 2018, listing any locality not participating in the Community Rating System of the National Flood Insurance Program and recommending any legislation necessary to encourage participation.

Patron - Miyares

HB2347 Commonwealth's Development Opportunity Fund; limitation on use of moneys from the Fund. Provides that unless an exception has been granted by the Secretary of Commerce and Trade, moneys in the Commonwealth's Development Opportunity Fund shall not be used for any economic development project involving a business that relocates or expands its operations in one or more Virginia localities while simultaneously closing its operations or substantially reducing the number of its employees in another Virginia locality. Under current law, this limitation on the use of the Fund is stated as a general policy rather than as a requirement. The bill also requires the Secretary of Commerce and Trade to provide written notice to the Chairmen of the Senate Finance and House Appropriations Committees at least 48 hours prior to the final approval of the grant or loan. Currently, the notice must be provided promptly, and a time frame is not specified.

Patron - Byron

HB2354 State and Local Government Conflict of Interests Act; school boards and school board employees. Provides that school divisions located in Planning District 4, New River Valley, are not subject to the prohibition against hiring a school division employee who is related to a member of the school board under certain circumstances.

Patron - Rush

HB2356 Fort Monroe Authority Board of Trustees; membership; terms. Adds three nonlegislative citizen members to the Fort Monroe Authority Board of Trustees, to be appointed by the Governor. The bill also changes the Secretary of Commerce and Trade and the Secretary of Natural Resources from voting to nonvoting ex officio members and removes the Lieutenant Governor from membership. This bill is identical to SB 1001.

Patron - Helsel

HB2360 Virginia Information Technologies Agency; procurement of information technology; compliance with federal laws and regulations pertaining to information security and privacy. Requires the Chief Information Officer of the Virginia Information Technologies Agency to develop policies, standards, and guidelines that require that any contract for information technology entered into by the Commonwealth's executive, legislative, and judicial branches and independent agencies require compliance with applicable federal laws and regulations pertaining to information security and privacy. The bill applies to contracts for information technology entered into on or after July 1, 2017.

Patron - Albo

HB2366 Public procurement; requirements for use of construction management and design-build contracts. Establishes requirements for the procurement of construction

using the construction management and design-build procurement methods by state and local public bodies and covered institutions of higher education, as defined in the bill, and the conditions under which such methods may be used. Public bodies must comply with procedures adopted by the Secretary of Administration for construction management or design-build projects. State public bodies and covered institutions must adopt procedures that include, among other things, a requirement that the state public body or covered institution make a written determination in advance that competitive sealed bidding is not practicable or fiscally advantageous and document the basis for the determination to use the construction management or design-build procurement method. The bill requires the Department of General Services (DGS) to evaluate the proposed procurement method of state public bodies and covered institutions and provide a recommendation regarding the procurement method within five days of receipt of the written determination. If a state public body or covered institution elects to proceed with the project using a construction management or design-build contract despite a DGS recommendation to the contrary, the state public body or covered institution must provide to DGS in writing its reasons for doing so. For local public bodies, construction management contracts may be used for projects whose cost is expected to be less than \$10 million, provided that the project is a complex project and the project procurement method is approved by the local governing body. The bill also requires DGS to report to the Governor and certain General Assembly committees annually by December 1 information pertaining to (i) the agency's evaluation of projects submitted by state public bodies and covered institutions and (ii) all completed capital projects in excess of \$2 million. This bill is identical to SB 1129.

Patron - Albo

HB2391 Department of Human Resources Management; criminal background checks; state agency positions designated as sensitive; agencies to report to the Department. Requires each state agency to continue to record in the Personnel Management Information System (PMIS) positions that it has designated as sensitive to ensure that the Department of Human Resources Management has a list of all such positions. The bill clarifies who would be subject to a criminal background investigation in a sensitive position. The bill expands the definition of sensitive position to include those positions (i) responsible for the health, safety, and welfare of citizens or the protection of critical infrastructures; (ii) that have access to sensitive information, including access to Federal Tax Information in approved exchange agreements with the Internal Revenue Service or Social Security Administration; and (iii) that are otherwise required by state or federal law to be designated as sensitive. The bill contains an emergency clause. This bill is identical to SB 1293.

Patron - Holcomb

HB2396 Virginia Public Procurement Act; SWaM program; participation of employment service organizations. Provides that contracts and subcontracts awarded to employment services organizations shall be credited toward the small business, women-owned, and minority-owned business contracting and subcontracting goals of state agencies as well as state contractors. This bill is identical to SB 1538.

Patron - Hope

HB2425 Policy of the Commonwealth regarding the employment of individuals with disabilities; responsibilities of state agencies; report. Provides that it is the policy of the Commonwealth to promote and increase the employment of individuals with disabilities. To further this policy, the bill establishes a goal to increase by five percent the level of individuals with disabilities employed by state government by fiscal year 2023. The bill designates the Secretary of Administration to coordinate efforts to achieve the goal and requires the Secretary to establish a reporting system for tracking and reporting the progress of state agencies toward meeting the employment goals and to report annually on the number of individuals with disabilities employed by the state. The bill requires each state agency to submit a plan to increase employment opportunities for individuals with disabilities to the Secretary no later than December 31, 2017, and each July 1 thereafter. This bill is identical to SB 1530.

Patron - Anderson

HB2428 Workforce Transition Act; eligibility. Provides that employees of the Virginia College Savings Plan are eligible for transitional severance benefits conferred by the Workforce Transition Act.

Patron - Robinson

HB2457 Health and Human Resources Secretariat; single state agency for data collection and sharing; report. Requires that, as requested by the Secretary of Health and Human Resources and to the extent authorized by federal law, the agencies of the Secretariat of Health and Human Resources shall share data, records, and information about applicants for and recipients of services from the agencies of the Secretariat, including individually identifiable health information for the purposes of (i) streamlining administrative processes and reducing administrative burdens on the agencies, (ii) reducing paperwork and administrative burdens on the applicants and recipients, and (iii) improving access to and quality of services provided by the agencies. The bill requires the Secretary of Health and Human Resources to report on the implementation of the provisions of the bill by October 1, 2017.

Patron - Garrett

HB2471 Virginia Economic Development Partnership Authority; membership; powers and duties. Restructures the membership of the board of directors (the Board) of the Virginia Economic Development Partnership Authority (the Authority), designates the Board as a supervisory board within the statutory definition of "supervisory," sets out the minimum qualifications for appointments to the Board, and sets out additional powers and duties required of the Board, including development of a strategic plan for economic development, a marketing plan, and an operational plan. The bill also establishes a Division of Incentives within the Authority to track, manage, and coordinate economic development incentives. Under the bill, the Division is required to obtain certification from the Attorney General prior to certifying that an approved project has met the investment and job creation requirements and the review of the Attorney General prior to seeking the repayment of any public funds from an approved project due to a failure of the project to meet the investment and job creation requirements set forth in the contract or memorandum of understanding. The bill establishes a position of

internal auditor and two advisory committees and requires (i) each commissioner of the revenue to provide certain tax information and (ii) the Virginia Employment Commission to provide certain employment information to the Authority as may be necessary to facilitate the administration and enforcement by the Authority of performance agreements with businesses that have received incentive awards. This bill is identical to SB 1574. This bill received Governor's recommendations.

Patron - Jones

SB916 Virginia Register Act; guidance documents; duty to file with the Registrar. Consolidates provisions relating to the availability of guidance documents in a single section in the Virginia Register Act. In addition, the bill requires agencies that do not have regulatory authority to annually file with the Virginia Registrar of Regulations a list of any guidance documents upon which such agencies currently rely. Under current law, the requirement for filing guidance documents applies only to agencies with regulatory authority. As introduced, the bill is a recommendation of the Administrative Law Advisory Committee.

Patron - Edwards

SB965 State and Local Government Conflict of Interests Act; prohibited contracts; exceptions for certain contracts entered into by an officer or employee of a soil and water conservation district. Provides an exception to the prohibition against contracts between employing agencies and their officers or employees for contracts by an officer or employee of a soil and water conservation district or an immediate family member of such officer or employee to participate in a cost-share program for the installation of best management practices to improve water quality. The exception does not apply to subcontracts or other agreements entered into to provide services for implementation of a cost-share contract established under such program. This bill is identical to HB 1472.

Patron - Hanger

SB976 Virginia Economic Development Partnership Authority; site and building assessment program; minimum size of industrial sites. Lowers the minimum size of industrial sites that may be included in the Authority's site and building assessment program from 250 acres to 100 acres. The bill contains a technical amendment. This bill is identical to HB 1591.

Patron - Hanger

SB1001 Fort Monroe Authority Board of Trustees; membership; terms. Adds three nonlegislative citizen members to the Fort Monroe Authority Board of Trustees, to be appointed by the Governor. The bill also changes the Secretary of Commerce and Trade and the Secretary of Natural Resources from voting to nonvoting ex officio members and removes the Lieutenant Governor from membership. This bill is identical to HB 2356.

Patron - Locke

SB1040 Virginia Freedom of Information Act (FOIA); record exclusion for personal contact information; limitation. Provides that personal contact information provided to a public body for the purpose of receiving electronic

mail from the public body is excluded from the mandatory disclosure provisions of FOIA, provided that the electronic mail recipient has requested that the public body not disclose such information. The bill defines "personal contact information" as the home or business (i) address, (ii) email address, or (iii) telephone number or comparable number assigned to any other electronic communication device. Current law excludes "personal information," which is defined as including a broader range of information than the limited definition of personal contact information in the bill.

Patron - Hanger

SB1042 Virginia Resources Authority. Transfers the responsibility for the Virginia Resources Authority from the Secretary of Commerce and Trade to the Secretary of Finance. This bill is identical to HB 2151.

Patron - Dance

SB1061 Government Data Collection and Dissemination Practices Act; exemption for sheriff's departments. Adds an exemption to the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.) for personal information systems maintained by sheriff's departments of counties and cities that deal with investigations and intelligence gathering relating to criminal activity and limits the existing exemptions for personal information systems maintained by the Department of State Police, police departments of localities and of the Chesapeake Bay Bridge and Tunnel Commission, and sheriff's departments to those personal information systems that deal with investigations and intelligence gathering related to criminal activity. The bill contains technical amendments. The bill contains an emergency clause.

Patron - Black

SB1075 Veterans Services Foundation; powers and duties; appointment of Executive Director; report. Requires the Veterans Services Foundation to provide an annual report on its funding levels and services to the General Assembly. The bill also (i) authorizes the board of trustees of the Foundation to appoint an Executive Director and exercise personnel authority over the position, (ii) clarifies that the Foundation may make direct request for appropriations from the General Assembly, (iii) clarifies that only the unrestricted portion of the Veterans Services Fund may be used for Foundation expenses, (iv) requires the Department of Veterans Services to provide qualified finance and development personnel to perform the duties of the treasurer and secretary of the Foundation, and (v) provides that expenditures and disbursements from the Fund shall be made upon written authorization of the Executive Director with the approval of the board of trustees. The bill requires that allocations and expenditures of donated restricted funds be in accordance with cited provisions of the Uniform Prudent Management of Institutional Funds Act relating to the standard of conduct in managing and investing institutional funds.

Patron - Ruff

SB1102 Virginia Freedom of Information Act; completed unattended death investigations; mandatory disclosure. Requires that records of completed unattended death investigations be released to the parent or spouse of the decedent or, if there is no living parent or spouse, to the most imme-

diately family member of the decedent. The bill also defines "unattended death" and "immediate family member." This bill received Governor's recommendations.

Patron - Surovell

SB1129 Public procurement; requirements for use of construction management and design-build procurement methods. Establishes requirements for the procurement of construction using the construction management and design-build procurement methods by state and local public bodies and covered institutions of higher education, as defined in the bill, and the conditions under which such methods may be used. Public bodies must comply with procedures adopted by the Secretary of Administration for construction management or design-build projects. State public bodies and covered institutions must adopt procedures that include, among other things, a requirement that the state public body or covered institution make a written determination in advance that competitive sealed bidding is not practicable or fiscally advantageous and document the basis for the determination to use the construction management or design-build procurement method. The bill requires the Department of General Services (DGS) to evaluate the proposed procurement method of state public bodies and covered institutions and provide a recommendation regarding the procurement method within five days of receipt of the written determination. If a state public body or covered institution elects to proceed with the project using a construction management or design-build contract despite a DGS recommendation to the contrary, the state public body or covered institution must provide to DGS in writing its reasons for doing so. For local public bodies, construction management contracts may be used for projects whose cost is expected to be less than \$10 million, provided that the project is a complex project and the project procurement method is approved by the local governing body. The bill also requires DGS to report to the Governor and certain General Assembly committees annually by December 1 information pertaining to (i) the agency's evaluation of projects submitted by state public bodies and covered institutions and (ii) all completed capital projects in excess of \$2 million. This bill is identical to HB 2366.

Patron - Ruff

SB1182 Board of Veterans Services; membership; duties. Removes requirements regarding specific areas of expertise for members appointed to the Board of Veterans Services (the Board) by the Governor. The bill also (i) extends the number of consecutive terms for legislative members from four to six two-year terms for members of the House of Delegates and from two to three four-year terms for members of the Senate; (ii) removes the requirement that the Board be organized into at least three standing committees; and (iii) makes other changes to the administration of the Board and the eligibility for reappointment of nonlegislative citizen members of the Board. This bill incorporates SB 1212 and is identical to HB 2302.

Patron - Reeves

SB1192 Department of Small Business and Supplier Diversity; powers of the Director; out-of-state applicants for certification as a small, women-owned, or minority-owned business. Requires, as a prerequisite for approval, that any out-of-state business applying with the Department of

Small Business and Supplier Diversity for certification in Virginia as a small, women-owned, or minority-owned business possess the equivalent certification in the business's state of origin. The bill exempts an out-of-state business located in a state that does not have a small, women-owned, or minority-owned business certification program.

Patron - Reeves

SB1202 Commercial Space Flight Authority. Requires the Executive Director of the Commercial Space Flight Authority (the Authority) to develop and present to the Authority's board of directors (the Board) every four years a six-year strategic plan for its adoption and eliminates the requirement that a strategic plan be submitted to the Governor and General Assembly every four years. The bill also clarifies that the public purpose of the Authority is to promote (i) industrial and economic development and (ii) scientific and technological research and development for the commercial space flight industry. The bill provides that the Executive Director of the Authority also serves as the Chief Executive Officer; specifies that the Governor's appointments to the Board have experience in the aerospace industry, the financial industry, higher education, or the marketing industry or in scientific research and development; and eliminates the requirement that the Board form a nonvoting advisory committee.

Patron - Lewis

SB1226 Virginia Freedom of Information Act; record exclusion for proprietary records and trade secrets; solar energy agreements. Excludes from the mandatory disclosure provisions of FOIA proprietary information, voluntarily provided by a private business under a promise of confidentiality from a public body, used by the public body for a solar services agreement. The bill requires the private business to specify the records for which protection is sought before submitting them to the public body and to state the reasons why protection is necessary. The bill also (i) allows a solar services agreement contractor or provider to designate specific provisions in a solar services agreement as proprietary information not subject to disclosure and (ii) authorizes a city to withhold from disclosure such information provided by a private entity in connection with a franchise, lease, or use under a solar services agreement.

Patron - Edwards

SB1265 Department of General Services; maintenance of property records; notification when deed, lease, or other agreement to terminate. Requires the Department of General Services to maintain records relating to all property interests held by the Commonwealth and under the control of or occupied by any of its departments, agencies, or institutions, with the exception of records relating to (i) real estate or rights-of-way acquired by the Department of Transportation for the construction of highways; (ii) ungranted shores of the sea, marsh, and meadowlands as defined in § 28.2-1500; or (iii) real estate or rights-of-way acquired by the Department of Rail and Public Transportation for the construction of railway lines or rail or public transportation facilities or the retention of rail corridors for public purposes. The bill also provides for the Department to submit a quarterly report, in electronic form, to the General Assembly that includes renewal and termination dates for inventoried property pursuant to the lease, license,

permit, or other agreement administered by the Department. The information will include property that serves as a branch office of a state agency and all renewals and terminations scheduled to occur within 90 days of the report date.

Patron - Chafin

SB1293 Department of Human Resources Management; criminal background checks; state agency positions designated as sensitive; agencies to report to the Department. Requires each state agency to continue to record in the Personnel Management Information System (PMIS) positions that it has designated as sensitive to ensure that the Department of Human Resources Management has a list of all such positions. The bill clarifies who would be subject to a criminal background investigation in a sensitive position. The bill expands the definition of sensitive position to include those positions (i) responsible for the health, safety, and welfare of citizens or the protection of critical infrastructures; (ii) that have access to sensitive information, including access to Federal Tax Information in approved exchange agreements with the Internal Revenue Service or Social Security Administration; and (iii) that are otherwise required by state or federal law to be designated as sensitive. The bill contains an emergency clause. This bill is identical to HB 2391.

Patron - McDougle

SB1312 Lobbyist reporting, the State and Local Government Conflict of Interests Act, and the General Assembly Conflicts of Interests Act; filing of required disclosures; registration of lobbyists; candidate filings; judges; definition of gift; informal advice; civil penalties; technical amendments. Makes numerous changes to the laws governing lobbyist reporting, the conflict of interest acts, and the Virginia Conflict of Interest and Ethics Advisory Council (the Council), including (i) allowing the Secretary of the Commonwealth to suspend any penalty that could be assessed against a lobbyist's principal for failing to file the required disclosure if such failure is beyond the control of the principal; (ii) clarifying the procedures for terminating the services of a lobbyist; (iii) requiring that lobbyist registration forms be filed electronically; (iv) eliminating the requirement that a lobbyist list the names, addresses, and telephone numbers of all other lobbyists representing the same principal; (v) creating a separate statement for a lobbyist's principal to waive the principal signature requirement on the lobbyist disclosure form; (vi) granting the clerk of the local governing body or school board the same power as the Council to redact from any disclosure form released to the public any residential address, personal telephone number, or signature; (vii) eliminating the minimum duration of the mandatory refresher ethics orientation session for General Assembly members; (viii) allowing written informal advice from the Council to confer immunity from prosecution upon individuals acting in accordance with such advice; (ix) clarifying the Council's authority to grant extensions from the filing deadline and imposing a \$250 civil penalty on agency heads or local clerks who fail to provide the disclosure forms to filers in a timely manner; (x) requiring lobbyists to provide a report of gifts made during a regular session of the General Assembly no later than three weeks after adjournment to legislators and certain executive branch officials who are required to file a session gift report; and (xi) directing that candidates for statewide office and the General Assembly are required to

file a disclosure form with the State Board of Elections and candidates for a constitutional office are required to file a disclosure form with the local general registrar. The bill also extends the filing deadline for disclosure forms from January 15 to February 1 and clarifies the reporting period covered by the disclosure forms. The bill eliminates events open to individuals who share a common interest from the definition of a "widely attended event," attendance at which is not subject to the gift cap. The bill also exempts from the definition of a "gift" (a) gifts from a person's child-in-law; (b) gifts related to a person's volunteer service; (c) meals provided for attendance at an official meeting of the Commonwealth, its political subdivisions, or certain other entities; and (d) attendance at a reception or similar function. The bill also exempts members of the judiciary from certain provisions governing prohibited gifts and prohibited personal interests in a transaction where such members are already subject to similar or greater prohibitions under the Canons of Judicial Conduct for the State of Virginia. The bill also clarifies that a legislator may have a personal interest in a contract with a government agency, not including a legislative branch agency, when the Virginia Public Procurement Act allows the award of such contract without competition. The bill further clarifies the exceptions that allow state and local officers and employees who have a personal interest in a transaction to participate in the transaction. Finally, the bill contains technical amendments. The bill contains an emergency clause that applies to the changes described in clauses (x) and (xi). This bill is identical to HB 1854. This bill received Governor's recommendations.

Patron - Norment

SB1334 Virginia Public Procurement Act; small business enhancement program; limitations. Provides that any enhancement or remedial measure authorized by the Governor for state public bodies may allow for small businesses certified by the Department of Small Business and Supplier Diversity or a subcategory of small businesses established as a part of the enhancement program to have a price preference over noncertified businesses competing for the same contract award, provided that the certified small business or the business in such subcategory of small businesses does not exceed the low bid by more than five percent.

Patron - Ruff

SB1341 Digital certification of government records. Provides for the Secretary of the Commonwealth, in cooperation with the Virginia Information Technologies Agency, to develop standards for the use of digital signatures by government agencies on electronic records generated by such agencies. The bill further provides that such agencies may provide copies of digital records, via a website or upon request, and may charge a fee of \$5 for each digitally certified copy of an electronic record. Any digitally certified record submitted to a court in the Commonwealth shall be deemed to be authenticated by the custodian of the record. The bill defines "agency" to include all state agencies and local government entities, including constitutional officers, except circuit court clerks.

Patron - Surovell

SB1363 Secretary of Transportation to convene a task force to study the feasibility of establishing a statewide one-stop online portal for address changes; report. Requires

the Secretary of Transportation or his designee to convene a task force to study the feasibility of establishing a one-stop online portal for citizen address changes in order to develop a single statewide address database for utilization by state entities. The task force shall submit to the Governor and the General Assembly a report on its findings and recommendations by November 1, 2017. The bill has an expiration date of July 1, 2018.

Patron - Obenshain

SB1371 Virginia Research Investment Committee. Expands the role of the Virginia Research Investment Committee (the Committee) to include, in addition to awarding grants and loans from the Virginia Research Investment Fund, providing guidance and coordination in the use of public funds to support research and commercialization efforts throughout the Commonwealth. Effective January 1, 2018, the bill moves responsibility for the development of the Commonwealth Research and Technology Strategic Roadmap (the Roadmap) from the Center for Innovative Technology to the State Council of Higher Education for Virginia (the Council), which shall submit the plan to the Committee for approval. The Council would consult with public institutions of higher education, make recommendations on the industry sectors in which the Commonwealth should focus its research and development efforts, and establish a process for maintaining an inventory of the Commonwealth's current research and development efforts. The Roadmap would be used to determine areas of focus for awards from the Virginia Research Investment Fund and the Commonwealth Research Commercialization Fund. The bill also clarifies that the exemption from mandatory disclosure of records under the Freedom of Information Act by applicants for grants and loans from the Committee applies to certain financial records, trade secrets, and research-related information. The bill requires an applicant seeking to invoke the protections of the exemption to submit a written request to the Committee identifying the records or data for which protection is sought and stating the reason why protection is necessary. Under the bill, the exemption also applies to documents prepared exclusively for the application review by the Committee, its staff, or a reviewing entity conducting a scientific review at the request of the Committee. The closed meeting exemption is also amended to include interviews of applicants by the Committee or a reviewing entity conducting a scientific review. The bill contains technical amendments. This bill is identical to HB 2245. This bill received Governor's recommendations.

Patron - Saslaw

SB1374 Board for Contractors; membership. Adds a professional engineer to the membership of the Board for Contractors.

Patron - DeSteph

SB1412 Parental leave benefits. Creates a new program of parental leave benefits for full-time state employees with one or more years of continuous employment with the Commonwealth who (i) adopt an infant under one year of age or (ii) are the natural father of an infant under one year of age. The amount of leave would be equivalent to the amount of paid leave awarded to an employee pursuant to short-term disability for maternity leave. The bill specifies that the parental leave coverage shall apply only to eligible state employees who take

custody of an infant in the course of an adoption on or after July 1, 2018, or, for a natural father, for an infant born on or after July 1, 2018. The Department of Human Resource Management is directed to develop guidelines and policies for implementing the parental leave benefits. The bill also directs the Joint Legislative Audit and Review Commission to analyze parental leave benefits for state employees in other states and the costs of providing such benefits to the employees of the Commonwealth. The bill has a reenactment clause that applies to all provisions of the bill except the JLARC study, which is effective July 1, 2017.

Patron - Suetterlein

SB1416 Investment of Public Funds Act; investment of funds in qualified investment pools. Authorizes a treasurer to act on behalf of his locality to become a participating political subdivision in qualified investment pools without an ordinance adopted by the locality. The bill defines a qualified investment pool as one that has maintained for a year at least 40 participants and \$400 million in invested assets. Investments in qualified investment pools pursuant to the bill are required to comply with the requirements of the Investment of Public Funds Act (§ 2.2-4500 et seq.) applicable to municipal corporations and other political subdivisions. The bill states that none of its provisions shall be construed to diminish existing legal authority of treasurers related to the investment of public funds. This bill is identical to HB 2105. This bill received Governor's recommendations.

Patron - Newman

SB1431 Administrative Process Act; economic impact analysis; opportunity for comment by affected businesses or other entities. Requires the Department of Planning and Budget to revise and reissue its economic impact analysis within the time limits set forth for the Department's review of regulations at the final stage pursuant to the Governor's executive order for executive branch review if one of the following conditions is present and would materially change the Department's analysis: (i) public comment timely received at the proposed stage indicates significant errors in the economic impact analysis or (ii) there is a significant or material difference between the agency's proposed economic impact analysis and the anticipated negative economic impacts to the business community as indicated by public comment. The bill provides that the determination as to whether either such condition is present shall be made by the Department and shall not be subject to judicial review. The bill contains an emergency clause. This bill is identical to HB 1943.

Patron - Reeves

SB1483 Virginia Tourism Authority; Cooperative Marketing Fund; eligibility. Provides that proposals for existing programs that have a measurable return on investment are eligible for matching grant funds under the Cooperative Marketing Fund. The bill also (i) removes the requirement that only private funds be matched and (ii) provides that guidelines established for the Fund may include a preference for proposals submitted by state agencies. This bill is identical to HB 2278.

Patron - Hanger

SB1508 Virginia Public Procurement Act; architectural and professional engineering term contracting; limitations on project fees; certain school divisions. Includes a school division in a locality with a population in excess of 78,000 under the exception from (i) the \$100,000 single-project fee limit for architectural and professional engineering term contracts and (ii) the \$1 million annual aggregate total of all such projects. Under the bill, such school divisions may pay a single-project fee of up to \$2.5 million and an annual aggregate of \$6 million.

Patron - Cosgrove

SB1512 Charitable gaming; conduct of games; special permits. Authorizes the Charitable Gaming Board to grant special permits to qualified organizations to replace (i) an approved game that falls on a legal holiday or (ii) an approved game that has been canceled by the qualified organization on account of severe weather conditions in the locality in which the approved game was scheduled to occur, provided that the qualified organization notifies the Department within 24 hours of the canceled approved game and the Department is satisfied that the severe weather conditions warranted cancellation. The special permit shall designate a date for the replacement game to occur within 90 days before or after the legal holiday or within 90 days after the date of the canceled approved game for which the special permit is requested. The bill also allows a qualified organization to reimburse volunteers who are non-members of the qualified organization up to \$50 per game session for reasonable travel expenses.

Patron - Surovell

SB1530 Policy of the Commonwealth regarding the employment of individuals with disabilities; responsibilities of state agencies; report. Provides that it is the policy of the Commonwealth to promote and increase the employment of individuals with disabilities. To further this policy, the bill establishes a goal to increase by five percent the level of individuals with disabilities employed by state government by fiscal year 2023. The bill designates the Secretary of Administration to coordinate efforts to achieve the goal and requires the Secretary to establish a reporting system for tracking and reporting the progress of state agencies toward meeting the employment and contracting goals and to report annually on the number of individuals with disabilities employed by the state. The bill requires each state agency to submit a plan to increase employment opportunities for individuals with disabilities to the Secretary no later than December 31, 2017, and each July 1 thereafter. This bill is identical to HB 2425.

Patron - Vogel

SB1538 Virginia Public Procurement Act; SWaM program; participation of employment services organizations. Provides that contracts and subcontracts awarded to employment services organizations shall be credited toward the small business, women-owned, and minority-owned business contracting and subcontracting goals of state agencies as well as state contractors. The bill is identical to HB 2396.

Patron - Hanger

SB1539 Chief Workforce Development Advisor; responsibilities. Clarifies that the Chief Workforce Development Advisor shall report directly to the Governor and shall

not serve in any other capacity. The bill has a delayed effective date of January 15, 2018.

Patron - Ruff

SB1548 Virginia Public Procurement Act; cooperative procurement; Virginia Sheriffs' Association. Provides that a public body may purchase from the contract of the Virginia Sheriffs' Association.

Patron - Reeves

SB1574 Virginia Economic Development Partnership Authority; membership; powers and duties. Restructures the membership of the board of directors (the Board) of the Virginia Economic Development Partnership Authority (the Authority), designates the Board as a supervisory board within the statutory definition of "supervisory," sets out the minimum qualifications for appointments to the Board, and sets out additional powers and duties required of the Board, including development of a strategic plan for economic development, a marketing plan, and an operational plan. The bill also establishes a Division of Incentives within the Authority to track, manage, and coordinate economic development incentives. Under the bill, the Division is required to obtain certification from the Attorney General prior to certifying that an approved project has met the investment and job creation requirements and the review of the Attorney General prior to seeking the repayment of any public funds from an approved project due to a failure of the project to meet the investment and job creation requirements set forth in the contract or memorandum of understanding. The bill establishes a position of internal auditor and two advisory committees and requires (i) each commissioner of the revenue to provide certain tax information and (ii) the Virginia Employment Commission to provide certain employment information to the Authority as may be necessary to facilitate the administration and enforcement by the Authority of performance agreements with businesses that have received incentive awards. This bill incorporates SB 1238 and is identical to HB 2471. This bill received Governor's recommendations.

Patron - Ruff

Failed

HB1530 Department of Small Business and Supplier Diversity; certification of small, women-owned, and minority-owned businesses and employment services organizations; appeals. Removes the exemption from the Administrative Process Act (the Act) currently granted to regulations adopted by the Director of the Department of Small Business and Supplier Diversity to implement certification programs for small, women-owned, and minority-owned businesses and employment services organizations. The bill requires that such regulations provide a right to appeal the denial of an initial certification or the revocation of an existing certification as provided in Article 3 (§ 2.2-4018 et seq.) of the Act.

Patron - Peace

HB1564 Department of Planning and Budget; establishment of the Division of Regulatory Management and the Red Tape Reduction Commission; review of regulatory requirements; report. Creates the Division of Regula-

tory Management (the Division) within the Department of Planning and Budget to develop and maintain a state regulatory baseline of all current state regulatory requirements. The bill defines a regulatory requirement as any action required to be taken or information required to be provided in accordance with a statute, regulation, or policy in order to access government services or operate and conduct business. The bill also provides that after the regulatory baseline has been established, any subsequent regulatory requirement proposed by an agency that is not included in the initial state regulatory baseline is considered a new regulatory requirement and requires the approval of the Division before it may be enacted. The bill also creates the Red Tape Reduction Commission to review current state regulatory requirements and provide recommendations to the Governor and General Assembly on measures to reduce the baseline regulatory requirements.

Patron - Webert

HB1612 Physical Privacy Act. Creates the Physical Privacy Act, which requires that a government entity provide for members of the opposite sex separate restrooms and other facilities in a building owned, leased, or otherwise controlled by the entity. The bill provides that, subject to certain exceptions, no individual shall enter a restroom or other facility designated for use by members of the opposite sex. The bill creates a civil cause of action against a government entity for an individual who accesses a restroom or other facility designated for use by members of such individual's sex and encounters a member of the opposite sex if the government entity allowed the member of the opposite sex to use such restroom or other facility or failed to take reasonable steps to prohibit such use. The bill also requires that the principal of a public school notify within 24 hours the parent or guardian of a child attending such school if the child requests to be recognized or treated as the opposite sex, to use a name or pronoun inconsistent with the child's sex, or to use a restroom or other facility designated for the opposite sex.

Patron - Marshall, R.G.

HB1624 Host Cities Economic Development Incentive and Host Cities Transportation Support Funds. Creates the Host Cities Economic Development Incentive Fund, administered by the Secretary of Commerce and Trade, to support economic development, growth of existing businesses, and job creation related to the Port of Virginia in one or more host cities. The bill also creates the Host Cities Transportation Support Fund, administered by the Secretary of Transportation, to support transportation projects and facilities related to the Port of Virginia in one or more host cities.

Patron - James

HB1634 Department of Human Resources Management; criminal background checks; state agency positions designated as sensitive; agencies to report to the Department. Requires each state agency to create and annually update a list of the positions that it has designated as sensitive and submit the list to the Department of Human Resources Management by July 1 of each year. The bill clarifies who would be subject to a criminal background investigation in a sensitive position. The bill expands the definition of sensitive position to include those positions (i) responsible for the health, safety, and welfare of citizens or the protection of criti-

cal infrastructures; (ii) that have access to sensitive information, including information obtained from the Internal Revenue Service; and (iii) that are otherwise required by state or federal law to be designated as sensitive. The bill contains an emergency clause.

Patron - Sullivan

HB1657 Government Data Collection and Dissemination Practices Act; license plate readers. Codifies an opinion of the Attorney General regarding the Government Data Collection and Dissemination Practices Act by limiting the ability of law-enforcement and regulatory agencies to use license plate readers to collect and maintain personal information on individuals where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individuals. The bill provides that information collected by a license plate reader without a warrant shall be used only for the investigation of a crime or a report of a missing person and shall be retained only for seven days, after which such information shall be purged unless relevant to an ongoing investigation of a crime or missing person report. The bill also prohibits an agency from acquiring personal information collected from license plate readers from any other agency or a third-party private vendor if the agency would not have been permitted to collect or retain the information on its own.

Patron - Marshall, R.G.

HB1667 Public contracts; civil liability; gender identity; sexual orientation. Prohibits agencies of the Commonwealth and other public bodies from requiring any contractor entering into a public contract to agree to additional nondiscrimination provisions with respect to gender identity or sexual orientation. The bill also provides civil immunity for any business or nonprofit organization that does not provide any benefit or accommodation with respect to gender identity or sexual orientation.

Patron - Marshall, R.G.

HB1678 Virginia Freedom of Information Act (FOIA); trade secrets submitted to the Department of Mines, Minerals and Energy. Excludes from the mandatory disclosure provisions of FOIA trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), submitted to the Department of Mines, Minerals and Energy that identify the amount or concentration of chemicals or ingredients used to stimulate a well pursuant to § 45.1-361.29 or Department regulations concerning such ground-disturbing activities. The bill requires that for such records to be protected, the submitting party must (i) invoke this FOIA exclusion upon submission of the data or materials for which protection from disclosure is sought, (ii) identify the data or materials for which protection is sought, and (iii) state the reasons why protection is necessary. The bill requires the Department to determine whether the information claimed to be a trade secret is entitled to such protection.

Patron - Robinson

HB1701 Virginia Freedom of Information Advisory (FOIA) Council; membership. Increases the membership of the FOIA Council from 12 to 13. The bill increases the number of nonlegislative citizen appointees made by the Speaker of the House of Delegates that represent the news

media from at least one to at least two of his four appointments.

Patron - Yancey

HB1752 Virginia Economic Development Partnership Authority (VEDP); grants and other economic incentive programs administered by the Virginia Economic Development Partnership Authority; waiver. Provides that notwithstanding any provision of law or applicable VEDP guidelines, a political subdivision or eligible business, as the case may be, may request a waiver that permits it to use no more than one-quarter of the grant or loan from any fund administered by VEDP for a purpose indirectly related to the economic development project for which the grant or loan was awarded. The bill provides that any request for a waiver shall be submitted to the VEDP or the Secretary of Commerce and Trade, as appropriate, for approval and provides that no such waiver shall be granted unless also approved by the Governor. The bill contains technical amendments.

Patron - Davis

HB1808 Virginia Public Procurement Act; use of best value contracting; construction and professional services. Authorizes any public body to procure construction on a best value procurement basis using a numerical scoring system consisting of the following: (i) technical solution, 30 percent; (ii) past performance, 30 percent, including (a) price history of cost overruns, (b) schedule history of on-time delivery, and (c) contractor performance ratings from the immediately preceding five-year period; and (iii) price, 40 percent. The Request for Proposal shall contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis. The Request for Proposal shall describe (1) the criteria that will be considered in evaluating the proposals and (2) the numerical scoring system that will be used in evaluating the proposals, including identification of the factors and weight values set forth above.

Patron - Bell, John J.

HB1821 Department of Planning and Budget; establishment of the Division of Regulatory Management; review of regulatory requirements; report. Creates the Division of Regulatory Management (the Division) within the Department of Planning and Budget to develop and maintain a state regulatory baseline of all current state regulatory requirements. The bill defines a regulatory requirement as any action required to be taken or information required to be provided in accordance with a statute, regulation, or policy in order to access government services or operate and conduct business. The bill also provides that after the regulatory baseline has been established, any subsequent regulatory requirement proposed by an agency that is not included in the initial state regulatory baseline is considered a new regulatory requirement and requires the approval of the Division before it may be enacted. The bill provides that approval shall only be granted if, among other things, the total number of regulatory requirements for the requesting agency is either kept at the regulatory baseline for the agency or reduced. The bill contains technical amendments.

Patron - Yancey

HB1841 Virginia Veteran Entrepreneurship Grant Program and Fund. Establishes the Virginia Veteran Entrepreneurship Grant Program and Fund to provide grants to eligible providers of educational, training, or other services to veterans in the areas of starting their own business, purchasing a franchise, or other entrepreneurial endeavors and to assist such service providers in offering resources to veterans for the start-up of new veteran-owned business operations in the Commonwealth. The bill has an expiration date of July 1, 2019, and provides that if the Program and Fund are not reauthorized by the General Assembly, moneys in the Fund shall revert to the general fund.

Patron - Stolle

HB1871 Joint Commission on Administrative Rules; periodic review of regulations. Requires the Joint Commission on Administrative Rules, beginning January 1, 2019, and every year thereafter, to conduct a review of agency regulations. The bill also requires, beginning December 1, 2018, and every year thereafter on or before December 1, each agency promulgating a regulation to submit a written report to the Joint Commission on Administrative Rules including a summary of the necessity for the regulation and a summary of any rule or regulation adopted in the immediately preceding fiscal year, if any. The bill provides that in the event that an agency fails to submit the report required, the Joint Commission on Administrative Rules shall recommend to the Governor and the General Assembly that such agency's regulation be modified or suspended in accordance with the Administrative Process Act for legislative objections. The bill also requires general notice of the provisions of this requirement to be posted on the Virginia Regulatory Town Hall and published in the Virginia Register of Regulations by the Joint Commission on Administrative Rules to advise agencies of their obligations under the bill.

Patron - Miyares

HB1872 State employee health insurance plan; coverage for vision therapy. Requires the state employee health insurance plan to include coverage for vision therapy, defined in the bill as orthoptic or pleoptic training when medically necessary to diagnose, correct, or manage a vision disorder or dysfunction that results from traumatic brain injury, brain surgery, or stroke.

Patron - Pogge

HB1880 Virginia Public Procurement Act; competitive negotiation for professional services. Provides that for competitive negotiation for professional services, a public body may conduct negotiations simultaneously with the top two ranked firms if the public body does not request or discuss nonbinding estimates of total project costs at the discussion stage and as long as such process is set forth in the Request for Proposal.

Patron - Bell, John J.

HB1895 Virginia Student Loan Refinancing Authority; refinancing loan guaranty program. Establishes the Virginia Student Loan Refinancing Authority (the Authority), to be governed by a 10-member board, for the purpose of developing and implementing a program by which the Authority may guarantee the obligations of an individual who

incurred qualified education loan debt as a Virginia student at an institution of higher education in the Commonwealth under loans that refinance such education loan debt. The measure limits eligibility to individuals who have not received, and are not eligible to receive, relief under applicable federal student loan repayment or loan forgiveness programs. The Authority is authorized to issue bonds to finance its obligations under such loan guarantees.

Patron - Price

HB1937 Professions and occupations; active supervision of regulatory boards. Establishes a statewide policy for the regulation of professions and occupations specifying criteria for government regulation with the objective of increasing opportunities, promoting competition, encouraging innovation, protecting consumers, and complying with applicable federal antitrust laws. In addition, the bill establishes a process for the active supervision of state regulatory boards pursuant to the U.S. Supreme Court decision in *North Carolina State Board of Dental Examiners v. Federal Trade Commission*, in which the Court held that a state regulatory board that includes active market participants among its board membership must be actively supervised by the state in order for such board and its members to be entitled to immunity for federal antitrust violations. The bill also creates the Division of Supervision of Regulatory Boards in the Office of the Attorney General to be responsible for the active supervision of regulatory boards.

Patron - Heretick

HB1964 Secretary for Coastal Protection and Flooding Adaptation. Creates the position of Secretary for Coastal Protection and Flooding Adaptation (the Secretary). The Secretary shall be responsible for consolidating into a single office the resources for coastal flooding threats and adaptation. The Secretary also shall be the lead in providing direction, ensuring accountability, and developing a statewide coastal flooding adaptation strategy. The Secretary, in cooperation with the Secretary of Natural Resources, shall identify sources of funding for needed implementation of strategies for coastal protection and flooding adaptation.

Patron - Stolle

HB1988 Light-emitting diode (LED) use on outdoor lighting fixtures. Requires any authority, department, agency, or institution of the Commonwealth that installs, replaces, or maintains an outdoor lighting fixture to use LEDs instead of traditional incandescent light bulbs when installing new outdoor lighting fixtures or replacing nonfunctioning bulbs on existing outdoor lighting fixtures. The bill also provides for the Department of General Services to include the requirement for the use of LEDs in the agency's purchasing regulations. The bill creates an exception to these requirements for the installation or replacement of light bulbs on state-owned property that is listed individually on the Virginia Landmarks Register or is certified by the Director of the Virginia Department of Historic Resources as contributing to the historic significance of a historic district that is listed on the Virginia Landmarks Register.

Patron - Bell, John J.

[F]HB2011 Discrimination; separation of the sexes.

Provides that recognition by any entity of the inherent differences between males and females, including the biological characteristics or qualities that distinguish an individual as either male or female as determined at birth, and the mere separation of the sexes by such entity based on such differences shall not constitute discrimination, provided that such separation is consistent with Article I, Section 11 of the Constitution of Virginia. The bill also provides that any local ordinance that likewise recognizes such inherent differences does not constitute discrimination. The bill permits local school boards to enact policies prohibiting discrimination in education based on race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status, or disability, provided that a policy that recognizes the inherent differences between males and females and the mere separation of the sexes by such policy based on such differences shall not constitute discrimination, provided that such separation is consistent with Article I, Section 11 of the Constitution of Virginia.

Patron - Marshall, R.G.

[F]HB2013 Virginia Economic Development Partnership Authority; board of directors; qualifications. Adds the Executive Director of the Virginia Port Authority and the Vice President of Economic Development for the Virginia Port Authority, or their designees, as ex officio voting members of the board of directors of the Virginia Economic Development Partnership Authority and commensurately reduces the number of appointees from 18 to 16. The bill sets out required areas of expertise for the 16 members appointed variously by the Governor, the Speaker of the House of Delegates, and the Senate Committee on Rules, with such appointment requirements applying to appointments made on and after July 1, 2017.

Patron - Yancey

[F]HB2047 Chief Information Officer of the Commonwealth; contract review. Directs the Chief Information Officer of the Commonwealth, Director of the Department of General Services, and the Office of the Attorney General to conduct a periodic review of existing contracts of executive branch agencies with contractors to ensure that such contract terms are being adhered to as they relate to the security of government information. The bill requires completion of the initial review by January 1, 2018, and submission of a report to the Governor and the General Assembly by February 1, 2018. Thereafter, a periodic review is required at such times as deemed appropriate by the CIO, the Director of the Department of General Services, and the Office of the Attorney General. The bill provides that such review applies to contracts entered into on or after July 1, 2017 or any renewals thereof on or after July 1, 2017.

Patron - Murphy

[F]HB2057 Prohibited discrimination in employment.

Prohibits discrimination in private or public employment based on sexual orientation or status as a veteran. The bill provides that under the Virginia Human Rights Act, such discrimination is actionable if the violating employer has more than five but less than 15 employees. 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" does not include

any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also conforms various provisions prohibiting discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or veteran status. The bill contains technical amendments.

Patron - Kory

[F]HB2081 Department of General Services; central electronic procurement website. Directs the Department of General Services, in an effort to facilitate prompt payment by contractors to subcontractors, to post on its central electronic procurement website certain information pertaining to payments made by public bodies to contractors.

Patron - Webert

[F]HB2115 General Assembly; Department of Planning and Budget; fiscal impact statements. Requires the Department of Planning and Budget to prepare a fiscal impact statement for any bill, except the Budget Bill and debt bills, that increases or decreases the total revenue available for appropriation or that establishes a new state program or initiative requiring an appropriation. The fiscal impact statement would include analysis of the (i) fiscal impact estimates, (ii) impact on any state entity affected by the revenue increase or decrease or charged with administering the new program or initiative, and (iii) potential costs to citizens in terms of increased taxes. The bill also provides for each fiscal impact statement to be reviewed by the appropriate staff of the Senate Committee on Finance and the House Committee on Appropriations prior to being heard by the standing committee to consider the legislation.

Patron - Keam

[F]HB2122 Virginia Public Procurement Act; cooperative procurement; construction. Allows public bodies to utilize cooperative procurement for construction projects not exceeding \$200,000.

Patron - Keam

[F]HB2129 Virginia Human Rights Act; public employment, public accommodation, and housing; prohibited discrimination; sexual orientation. Prohibits discrimination in employment and public accommodation on the basis of sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill also adds discrimination based on sexual orientation or gender identity as an unlawful discriminatory housing practice. The bill contains technical amendments.

Patron - Levine

[F]HB2170 Virginia Public Procurement Act; cooperative procurement; construction. Allows public bodies to

utilize cooperative procurement for construction not exceeding \$500,000.

Patron - Simon

HB2199 Virginia Economic Development Partnership Authority; Chief Executive Officer; powers and duties. Requires the Chief Executive Officer (CEO) of the Virginia Economic Development Partnership Authority (the Authority) to develop a comprehensive operational plan for the Authority, including, at a minimum, the following components: (i) a plan for coordination with all state agencies administering economic development incentive programs to ensure that such programs consistently achieve maximum effectiveness, (ii) the results of the most recent survey of all economic development partners assessing the effectiveness of the Authority's coordination with nonstate economic development organizations and the alignment of the Authority's strategic plan with economic development partners, and (iii) an evaluation of grant incentive awards programs administered by the Authority. The initial plan must be submitted by December 1, 2017, to the Authority's Board for review and approval. After approval, the CEO must report quarterly to the Board regarding the status of the implementation of the plan. In addition, the bill changes the membership requirements of the Board by removing the conditions that the Governor's appointees represent the state's congressional districts and changing the appointments of legislative appointees from membership at large to requirements for general areas of expertise. The bill changes all terms from six to four years and provides for the 12 citizen members appointed by the Governor to be re-staggered beginning in 2017. The bill also (a) provides for the Secretary of Commerce and Trade to serve as the chairman of the Authority's Board, (b) establishes the Division of Grant Administration within the Authority, (c) creates an Office of Internal Audit, and (d) provides for the Authority to staff the Governor's cabinet-level committee assisting the Secretary of Commerce and Trade in developing the state's comprehensive economic development strategy.

Patron - Kilgore

HB2204 My Virginia Plan Program; retirement plans for employees of private employers. Directs the Department of the Treasury (the Department) to create the My Virginia Plan Program (the Program) to enable private employers to connect with financial services firms that offer retirement plans. The bill provides that participation in a plan offered through the Program is voluntary for employers and their employees. The bill requires the Department to review and approve financial services firms to offer retirement plans through the Program and create a website for employers to obtain information on how to participate. The bill provides that the Department ensure that the Program provides a range of investment options to meet the needs of investors with various levels of risk tolerance and various ages. The bill requires that in order to participate in the Program a financial services firm must register with the State Corporation Commission, meet the requirements of all federal laws required to offer retirement plans, and offer at least two product options, including a target date fund and a balanced fund. The bill authorizes the Department to charge fees to participating financial services firms to recoup start-up and ongoing costs. The bill prohibits financial

services firms from charging any administrative fees to employers.

Patron - Torian

HB2223 Virginia Freedom of Information Act; right to speak at open meetings. Requires that every public body afford an opportunity for public comment during any open meeting and requires that the public comment periods be noticed on the public body's agenda. The bill permits the public body to have discretion in where it places the public comment period on its agenda and permits the public body to adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner. The bill requires that for meetings of all public bodies, not just those state public bodies on which there is at least one member appointed by the Governor as in current law, the notice provided for any such meeting include a statement as to approximately at what point during the meeting public comment will be received.

Patron - Kory

HB2228 Aerospace Advisory Council; reorganize as Advisory Committee on Aerospace. Moves the existing Aerospace Advisory Council, renamed the Advisory Committee on Aerospace, to the Virginia Economic Development Partnership (VEDP) to advise VEDP on issues related to economic development and the aerospace sector. The current members of the Aerospace Advisory Council will continue to serve as members of the Advisory Committee on Aerospace. The Aerospace Advisory Council is currently an advisory council in the executive branch of government staffed by the Department of Aviation.

Patron - Sickles

HB2261 Virginia Human Rights Act; unlawful discriminatory practice; anti-Semitism. Provides that the terms "because of religion" and "on the basis of religion," and terms of similar import, when used in reference to discrimination in the Code of Virginia and acts of the General Assembly, include anti-Semitism. The bill requires the board of visitors of public institutions of higher education to establish policies or institutional regulations prohibiting discrimination on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, or disability in compliance with state and federal law. In addition, the bill (i) codifies the definition of "anti-Semitism" established by the U.S. Department of State and (ii) provides for the investigating authority to consider the definition when investigating alleged violations of unlawful discriminatory practice on the basis of a person's real or perceived Jewish identity.

Patron - LaRock

HB2295 Virginia Human Rights Act; pregnancy, childbirth, or related medical conditions; causes of action. Provides that no employer may discharge any employee on the basis of pregnancy, childbirth, or related medical conditions, including lactation. Currently, the protection against discrimination on the basis of pregnancy, childbirth, or related medical conditions applies to an employer employing more than five but fewer than 15 persons.

Patron - McQuinn

HB2314 Virginia Personnel Act; equal pay for equal work; policy of the Commonwealth. Provides that it is the policy of the Commonwealth that there shall be no discrimination between state employees on the basis of sex by paying wages to state employees at a rate less than the rate at which it pays wages to state employees of the opposite sex for equal work on jobs, the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system, (ii) a merit system, (iii) a system that measures earnings by quantity or quality of production, or (iv) a differential based on any other factor other than sex. The bill also requires the Department of Human Resource Management to establish and administer a program to ensure equal pay for equal work to state employees in all incidents of employment as provided in the Virginia Personnel Act. The bill contains technical amendments.

Patron - Boysko

HB2323 Public employment; inquiries by state agencies and localities regarding criminal convictions, charges, and arrests. Prohibits state agencies from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. A prospective employee may not be asked if he has ever been convicted of any crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if the prospective employee has a conviction record that directly relates to the duties and responsibilities of the position. A prospective employee may not be asked if he has ever been arrested or charged with a crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if (i) the prospective employee's criminal arrest or charge resulted in the prospective employee's conviction of a crime and (ii) the crime of which he was convicted directly relates to the duties and responsibilities of the position. The prohibition does not apply to applications for employment with law-enforcement agencies or certain positions designated as sensitive or in instances where a state agency is expressly permitted to inquire into an individual's criminal history for employment purposes pursuant to any provision of federal or state law. The bill also authorizes localities to prohibit such inquiries.

Patron - Aird

HB2370 Administrative Process Act; reconsideration of an agency's final decision; intermediate relief; suspension of effective date of a regulation or agency decision. Provides that if a petition for reconsideration is timely filed, the final decision shall be suspended and the time for filing a notice of appeal under Rule 2A:2 of the Rules of Supreme Court of Virginia shall be tolled. Under current law, the final decision is not suspended and the time for filing the notice is not tolled unless the agency provides for the suspension of its decision when it grants a petition for reconsideration. The bill also requires, when judicial review is instituted or is about to be, the agency concerned to postpone the effective date of the regulation or decision involved pending conclusion of the review proceedings.

Patron - Head

HB2392 Virginia Public Procurement Act; preferred procurement method for construction. Eliminates competitive sealed bidding as the preferred method for procuring construction.

Patron - James

HB2401 Virginia Freedom of Information Act; minutes of closed meetings required; audio recordings. Provides that a public body shall (i) take closed meeting minutes, (ii) also make an audio recording of the entirety of every meeting that is closed to the public, and (iii) use a means of recording that fully captures and can clearly reproduce all statements made during a closed meeting. The bill provides that the minutes or recordings made shall not be subject to the disclosure provisions of FOIA.

Patron - Morris

HB2402 Virginia Freedom of Information Act; willful violations; grounds for termination. Provides that if the court finds that any officer or employee of a public body (i) receives a request for records that was sent by a requester by certified mail, return receipt requested, and (ii) without legal excuse or justification deliberately, willfully, and knowingly fails to make a response to such request, such officer or employee may be terminated for cause by his appointing authority or agency head.

Patron - Morris

HB2420 Virginia Public Procurement Act; small business and microbusiness procurement enhancement program. Codifies the Governor's Executive Order 20 (2014) establishing a statewide small business and microbusiness procurement enhancement program. The bill establishes a statewide goal of 42 percent of small and microbusiness utilization in all discretionary spending by state agencies in procurement orders, prime contracts, and subcontracts. In addition, the bill provides for (i) a set-aside for competition among all small businesses for state agency purchases up to \$100,000 for goods and nonprofessional services and up to \$50,000 for professional services and (ii) a set-aside for competition among microbusinesses for purchases under \$10,000.

Patron - Ward

HB2437 Virginia Public Procurement Act; use of best value contracting; construction and professional services. Authorizes any public body to procure construction on a best value procurement basis. Under the bill, if proceeding on a best value procurement basis, the Request for Proposal must contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis and describe (i) the criteria that will be considered in evaluating the proposals and (ii) the rating or weighting system that will be used in evaluating the proposals, including a disclosure that price will be weighted at least 51 percent as a factor.

Patron - Davis

HB2439 General Assembly; regulatory penalty statement. Requires, beginning January 1, 2018, the inclusion of a regulatory penalty statement in any legislation that imposes a requirement on a business or entity engaged in a regulated activity where, under the basic law of the agency responsible for regulating the activity, the agency has the

authority by regulation to establish a graduated scale of monetary or civil penalties in accordance with mandatory maximum or minimum penalties set forth in its basic law for enumerated violations. The regulatory penalty statement shall be printed on the face of each bill, but shall not be codified, and shall indicate that the legislation authorizes the (Name of Agency) to establish a graduated scale of monetary or civil penalties for violations. The bill provides that (i) prior to submission to the Registrar of Regulations, an agency affected by legislation shall, by September 1, provide a written report to the standing committee to which matters relating to the content of the planned regulation are most properly referable describing the subject matter and intent of the planned regulation; (ii) the standing committee shall meet on the planned regulation and shall file with the agency and the Governor any objection to the planned regulation by November 1; (iii) if an objection is filed, the promulgation of the planned regulation shall be suspended, with the concurrence of the Governor, until the end of the next regular legislative session; and (iv) if no objection is filed or the Governor does not concur, the agency may promulgate the regulation in accordance with the Administrative Process Act. The bill also requires general notice of the provisions of this requirement to be posted on the Virginia Regulatory Town Hall and published in the Virginia Register of Regulations by the Joint Commission on Administrative Rules to advise agencies of their obligations under the bill.

Patron - Freitas

HB2456 Administrative Process Act; schedule of review of regulations; report. Requires each agency to establish a schedule over a five-year period for the review of all regulations for which the agency is the primary responsible agency. The schedule shall provide for the annual review of at least 20 percent of an agency's regulations by July 1 of each year. Under the bill, the Governor is required to approve a consolidated annual report of the findings of the regulation reviews by August 1 of each year and, upon approval, submit the report to the Chairmen of the standing committees of the House of Delegates and the Senate.

Patron - Hodges

HJ673 Study; JLARC recommendations regarding VEDP; report. Establishes a joint subcommittee to study how best to implement the recommendations of the 2016 Joint Legislative Audit and Review Commission review of the Virginia Economic Development Partnership Authority.

Patron - Massie

HJ674 Study; Virginia Public Procurement Act; report. Establishes a joint subcommittee to study the best method to implement the recommendations of the Joint Legislative Audit and Review Commission concerning the Virginia Public Procurement Act.

Patron - Massie

SB783 Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, preg-

nancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran.

Patron - Ebbin

SB803 Submission of executive budget; zero-based budgeting. Requires, beginning in the 2018-2020 biennium, that "The Executive Budget" and all "Executive Budgets" shall be prepared and formulated using zero-based budgeting principles. The bill requires that such zero-based budgets reflect the amount of funding deemed necessary to achieve the most cost-effective performance of each agency or department pursuant to an accompanying narrative delineating the tasks to be performed by each agency or department, together with the goals and objectives for each agency or department. Each such budget shall have a zero dollar amount as its initial basis and shall not reflect any prior appropriation amount, adjusted or otherwise.

Patron - Sturtevant

SB834 Governor; efficiency and effectiveness review and assessment of state departments, agencies, and programs; schedule; scope of review; report. Directs the Governor to establish an ongoing operational and programmatic efficiency and effectiveness review and assessment of all state departments, agencies, and programs to coincide with alternating biennial state budget cycles. The bill schedules one-half of all state departments, agencies, and programs to be reviewed in each biennial budget cycle. The purpose of the review and assessment is to provide an objective and independent cost savings assessment of the Commonwealth's organizational structure and its programs in order to provide information to the Governor and the General Assembly to effect savings in expenditures, a reduction in duplication of effort, and programmatic efficiencies in the operation of state government. The bill requires that the review and assessment be conducted by a United States-based private management consulting firm with experience in conducting statewide performance reviews and provides for certain required terms for the consulting contract. The bill requires the Governor to submit a report to the General Assembly on the results of each review and assessment by December 1 of the year in which such review is conducted.

Patron - Sturtevant

SB843 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, 2019, through June 30, 2021. The bill requires that the fiscal year beginning July 1, 2018, would not be a part of any biennial appropriation act (i.e., it would be a single-year transitional budget).

Patron - McDougle

SB924 Government Data Collection and Dissemination Practices Act; collection and use of personal information by law-enforcement agencies. Provides that, unless a criminal or administrative warrant has been issued, law-enforcement and regulatory agencies shall not use surveillance technology to collect or maintain personal information where such data is of unknown relevance and is not intended for prompt evaluation and potential use regarding suspected criminal activity or terrorism by any individual or organization. The

bill authorizes law-enforcement agencies to collect information from license plate readers, provided that such information is held for no more than seven days and is not subject to any outside inquiries or internal usage, except in the investigation of a crime or a missing persons report. After seven days, such collected information must be purged from the system unless it is being utilized in an ongoing investigation. The bill also adds to the definition of "personal information," for the purposes of government data collection and dissemination practices, vehicle license plate numbers and information that affords a basis for inferring an individual's presence at any place.

Patron - Petersen

SB931 Virginia Freedom of Information Act; working papers and correspondence exemption for presidents of public institutions of higher education. Eliminates the working papers and correspondence record exemption for the president or other chief executive officer of any public institution of higher education in Virginia. The bill contains a technical amendment.

Patron - Petersen

SB937 Office of the Children's Ombudsman. Creates the Office of the Children's Ombudsman to provide ombudsman services, including investigation of complaints, advocacy, and information for children, parents, and citizens involved with child-serving agencies, defined in the bill. The bill also provides for the Office of the Governor to conduct a needs assessment with the Department of General Services to provide for office space needs of the Office of the Children's Ombudsman.

Patron - Edwards

SB972 Requests for information by members of the General Assembly; responses not subject to redaction. Requires all departments, agencies, and institutions of the Commonwealth and staff and employees thereof to respond to a request for information made by a member of the General Assembly. The bill further provides that notwithstanding the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), a response to a request for information made by a member of the General Assembly shall not be subject to redaction.

Patron - DeSteph

SB1013 Host Cities Economic Development Incentive and Host Localities Transportation Support Funds. Creates the Host Localities Economic Development Incentive Fund, administered by the Secretary of Commerce and Trade, to support economic development, growth of existing businesses, and job creation related to the Port of Virginia in one or more host localities. The bill also creates the Host Localities Transportation Support Fund, administered by the Secretary of Transportation, to support transportation projects and facilities related to the Port of Virginia in one or more host localities. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Lucas

SB1036 Virginia Student Loan Refinancing Authority; refinancing loan guaranty program. Establishes the Virginia Student Loan Refinancing Authority (the Authority), to be governed by a 10-member board, for the purpose of

developing and implementing a program by which the Authority may guarantee the obligations of an individual who incurred qualified education loan debt as a Virginia student at an institution of higher education in the Commonwealth under loans that refinance such education loan debt. The Authority is authorized to issue bonds to finance its obligations under such loan guarantees.

Patron - Howell

SB1076 My Virginia Plan Program; retirement plans for employees of private employers. Directs the Department of the Treasury (the Department) to create the My Virginia Plan Program (the Program) to enable private employers to connect with financial services firms that offer retirement plans. The bill provides that participation in a plan offered through the Program is voluntary for employers and their employees. The bill requires the Department to review and approve financial services firms to offer retirement plans through the Program and create a website for employers to obtain information on how to participate. The bill provides that the Department ensure that the Program provides a range of investment options to meet the needs of investors with various levels of risk tolerance and various ages.

The bill requires that in order to participate in the Program a financial services firm must register with the State Corporation Commission, meet the requirements of all federal laws required to offer retirement plans, and offer at least two product options, including a target date fund and a balanced fund. The bill authorizes the Department to charge fees to participating financial services firms to recoup start-up and ongoing costs. The bill prohibits financial services firms from charging any administrative fees to employers.

Patron - Ruff

SB1103 Virginia Freedom of Information Act (FOIA); closed meeting violations; civil penalty. Provides that in addition to any penalties imposed under FOIA, if the court finds that a member of a public body voted to certify a closed meeting and at the time of such certification such certification constituted a departure from the requirements of FOIA, the court shall impose on all members voting to certify in their individual capacity, whether or not a writ of mandamus or injunctive relief is awarded, a civil penalty of \$500 each, which amount shall be paid into the State Literary Fund.

Patron - Surovell

SB1114 Virginia Veteran Entrepreneurship Grant Program and Fund. Establishes the Virginia Veteran Entrepreneurship Grant Program and Fund to provide grants to eligible providers of educational, training, or other services to veterans in the areas of starting their own business, purchasing a franchise, or other entrepreneurial endeavors and to assist such service providers in offering resources to veterans for the start-up of new veteran-owned business operations in the Commonwealth. The bill has an expiration date of July 1, 2019, and provides that if the Program and Fund are not reauthorized by the General Assembly, moneys in the Fund shall revert to the general fund.

Patron - McPike

SB1115 Department of State Police; development, management, and operation of information technology.

Exempts the development, management, and operation of information technology by the Department of State Police from oversight by the Virginia Information Technology Agency.

Patron - McPike

SB1128 Virginia Freedom of Information Act; failure to respond to request for records; rebuttable presumption. Provides that there shall be a rebuttable presumption that a failure to respond to a request for records was willful and knowing.

Patron - DeSteph

SB1130 Department of Small Business and Supplier Diversity; implementation of certification programs for small businesses; definition of small business; report. Changes the definition of small business, beginning July 1, 2018, to meet the small business size standards established by the regulations of the U.S. Small Business Administration. The bill provides that any business entity that the Department of Small Business and Supplier Diversity (the Department) has certified as a small business prior to July 1, 2018, shall have such certification extended for a three-year period. The bill also provides that the Director of the Department adopt regulations that will, beginning July 1, 2018, establish a three-year certification period for small businesses to be based on the dominant business activity of each small business entity. The bill (i) includes a definition of "dominant business activity"; (ii) provides for the Department to enter into a memorandum of understanding with appropriate agencies establishing provisions for the sharing of information, consistent with the requirements of state and federal law; (iii) authorizes the Director to terminate a contract with any independent certifying entities to assist in the certification of small, women-owned, and minority-owned businesses based on performance or a written determination by the Director that continuing the contract is not practicable, and (iv) requires the Secretary of Commerce and Trade to evaluate the effect of the implementation of the new definition at three-year intervals, reporting to the Governor and General Assembly by December 1, 2021, and December 1, 2024.

Patron - Ruff

SB1156 Virginia Public Building Authority; Military Mission Improvement and Expansion projects. Authorizes the Virginia Public Building Authority to finance or assist in the financing of certain activities connected with Military Mission Improvement and Expansion projects (MMIE projects), defined by the bill as a project or projects recommended by the Commission on Military Installations and Defense Activities and approved by the Governor that are designed to improve, expand, develop, or redevelop a federal or state military installation to enhance such installation's military value.

Patron - Reeves

SB1157 Lobbyist disclosure; reporting by certain political subdivisions. Requires the governing body of any association or other nonstock corporation that is established by a political subdivision or combination of political subdivisions of the Commonwealth to file a separate registration statement on behalf of their officers and employees who will be engaged in lobbying. The bill also prohibits such political subdivisions from using public funds to support lobbying efforts and

requires funds used for lobbying to be segregated from public funds and held in a separate bank account.

Patron - Reeves

SB1171 Public employment; inquiries by state agencies and localities regarding criminal convictions, charges, and arrests. Prohibits state agencies from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. A prospective employee may not be asked if he has ever been convicted of any crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if the prospective employee has a conviction record that directly relates to the duties and responsibilities of the position. A prospective employee may not be asked if he has ever been arrested or charged with a crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if (i) the prospective employee's criminal arrest or charge resulted in the prospective employee's conviction of a crime and (ii) the crime of which he was convicted directly relates to the duties and responsibilities of the position. The prohibition does not apply to applications for employment with law-enforcement agencies or certain positions designated as sensitive or in instances where a state agency is expressly permitted to inquire into an individual's criminal history for employment purposes pursuant to any provision of federal or state law. The bill also authorizes localities to prohibit such inquiries.

Patron - Dance

SB1212 Board of Veterans Services; membership; duties. Removes requirements regarding specific areas of expertise for members appointed to the Board of Veterans Services (the Board) by the Governor. The bill also (i) extends the number of consecutive terms for legislative members from four to six two-year terms for members of the House of Delegates and from two to three four-year terms for members of the Senate; (ii) removes the requirements that the Board be organized into at least three standing committees; and (iii) makes other changes to the administration of the Board and the eligibility for reappointment of nonlegislative citizen members of the Board. This bill was incorporated into SB 1182.

Patron - Wexton

SB1238 Virginia Economic Development Partnership Authority; Chief Executive Officer; powers and duties. Requires the Chief Executive Officer (CEO) of the Virginia Economic Development Partnership Authority (the Authority) to develop a comprehensive operational plan for the Authority, including, at a minimum, the following components: (i) a plan for coordination with all state agencies administering economic development incentive programs to ensure that such programs consistently achieve maximum effectiveness, (ii) the results of the most recent survey of all economic development partners assessing the effectiveness of the Authority's coordination with nonstate economic development organizations and the alignment of the Authority's strategic plan with economic development partners, and (iii) an evaluation of grant incentive awards programs administered by the Authority. The initial plan must be submitted by December 1, 2017, to the Author-

ity's Board for review and approval. After approval, the CEO must report quarterly to the Board regarding the status of the implementation of the plan. In addition, the bill changes the membership requirements of the Board by removing the conditions that the Governor's appointees represent the state's congressional districts and changing the appointments of legislative appointees from membership at large to requirements for general areas of expertise. The bill changes all terms from six to four years and provides for the 12 citizen members appointed by the Governor to be re-staggered beginning in 2017. The bill also (a) provides for the Secretary of Commerce and Trade to serve as the chairman of the Authority's Board, (b) establishes the Division of Grant Administration within the Authority, (c) creates an Office of Internal Audit, and (d) provides for the Authority to staff the Governor's cabinet-level committee assisting the Secretary of Commerce and Trade in developing the state's comprehensive economic development strategy.

Patron - Hanger

[E]SB1246 Comprehensive Services for At-Risk Youth and Families; special education programs. Grants, for a period of three years, eligibility for funding from the state pool of funds available through the Comprehensive Services for At-Risk Youth and Families program to children and youth placed for purposes of special education in a public school special educational program established and funded jointly by a local governing body and school board pursuant to a Memorandum of Agreement for the purpose of providing special education, related services, or both within a public day program, when the public school special educational program is able to provide services comparable to those of an approved private school special educational program, and the student would require placement in an approved private school special educational program but for the availability of the public school special educational program.

Patron - Stuart

[E]SB1275 Virginia Public Procurement Act; use of best value contracting; construction and professional services. Authorizes any public body to procure construction on a best value procurement basis using a numerical scoring system consisting of (i) technical solution, 30 percent; (ii) past performance, 30 percent; and (iii) price, 40 percent. Under the bill, if proceeding on a best value procurement basis, the Request for Proposal must contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis and describe the criteria that will be considered and the numerical scoring system that will be used in evaluating the proposals.

Patron - Ebbin

[E]SB1292 Virginia Freedom of Information Act (FOIA); trade secrets submitted to the Department of Mines, Minerals and Energy. Excludes from the mandatory disclosure provisions of FOIA trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), submitted to the Department of Mines, Minerals and Energy that identify chemical ingredient names, the chemical abstracts number for a chemical ingredient, or the amount or concentration of chemicals or ingredients used to stimulate a well pursuant to § 45.1-361.29 or Department regulations concerning such ground-dis-

turbing activities. The bill requires that for such records to be protected, the submitting party must (i) invoke this FOIA exclusion upon submission of the data or materials for which protection from disclosure is sought, (ii) identify the data or materials for which protection is sought, and (iii) state the reasons why protection is necessary. The bill requires the Department to determine whether the information claimed to be a trade secret is entitled to such protection.

Patron - Chafin

[E]SB1349 Secretary for Coastal Protection and Flooding Adaptation. Creates the position of Secretary for Coastal Protection and Flooding Adaptation (the Secretary). The Secretary shall be responsible for consolidating into a single office the resources for coastal flooding threats and adaptation. The Secretary also shall be the lead in providing direction, ensuring accountability, and developing a statewide coastal flooding adaptation strategy. The Secretary, in cooperation with the Secretary of Natural Resources, shall identify sources of funding for needed implementation of strategies for coastal protection and flooding adaptation.

Patron - Lewis

[E]SB1436 Virginia Freedom of Information Act (FOIA); definition of public body. Expands the definition of public body under FOIA to include any foundation that exists for the primary purpose of supporting a public institution of higher education and that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code.

Patron - Petersen

[E]SB1449 Red Tape Reduction Commission; review of regulatory requirements; report. Creates the Red Tape Reduction Commission (the Commission) to develop and maintain a state regulatory baseline of all current state regulatory requirements, with the initial baseline to be completed by January 1, 2019. The bill defines a regulatory requirement as any action required to be taken or information required to be provided in accordance with a statute or regulation in order to access government services or operate and conduct business and excludes requirements that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved or to meet requirements of federal law or regulations. The bill also provides that after the regulatory baseline has been established, any subsequent regulatory requirement proposed by an agency that is not included in the initial state regulatory baseline is considered a new regulatory requirement and requires the approval of the Commission before it may be enacted. In addition, the bill provides for the Commission to review current state regulatory requirements and provide recommendations to the Governor and General Assembly on measures to reduce the baseline regulatory requirements. The Commission must submit a report to the Governor and General Assembly by November 1, 2017, on (i) the organizational structure of the Commission, (ii) duties of staff, and (iii) guidelines for determining what constitutes a regulatory requirement. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Chase

[E]SB1521 Office of Immigrant Assistance created. Establishes in the Department of Social Services (the Depart-

ment) an Office of Immigrant Assistance (the Office) to assist persons lawfully entering the United States and the Commonwealth for the purpose of becoming citizens. The Office shall provide online (i) advice and assistance regarding the citizenship application process and (ii) information regarding employment and housing services for which such persons may be eligible. The bill provides that the Office shall be funded by such funds currently appropriated to the Department and any existing or available federal grants.

Patron - Ebbin

SB1528 Virginia Public Procurement Act; small business and microbusiness procurement enhancement program. Codifies the Governor's Executive Order 20 (2014) establishing a statewide small business and microbusiness procurement enhancement program. The bill establishes a statewide goal of 42 percent of small and microbusiness utilization in all discretionary spending by state agencies in procurement orders, prime contracts, and subcontracts. In addition, the bill provides for (i) a set-aside for competition among all small businesses for state agency purchases up to \$100,000 for goods and nonprofessional services and up to \$50,000 for professional services and (ii) a set-aside for competition among microbusinesses for purchases under \$10,000.

Patron - Locke

Agriculture, Animal Care, and Food

Passed

HB1477 Cats and dogs; lifetime licenses. Authorizes the governing body of a county or city to provide for a lifetime dog or cat license. The bill removes the minimum annual tax for a dog or cat, sets the maximum tax for a lifetime license at \$50, and limits the fee for a duplicate dog or cat tag to \$1. This bill is identical to SB 856.

Patron - Orrock

HB1781 Farmers markets; farm and forest land conversion; plans. Removes the requirements that certain agencies analyze the impact of regulations on the conversion of farm and forest lands and that the Commissioner of Agriculture and Consumer Services summarize the reports of the operators of state-owned farmers markets to the General Assembly.

Patron - Plum

HB2254 Tobacco Board; composition; assessment. Alters the member nomination process, tax rate, and other functions of the Tobacco Board (the Board). The bill removes the 90-day deadline for submission of industry nominees for a seat on the Board, as well as the requirement that there be two or more nominations for each seat. The bill removes from the Board the power to appoint a secretary and other employees. Finally, the bill raises the excise tax on tobacco from 20 cents to 40 cents per 100 pounds of tobacco harvested and renames it an assessment; authorizes the Board, at its discretion, to waive interest on the assessment when it is paid late or is left unpaid;

and provides criteria for such waiver. This bill is identical to SB 948.

Patron - Edmunds

HB2381 Dangerous dogs. Removes the requirement that a law-enforcement officer or animal control officer apply for a summons requiring a dog owner to appear before a general district court when the officer has reason to believe that the dog is dangerous. In the case of a dog that has bitten a cat or dog, the bill requires investigation by an officer for certain exemptions from the definition of "dangerous dog" to apply and removes an exemption for good cause as determined by a court. In the case of a dog that has bitten a person, the bill creates an exemption when an investigating officer finds that the injury is minor. The bill allows a court to use good cause as a reason to determine that a dog is not dangerous. The bill also reduces from 45 days to 30 days the period within which (i) an owner of a dog found to be dangerous is required to obtain a dangerous dog registration certificate and (ii) a convicted owner of a dangerous dog is required to comply with certain provisions. The bill contains technical amendments.

Patron - Fariss

SB852 Pet shops; procurement of dogs from unlicensed dealers. Prohibits any companion animal dealer who is not licensed or exempted from licensure by the U.S. Department of Agriculture (USDA) from selling any dog to a pet shop. The bill prohibits a pet shop from procuring a dog from a person who has received citations for one critical violation or three or more noncritical violations from the USDA in the two years prior to receiving the dog. The bill prohibits a pet shop from selling a dog procured from someone who knowingly obtained the dog directly or indirectly from a person with such citations.

Patron - Stanley

SB856 Cats and dogs; lifetime licenses. Authorizes the governing body of a county or city to provide for a lifetime dog or cat license. The bill also removes the minimum annual tax for a dog or cat, sets the maximum tax for a lifetime license at \$50, and limits the fee for a duplicate dog or cat tag to \$1. This bill is identical to HB 1477.

Patron - Hanger

SB948 Tobacco Board; composition; assessment. Alters the member nomination process, tax rate, and other functions of the Tobacco Board (the Board). The bill removes the 90-day deadline for submission of industry nominees for a seat on the Board, as well as the requirement that there be two or more nominations for each seat. The bill removes from the Board the power to appoint a secretary and other employees. Finally, the bill raises the excise tax on tobacco from 20 cents to 40 cents per 100 pounds of tobacco harvested and renames it an assessment; authorizes the Board, at its discretion, to waive interest on the assessment when it is paid late or is left unpaid; and provides criteria for such waiver. This bill is identical to HB 2254.

Patron - Ruff

SB1195 Produce safety; farm inspections; civil penalty. Prohibits certain farms from violating the federal regulations that set minimum standards for the safe growing,

harvesting, packing, and holding of fruits and vegetables. The bill authorizes the Board of Agriculture and Consumer Services to adopt regulations to carry out the purposes of the law and gives the Commissioner of Agriculture and Consumer Services free access at reasonable hours to certain farms to inspect the farms and take samples. The Commissioner also is authorized to seize certain produce if he believes it is being grown, kept, or exposed for sale or held in violation of federal regulations or state law, and the bill provides a court process by which the seizure may be contested. The bill authorizes the Board to levy a civil penalty of up to \$1,000 per violation, to be deposited in the Virginia Natural Resources Commitment Fund. The bill includes provisions that would cause it to expire upon the repeal of the relevant federal law, the granting of an exemption under such federal law, or the cessation of federal funding.

Patron - Stuart

[P]SB1463 Virginia Tobacco Region Revolving Fund; definition of project. Defines "equity" under the Virginia Tobacco Region Revolving Fund to mean any contribution to a project other than debt financing, including a federal, state, or local grant, except that the grant shall not be a Commission grant. The bill includes in the definition of "project" any other proposal recommended for evaluation and disbursement by the Commission and credit approved by the Authority, subject to such conditions and policies as agreed to by the Commission and the Authority. Projects other than those defined in § 62.1-199 shall be eligible to borrow from the Fund only in the event that other funding for the project equal to 25 percent of the total cost of the project is available through equity.

Patron - Ruff

Failed

[F]HB1802 Care of companion animals; tethering; penalty. Prohibits tethering of companion animals outdoors unless the owner is outdoors within sight of the animal. A violation of this prohibition is a Class 4 misdemeanor and a second or subsequent violation is a Class 3 misdemeanor.

Patron - Bell, John J.

[F]HB1877 Tethering of dogs; local ordinances. Authorizes the governing body of any locality to adopt ordinances limiting the amount of time during which a dog may be tethered.

Patron - Pogge

[F]HB1900 Dogs running at large; civil penalty. Prohibits dog owners from allowing dogs to run at large on the property of another after the landowner has given notice to the dog owner to keep the dog off of the property. The bill provides for a civil penalty of \$100 per dog enforced by animal control, conservation police, and other law-enforcement officers for each violation. Notice may be given verbally, in writing, with signs, or with blue tree markings.

Patron - Howell

[F]HB2028 Industrial hemp production; authorization. Removes all restrictions on the production of industrial hemp, including licensing and regulations.

Patron - Freitas

[F]HB2030 Food products; sale at farmers market, farm, or home. Exempts a producer of food, including milk, products made from milk, and poultry, from regulations of the Board of Agriculture and Consumer Services so long as the sale of such food by the producer is made directly to the end consumer; the sale is conducted at a farmers market or through a home or farm; the food product contains no uninspected meat other than poultry; and the producer informs the end consumer that the food product is not certified, regulated, or inspected.

Patron - Freitas

[F]HB2116 Sale of dog or cat not obtained from releasing agency or animal rescue. Authorizes localities to adopt ordinances prohibiting the sale in a business of any dog or cat that was not obtained from a Virginia releasing agency or a nonprofit animal rescue organization.

Patron - Keam

[F]HB2211 Tobacco Indemnification and Community Revitalization Fund; investment by Tobacco Region Revitalization Commission. Authorizes the Tobacco Region Revitalization Commission to manage and invest the assets of the Tobacco Indemnification and Community Revitalization Fund. Current law allows the State Treasurer to invest the Fund.

Patron - Rush

[F]HB2316 Tobacco Region Revitalization Commission; meetings by teleconference. Provides that the remote locations from which additional members of the Commission participate in a Commission meeting that is conducted through electronic communication means shall not be required to be open to the public.

Patron - Marshall, D.W.

[F]HB2349 Bioengineered foods; GMO content; genetically modified fish; labeling. Requires certain products containing a genetically modified organism (GMO) to bear a label stating, "Congress prohibits states from requiring the on-package labeling of the GMO content of this product." The bill requires retail food stores to post notices and information sheets regarding bioengineered foods and to install digital scanners to read the matrix barcodes that certain packaged foods may use to provide information on GMO content. The bill also requires that any genetically modified fish or fish product be so labeled and that a fish or fish product that is labeled "wild," "antibiotic-free," "hormone-free," or free of added colors or additives be harvested from a river or ocean, not raised in captivity under control for its entire life, and free from added colors and additives. The bill provides that some of its provisions shall be repealed if Congress amends the National Bioengineered Food Disclosure Standard to prohibit the on-package disclosure of bioengineered food solely by means of an electronic or digital link.

Patron - Marshall, R.G.

[F]HB2368 Milk production requirements; exemption. Exempts any person owning no more than three cows or three goats from the oversight of the Milk Commission and the requirements of the Board of Agriculture and Consumer Services governing the quality, grading, and sanitary standards for milk, as long as the milk is sold directly to consumers and bears a label stating that the product has not been inspected by the state and that the consumer is purchasing the product at his own risk.

Patron - Morris

[F]HB2398 Industrial hemp; pilot program; license. Directs the Commissioner of Agriculture and Consumer Services to establish a pilot program to study and grow industrial hemp and to create a license for such program. The license is valid for three years and the application fee for such license shall not exceed \$75. The bill removes the authority of the Board of Agriculture and Consumer Services to adopt regulations to license persons to grow industrial hemp.

Patron - Pogge

[F]HJ630 Study; study the efficacy of the sheriff of any locality supervising animal control officers; report. Directs the Department of Criminal Justice Services to study the efficacy of the sheriff of any locality supervising animal control officers and report on the effectiveness and cost of such reorganization.

Patron - Bell, Robert B.

[F]SB799 Companion animal surgical sterilization program; fund; penalty. Establishes a fund to reimburse participating veterinarians for the surgical sterilizations they perform on eligible cats or dogs. The bill requires that a surcharge of \$5 per ton of pet food distributed in the Commonwealth be deposited in the fund and that such pet food be exempted from the existing litter tax. An animal will be eligible for sterilization under the program at no or reduced cost to its owner or caretaker if it is a feral or free-roaming cat or is owned by a low-income individual or a releasing agency such as an animal shelter. The bill establishes penalties for providing false information or submitting false payment requests.

Patron - Stanley

[F]SB801 Public animal shelters; dogs; euthanasia. Requires a public animal shelter to wait three days before euthanizing a dog or cat when a person has notified the shelter of his intent to adopt or take custody of the particular animal. The shelter must make reasonable efforts to accomplish the release of the animal, but is not required hold the animal if it has reason to believe that the animal has seriously injured a human or the animal meets certain other specified conditions for euthanasia. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Stanley

[F]SB1030 Renewal of nursery stock licenses; late fee. Imposes a \$50 late fee for a nurseryman and \$15 late fee for a dealer for failure to renew a nursery stock license within 30 days of the December 31 expiration date. The bill exempts from prosecution for a Class 1 misdemeanor under § 3.2-3810 any nurseryman or dealer who pays the late fee imposed by the bill. The bill provides that any nurseryman or dealer who fails

to renew his license within 30 days of the December 31 due date shall be considered unlicensed.

Patron - Marsden

[F]SB1147 Cruelty to animals; companion animals; penalty. Changes from a Class 1 misdemeanor to a Class 6 felony the penalty for torturing or willfully inflicting inhumane injury or pain to a companion animal, defined as a domestic or feral dog, domestic or feral cat, nonhuman primate, guinea pig, hamster, rabbit not raised for human food or fiber, exotic or native animal, reptile, or exotic or native bird. Current law requires that the animal die as a direct result of the torture or cruelty and that the companion animal is a dog or cat before the violation is a Class 6 felony.

Patron - DeSteph

[F]SB1204 Sale of dog or cat not obtained from releasing agency or animal rescue. Authorizes localities to adopt ordinances prohibiting the sale in a business of any dog or cat that was not obtained from a Virginia releasing agency or a nonprofit animal rescue organization.

Patron - Lewis

[F]SB1218 Killing of dog or cat prohibited; penalty. Prohibits the humane killing of a dog or cat that is a companion animal unless the animal poses an immediate physical threat to a person or is in extreme distress and would suffer further as a result of a delay in seeking veterinary care. The bill makes a violation a Class 2 misdemeanor, with any subsequent violation a Class 6 felony. The bill exempts from the prohibition any veterinarian or other authorized person who euthanizes a companion animal under Chapter 65 (§ 3.2-6500 et seq.) of Title 3.2 (Comprehensive Animal Care).

Patron - Stanley

[F]SB1263 Cats and dogs; lifetime licenses. Authorizes the governing body of a county or city to provide for a lifetime dog or cat license. The bill also removes the minimum annual tax for a dog or cat, sets the maximum tax for a lifetime license at \$50, and limits the fee for a duplicate dog or cat tag to \$1.

Patron - Black

[F]SB1306 Industrial hemp; license. Requires the Commissioner of Agriculture and Consumer Services to create a pilot program for the growing of industrial hemp with certain application, review, and operation requirements. The bill provides that hemp produced by the research program may be sold as part of marketing research.

Patron - Vogel

[F]SB1491 Agritourism activity; residence rental. Defines "agritourism activity" to include the rental of a single-family residence for a period of at least one week.

Patron - Stuart

[F]SB1582 Virginia Farm Pride Beef label. Authorizes the Director of the Division of Marketing of the Department of Agriculture and Consumer Services (VDACS) to use a Virginia Farm Pride Beef label to indicate that a beef product has been certified as Virginia Farm Pride Beef by an accredited certifying agent. The bill requires a producer of such beef to

meet all of the applicable federal standards for organic livestock except the livestock health care practice standard related to antibiotics. The bill also directs VDACS to adopt regulations for the administration of the program.

Patron - Vogel

Alcoholic Beverage Control Act

Passed

[P]HB1694 Alcoholic beverage control; nonprofit banquet licensees; sale of wine for off-premises consumption. Provides that banquet licensees that are nonprofit corporations or associations conducting fundraisers (i) shall also be authorized to sell wine, as part of any fundraising activity, in closed containers for off-premises consumption to persons to whom wine may be lawfully sold and (ii) shall be limited to no more than one such fundraiser per year.

Patron - Marshall, D.W.

[P]HB1743 Alcoholic beverage control; retail on-premises license for nonprofit historic cinema houses. Creates a new retail on-premises wine and beer license for nonprofit historic cinema houses. The bill defines "historic cinema house" and sets out the privileges of the license and imposes a \$200 annual state license tax and a \$20 annual local license tax.

Patron - Rush

[P]HB1744 Alcoholic beverage control; disposable containers. Includes a single original metal can in the list of allowable disposable containers that a beer licensee, a wine and beer licensee, and certain mixed beverage licensees may use to sell alcoholic beverages. This bill is identical to SB 1469.

Patron - Rush

[P]HB1801 Alcoholic beverage control (ABC); delivery privileges of persons holding a wine and beer license. Provides that notwithstanding any provision of law to the contrary, persons granted a wine and beer license may deliver such wine or beer in closed containers for off-premises consumption (i) to a person's vehicle if located in a designated parking area of the retailer's premises where such person has electronically ordered wine or beer in advance of the delivery or (ii) if the licensee holds a delivery permit issued by the ABC Board, to such other locations as may be permitted by Board regulation. The bill contains technical amendments.

Patron - Knight

[P]HB1842 Alcoholic beverage control; neutral grain spirits or alcohol sold at government stores; proof. Increases from 101 to 151 the proof of neutral grain spirits or alcohol that is without distinctive character, aroma, taste, or color that may be sold at government stores. The bill has an expiration date of July 1, 2022.

Patron - Knight

[P]HB1926 Alcoholic beverage control (ABC); definition of municipal golf course; food sales requirements for mixed beverage restaurant licensees located on the premises of and operated by municipal golf courses. Defines "municipal golf course" and provides that for mixed beverage restaurant licensees located on the premises of and operated by municipal golf courses, the ABC Board shall recognize the seasonal nature of the business and waive any applicable monthly food sales requirements for those months when weather conditions may reduce patronage of the golf course, provided that prepared food, including meals, is available to patrons during the same months. The bill provides that the gross receipts from the sale of food cooked, or prepared, and consumed on the premises and nonalcoholic beverages served on the premises, after the issuance of such license, shall amount to at least 45 percent of the gross receipts from the sale of mixed beverages and food on an annualized basis.

Patron - Campbell

[P]HB1987 Alcoholic beverage control; new license for certain commercial lifestyle centers. Defines "commercial lifestyle center" and creates a new nonretail license for commercial lifestyle centers. The bill sets out the privileges of the license and imposes a \$300 annual state tax and a \$60 annual local tax on the license. The bill contains technical amendments. This bill is identical to SB 1391.

Patron - Greason

[P]HB2029 Alcoholic beverage control; privileges of licensed distillers appointed as agents of the Alcoholic Beverage Control Board. Allows a licensed distiller who has been appointed by the Alcoholic Beverage Control Board as an agent to sell spirits manufactured by the distiller at a site of an event licensed by the Board and conducted for the purpose of featuring and educating the consuming public about spirits products. This bill is identical to SB 1448.

Patron - Freitas

[P]HB2078 Alcoholic beverage control; annual mixed beverage performing arts facility license. Authorizes the Alcoholic Beverage Control Board to grant an annual mixed beverage performing arts facility license to persons operating food concessions at any performing arts facility located in the arts and cultural district of the City of Harrisonburg, provided that the performing arts facility (i) is occupied under a bona fide long-term lease or concession agreement, the original term of which was more than five years; (ii) has been rehabilitated in accordance with historic preservation standards; (iii) has monthly gross receipts from the sale of food cooked, or prepared, and consumed on the premises and nonalcoholic beverages served on the premises that meet or exceed the monthly minimum established by Board regulations for mixed beverage restaurants; and (iv) has a total capacity in excess of 900 patrons. Such license shall authorize the sale, on the dates of performances or private or special events, of alcoholic beverages for on-premises consumption in areas upon the licensed premises approved by the Board.

Patron - Wilt

[P]HB2185 Alcoholic beverage control; granting of certain mixed beverage licenses. Provides that, notwithstanding the requirement for a referendum for liquor by the drink,

the Alcoholic Beverage Control Board may issue a mixed beverage license to establishments located on property (i) 2,135 feet north of the intersection of State Routes 1223 and 661 (Meadows Golf and Swim Club); (ii) on State Route 685 approximately 1,128 feet west of the intersection of State Routes 652 and 685; and (iii) adjacent to State Route 697 and operated as a country club in the Powell Valley section of Wise County.

Patron - Yost

HB2247 Virginia Alcoholic Beverage Control Authority; eligibility of employees for Workforce Transition Act. Eliminates the eligibility of employees of the Alcoholic Beverage Control Board who elect not to become employees of the Alcoholic Beverage Control Authority for severance benefits under the Workforce Transition Act. Such severance benefits would remain available for a Board employee who is not offered a position with the Authority, is not offered a position for which the employee is qualified, or is offered a position that would require relocation or a reduction in salary. The bill has a delayed effective date of July 1, 2018.

Patron - Jones

HB2359 Virginia Alcoholic Beverage Control (ABC) Authority. Changes the effective date for the creation of the ABC Authority from July 1, 2018, to January 15, 2018. The bill creates a transition period from January 15, 2018, until December 31, 2018, during which time the current Department of Alcoholic Beverage Control will coexist with the ABC Authority to facilitate an orderly and efficient transition and to ensure the continuation of operations during the transition. The bill provides that during the transition period the current ABC Board will be the Board of Directors of the ABC Authority. The bill grants to the ABC Authority the authority to implement and maintain independent payroll and nonpayroll disbursement systems, which are subject to review and approval by the State Comptroller and which include travel reimbursements, revenue refunds, disbursements for vendor payments, petty cash, and interagency payments. The bill also (i) streamlines the suspension and revocation process to encourage settlement of cases before reaching the appeal level to the Board of Directors, (ii) exempts the ABC Authority from mandatory procurement provisions, and (iii) authorizes the Board of Directors to delegate or assign to any officer or employee of the ABC Authority any duties or tasks required to be performed by the ABC Authority but provides that the Board of Directors remains responsible for the performance of any such duties or tasks. The bill contains numerous technical amendments.

Patron - Albo

HB2418 Alcoholic beverage control; banquet licenses for wineries and breweries. Increases from four to eight the number of banquet licenses a brewery or winery may obtain for events in any one-year period, provided that the event for which a banquet license is obtained is (i) at a place approved by the Board and (ii) conducted for the purposes of featuring and educating the consuming public about beer or wine products, respectively. The bill also specifically provides that such wine or beer manufacturer is limited to eight banquet licenses for such events per year without regard to the number of wineries or breweries, respectively, owned or operated by

such manufacturer or by any parent, subsidiary, or company under common control with such manufacturer. The bill contains a technical amendment.

Patron - Robinson

HB2433 Alcoholic beverage control (ABC); cider. Provides that cider shall be treated as wine for all purposes of alcoholic beverage control law, except where otherwise provided in ABC law or Board regulations. The bill contains technical amendments.

Patron - Bulova

SB1108 Alcoholic beverage control; culinary walking tour permit. Creates a new permit that allows tour companies guiding individuals for compensation on a culinary walking tour to licensed on-premises retail establishments to collect as one fee from tour participants (i) the licensee's fee for the food and alcoholic beverages served as part of the tour and (ii) a fee for the culinary walking tour service. The bill requires the tour company to remit to the licensee any fee collected for the food and alcoholic beverages served as part of the tour. The bill provides that food cooked or prepared on the premises of such licensed on-premises retail establishments shall be served at each such establishment on the tour.

Patron - Sturtevant

SB1150 Alcoholic beverage control; bar bystander training. Directs the Alcoholic Beverage Control Board to promulgate regulations that establish and make available to all retail on-premises licensees and permittees for which on-premises consumption of alcoholic beverages is allowed and employees of such licensees and permittees who serve as a bartender or otherwise sell, serve, or dispense alcoholic beverages for on-premises consumption a bar bystander training module, which shall include (i) information that enables licensees, permittees, and their employees to recognize situations that may lead to sexual assault and (ii) intervention strategies to prevent such situations from culminating in sexual assault.

Patron - Favola

SB1216 Alcoholic beverage control; availability of food when spirits served. Directs the Alcoholic Beverage Control Board to promulgate regulations that require mixed beverage licensees to have food, cooked or prepared on the licensed premises, available for on-premises consumption until at least 30 minutes prior to an establishment's closing. The bill requires that such food be available in all areas of the licensed premises in which spirits are sold or served.

Patron - DeSteph

SB1287 Virginia Alcoholic Beverage Control (ABC) Authority. Changes the effective date for the creation of the ABC Authority from July 1, 2018, to January 15, 2018. The bill creates a transition period from January 15, 2018, until December 31, 2018, during which time the current Department of Alcoholic Beverage Control will coexist with the ABC Authority to facilitate an orderly and efficient transition and to ensure the continuation of operations during the transition. The bill provides that during the transition period the current ABC Board will be the Board of Directors of the ABC Authority. The bill grants to the ABC Authority the authority to implement and maintain independent payroll and nonpayroll dis-

bursement systems, which are subject to review and approval by the State Comptroller and which include travel reimbursements, revenue refunds, disbursements for vendor payments, petty cash, and interagency payments. The bill also (i) streamlines the suspension and revocation process to encourage settlement of cases before reaching the appeal level to the Board of Directors, (ii) exempts the ABC Authority from mandatory procurement provisions, and (iii) authorizes the Board of Directors to delegate or assign to any officer or employee of the ABC Authority any duties or tasks required to be performed by the ABC Authority but provides that the Board of Directors remains responsible for the performance of any such duties or tasks. The bill contains numerous technical amendments.

Patron - McDougle

[P]SB1325 Alcoholic beverage control; mixed beverage licenses for certain properties. Increases from 1,500 feet to 3,000 feet the distance from Interstate 81 within which the Alcoholic Beverage Control Board may grant mixed beverage licenses to establishments located on property on either frontage road between mile markers 75 and 86 in the County of Wythe.

Patron - Carrico

[P]SB1382 Alcoholic beverage control; applications for retail license; health permit or inspection. Requires applicants for retail licenses for establishments that serve food or are otherwise required to obtain a food establishment permit from the Department of Health or an inspection by the Department of Agriculture and Consumer Services to provide a copy of such permit, proof of inspection, or proof of a pending request for such permit or inspection. The bill provides that if the applicant provides such documentation, a license may be issued to the applicant, which shall authorize the licensee to purchase alcoholic beverages; however, if the license was granted on the basis of a pending request for a permit or inspection, the licensee shall not sell or serve alcoholic beverages until a permit is issued or an inspection is completed.

Patron - Ebbin

[P]SB1391 Alcoholic beverage control; new license for certain commercial lifestyle centers. Defines "commercial lifestyle center" and creates a new nonretail license for commercial lifestyle centers. The bill sets out the privileges of the license and imposes a \$300 annual state tax and a \$60 annual local tax on the license. The bill contains technical amendments. This bill is identical to HB 1987.

Patron - DeSteph

[P]SB1448 Alcoholic beverage control; privileges of licensed distillers appointed as agents of the Alcoholic Beverage Control Board. Allows a licensed distiller who has been appointed by the Alcoholic Beverage Control Board as an agent to sell spirits manufactured by the distiller at a site of an event licensed by the Board and conducted for the purpose of featuring and educating the consuming public about spirits products. This bill is identical to HB 2029.

Patron - Deeds

[P]SB1469 Alcoholic beverage control; disposable containers. Includes a single original metal can in the list of

allowable disposable containers that a beer licensee, a wine and beer licensee, and certain mixed beverage licensees may use to sell alcoholic beverages. This bill is identical to HB 1744.

Patron - Chafin

[P]SB1587 Alcoholic beverage control; wine and beer licenses. Includes Alleghany County in the list of wine and beer licenses that may be granted to persons operating food concessions at any outdoor performing arts amphitheater, arena, or similar facility that has seating for more than 20,000 persons.

Patron - Deeds

Failed

[F]HB1526 Alcoholic beverage control; mixed beverage annual live entertainment venue license. Creates the mixed beverage annual live entertainment license to allow any person operating a live entertainment venue to sell, on the dates of performances and one hour prior to any such performance and one hour after the conclusion of any performance, but no later than 2:00 a.m. alcoholic beverages for on-premises consumption in areas upon the licensed premises approved by the Board. The bill stipulates that the live entertainment venue (i) must be owned by the licensee or be occupied under a bona fide long-term lease or concession agreement, the original term of which was more than five years, and (ii) must have monthly gross receipts from the sale of food cooked, or prepared, and consumed on the premises and nonalcoholic beverages served on the premises of at least \$4,000. The bill defines a live entertainment venue as an establishment devoted exclusively to the bona fide live performance of the performing arts, which establishment is open to the public no more than four days in any calendar week and where (a) at least 75 percent of the ticket sales for any performance at such venue is required to be purchased at least 12 hours in advance of the performance and (b) the ticket price for the performance is based on the fair market value of the performance.. The bill contains technical amendments.

Patron - Albo

[F]HB1528 Alcoholic beverage control; tastings conducted by manufacturers, wine and beer wholesalers, and authorized representatives. Increases the amount allowed to be spent on the purchase of alcoholic beverages used in a tasting conducted by manufacturers, wine and beer wholesalers, and authorized representatives from \$100 to \$250. The bill also provides that, as a condition of conducting the tasting, a wholesaler or the retail licensee on whose premises the tasting is conducted is not required by agreement or otherwise to pay for the purchase of the alcoholic beverage products used in the tasting.

Patron - Albo

[F]HB1901 Alcoholic beverage control; tied house exception. Creates an exception to the tied house prohibition on the retail sale of alcoholic beverages by manufacturers of distilled spirits for any manufacturer of distilled spirits located within the Commonwealth, not under common control or ownership with any other distillery, that is under common control or ownership with a restaurant licensed to sell spirits at retail in

Virginia, provided that such manufacturer produces no more than 5,000 gallons of spirits annually and does not require the retail licensee to exclude from sale at the restaurant alcoholic beverages of other manufacturers, bottlers, or wholesalers. The bill would allow the issuance of a retail license to such manufacturer.

Patron - Heretick

HB2220 Alcoholic beverage control; limited mixed beverage license for retail cigar shops. Creates a new limited mixed beverage license for retail cigar shops. The bill sets out the privileges of this new license, including a requirement that at least 60 percent of the licensee's annual gross revenue be from the sale of premium tobacco products. The bill also defines cigar shop and sets out the state and local license taxes for this license.

Patron - Landes

HB2222 Alcoholic beverage control (ABC); limited mixed beverage license for retail cigar shops. Creates a new limited mixed beverage license for retail cigar shops for the sale or service of alcoholic beverages. The bill sets out the privileges of this new license, including a requirement that at least 60 percent of the licensee's annual gross revenue be from the sale of premium tobacco products. The bill also defines cigar shop and sets out the state and local license taxes for this license. The bill provides that a cigar shop licensed by the ABC Board shall not be deemed a restaurant for the purposes of the Virginia Indoor Clean Air Act.

Patron - Yost

HB2472 Alcoholic beverage control; spirits tastings by distiller licensee. Increases the single sample size for tastings of spirits to one ounce or two ounces when served as a mixed beverage.

Patron - Fariss

SB943 Alcoholic beverage control; location of government stores. Requires the Alcoholic Beverage Control Board (Board) or its designee to provide notice and hold a public hearing before establishing a government store for the sale of alcoholic beverages. The bill prohibits the establishment of a government store within one-tenth of a mile of any (i) church, synagogue, mosque, or other place of religious worship; (ii) public, private, or parochial school, college, or university; or (iii) child-welfare agency. The bill requires the Board, prior to entering into any lease of real property for the purposes of establishing a government store, to (a) conduct a visual inspection of the property and (b) consult with the Department of Social Services and the Department of Education or review any databases maintained by such departments regarding the locations of schools and child welfare agencies to ensure that the property to be leased is not located within one-tenth of a mile of any of the aforementioned entities. The bill provides that any government store established prior to July 1, 2017, by the Board may continue to operate without meeting the requirements of this bill.

Patron - Ebbin

SB970 Alcoholic beverage control (ABC); food-to-beverage ratio for certain mixed beverage licensees. Reduces the current 45 percent food-to-beverage ratio for mixed beverage licensees to 35 percent under certain conditions met by a mixed beverage licensee in accordance with ABC Board regulations. The bill requires the ABC Board to adopt fast-track regulations that prescribe the terms and conditions under which persons holding a mixed beverage restaurant, caterer's, or limited caterer's license meet or exceed the following: (i) For such licensees with monthly food sales of at least \$4,000 but less than \$10,000, the food-to-beverage ratio shall be 35 percent; and (ii) for such licensees with monthly food sales of at least \$10,000, there shall be no food-to-beverage ratio requirement imposed. The bill provides in addition that such regulations shall provide that food cooked or prepared on the premises and consumed on the premises shall be available at all times when alcoholic beverages are served by such licensees. The bill is a recommendation of the Special Joint Subcommittee of the House Committee on General Laws and the Senate Committee of Rehabilitation and Social Services Studying ABC Issues.

Patron - DeSteph

SB971 Alcoholic beverage control; purchase of wine by restaurant from retailer. Allows restaurant licensees to purchase for resale and sell wine purchased from a retailer licensed to sell such wine for off-premises consumption.

Patron - DeSteph

SB1161 Alcoholic beverage control; food sale requirements. Provides that a business may be considered a restaurant for purposes of mixed beverage licenses if it regularly sells foods, rather than meals, prepared on the premises. The bill also clarifies that in calculating the denominator of the food-beverage ratio, mixed beverage restaurant licensees, mixed beverage caterer's licensees, mixed beverage limited caterer's licensees, and limited mixed beverage restaurant licensees shall include the gross receipts from the sale of non-alcoholic beverages.

Patron - Reeves

SB1271 Alcoholic beverage control; rental of draft truck by retail licensee. Allows a beer wholesaler to rent to any on-premises retail licensee a draft truck and any equipment necessary to operate such draft truck for use by the retail licensee at a special event for which an extension of the retail licensee's licensed premises has been granted by the Alcoholic Beverage Control Board. Under current law, wholesalers are prohibited from selling, renting, or lending to any retail licensee equipment with which the business of such retail licensee is or may be conducted.

Patron - Ebbin

SB1357 Alcoholic beverage control; tastings conducted by manufacturers, wine and beer wholesalers, and authorized representatives. Increases the amount allowed to be spent on the purchase of alcoholic beverages used in a tasting conducted by manufacturers, wine and beer wholesalers, and authorized representatives from \$100 to \$250. The bill also provides that, as a condition of conducting the tasting, a wholesaler or the retail licensee on whose premises the tasting is conducted is not required by agreement or otherwise to pay for the

purchase of the alcoholic beverage products used in the tasting.

Patron - Norment

[E]SB1358 Alcoholic beverage control; point of sale advertising materials. Provides that point of sale advertising materials provided by a manufacturer or its authorized vendor or a wholesale wine and beer licensee to a retail licensee may be made of wood or metal and increases from \$40 per item to \$100 per item the maximum wholesale value of such materials. The bill also provides that no wholesaler or retail licensee shall be required by agreement or otherwise to pay for such advertising materials.

Patron - Norment

[E]SB1589 Alcoholic beverage control; spirits tastings by distiller licensee. Increases the single sample size for tastings of spirits to one ounce or two ounces when served as a mixed beverage.

Patron - Peake

Aviation

Passed

[P]HB2149 Registration of aircraft. Updates terminology by changing "license" to "registration" to better reflect the responsibility of the Department of Aviation to locate and count aircraft. The bill removes from the Virginia Aviation Board the power and duty to promulgate rules for air traffic, construction and inspection of aircraft, qualifications and licensing of airmen, and stunt flying to better reflect the current regulatory responsibilities. This bill received Governor's recommendations.

Patron - Knight

[P]SB1417 Commercial air service plan. Requires the Virginia Aviation Board to develop and review every five years a commercial air service plan for commercial air service airports in the Commonwealth and, prior to allocation of funds from the Commonwealth Airport Fund by the Board, ensure that requested funds are consistent with the plan. The bill requires the Board to report to the Governor and the General Assembly annually on the use of Commercial Airport Fund revenues for the previous fiscal year. The bill prohibits the use of Commercial Airport Fund revenues for (i) operating costs, unless otherwise approved by the Board, or (ii) purposes related to supporting the operation of an airline, either directly or indirectly, through grants, credit enhancements, or other related means.

Patron - Newman

Behavioral Health and Developmental Services

Passed

[P]HB1426 Emergency custody or involuntary admission process; alternative transportation model. Directs the Commissioner of Behavioral Health and Developmental Services and the Director of Criminal Justice Services, in conjunction with the relevant stakeholders, to develop a comprehensive model for the use of alternative transportation providers to provide safe and efficient transportation of individuals involved in the emergency custody or involuntary admission process as an alternative to transportation by law enforcement. The bill requires that the model be completed by October 1, 2017, and reported to the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century, the House Committee for Courts of Justice, and the Senate Committee for Courts of Justice. This bill is identical to SB 1221.

Patron - Garrett

[P]HB1483 Board of Behavioral Health and Developmental Services to amend regulations governing licensure of providers to include certain definitions. Requires the Board of Behavioral Health and Developmental Services to amend regulations to include (i) occupational therapists in the definitions of "Qualified Mental Health Professional - Adult," "Qualified Mental Health Professional - Child," and "Qualified Mental Retardation Professional" and (ii) occupational therapy assistants in the definition of "Qualified Paraprofessional in Mental Health." In amending these definitions, the Board shall require educational and clinical experience for occupational therapists and occupational therapy assistants that is substantially equivalent to comparable professionals listed in the current regulations. The bill requires the Board to enact regulations to be effective within 280 days.

Patron - Bell, Richard P.

[P]HB1491 Background checks; exceptions; sponsored living and shared residential service providers. Allows a provider licensed by the Department of Behavioral Health and Developmental Services or a community services board to approve as a sponsored residential service provider or to permit to enter into a shared living arrangement persons who have been convicted of not more than one misdemeanor offense under § 18.2-57 or 18.2-57.2 if 10 years have elapsed following the conviction, unless the person committed the offense while employed in a direct care position. The bill also allows a provider or community services board to approve a person as a sponsored residential service provider if any adult living in the home of an applicant or any person employed by the applicant to provide services in the home in which sponsored residential services are provided has been convicted of not more than one misdemeanor offense under § 18.2-57 or 18.2-57.2 if 10 years have elapsed following the conviction, unless the person committed the offense while employed in a

direct care position. This bill received Governor's recommendations.

Patron - Hope

HB1508 Department of Behavioral Health and Developmental Services; critical incident reports; licensed programs. Requires the Commissioner of Behavioral Health and Developmental Services to provide a written report setting forth the known facts of serious injuries or deaths of individuals receiving services in programs operated or licensed by the Department of Behavioral Health and Developmental Services to the Director of the Commonwealth's designated protection and advocacy system within 15 working days of the serious injury or death. Currently, reports are required only for critical incidents or deaths occurring at facilities operated by the Department. This bill is identical to SB 894.

Patron - Hope

HB1549 Community services boards and behavioral health authorities; services to be provided. Provides that, effective July 1, 2019, the core of services provided by community services boards and behavioral health authorities shall include (i) same-day access to mental health screening services and (ii) outpatient primary care screening and monitoring services for physical health indicators and health risks and follow-up services for individuals identified as being in need of assistance with overcoming barriers to accessing primary health services. The bill provides that, effective July 1, 2021, the core of services provided by community services boards and behavioral health authorities additionally shall include (a) crisis services for individuals with mental health or substance use disorders, (b) outpatient mental health and substance abuse services, (c) psychiatric rehabilitation services, (d) peer support and family support services, (e) mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility, (f) care coordination services, and (g) case management services. The bill also requires the Department of Behavioral Health and Developmental Services to report annually regarding progress in the implementation of the bill. This bill is identical to SB 1005.

Patron - Farrell

HB1551 Commitment hearings; sharing of records and information. Requires the Office of the Executive Secretary of the Supreme Court to provide electronic data, including individually identifiable information, on proceedings pursuant to the Psychiatric Treatment of Minors Act and the Emergency Custody of Voluntary and Involuntary Civil Admissions Act to the Department of Behavioral Health and Developmental Services upon request and provides that the Department may use such data for the purpose of developing and maintaining statistical archives, conducting research on the outcome of such proceedings, and preparing analyses and reports for use by the Department. The bill requires the Department to take all necessary steps to protect the security and privacy of the records and information provided pursuant to the provisions of the bill in accordance with the requirements of state and federal law and regulations governing health privacy. This bill is identical to SB 1006.

Patron - Farrell

HB1775 Persons with developmental disabilities; terminology. Corrects numerous sections of the Code of Virginia by replacing the term "intellectual disability" with "developmental disabilities" as appropriate.

Patron - Hodges

HB1784 Forensic discharge planning services; local and regional correctional facilities. Directs the Commissioner of Behavioral Health and Developmental Services, in conjunction with the relevant stakeholders, to develop a comprehensive plan, by November 1, 2017, for the provision of forensic discharge planning services at local and regional correctional facilities for persons who have serious mental illnesses who are to be released from such facilities. This bill is identical to SB 941.

Patron - Bell, Robert B.

HB1845 Department of Criminal Justice Services; model addiction recovery program; jails. Requires the Department of Criminal Justice Services, in consultation with the Department of Behavioral Health and Developmental Services, to develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers, administrators, or superintendents in any local or regional jail. The bill provides that such programs shall be based on existing addiction recovery programs being administered by any local or regional jails in the Commonwealth and requires that participation in such program be voluntary and that such program address multiple aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of mental health resources, family dynamics, and aftercare aspects of the recovery process.

Patron - Cox

HB2258 Department of Behavioral Health and Developmental Services; report on activities related to suicide prevention. Directs the Department of Behavioral Health and Developmental Services to report to the Governor and the General Assembly on its activities related to suicide prevention across the lifespan by December 1, 2017.

Patron - Filler-Corn

HB2331 Community services boards; preadmission screening; regional jail inmates. Provides that the duties of a community services board include reviewing any existing Memorandum of Understanding between the community services board and any other community services boards that serve the regional jail to ensure that such memorandum sets forth the roles and responsibilities of each community services board in the preadmission screening process, provides for communication and information sharing protocols between the community services boards, and provides for due consideration, including financial consideration, should there be disproportionate obligations on one of the community services boards. This bill is identical to SB 0975.

Patron - Heretick

SB894 Department of Behavioral Health and Developmental Services; critical incident reports; licensed programs. Requires the Commissioner of Behavioral Health and Developmental Services to provide a written report setting forth the known facts of serious injuries or deaths of individu-

als receiving services in programs operated or licensed by the Department of Behavioral Health and Developmental Services to the Director of the Commonwealth's designated protection and advocacy system within 15 working days of the serious injury or death. Currently, reports are required only for critical incidents or deaths occurring at facilities operated by the Department. This bill is identical to HB 1508.

Patron - Favola

[P]SB941 Forensic discharge planning services; local and regional correctional facilities. Directs the Commissioner of Behavioral Health and Developmental Services, in conjunction with the relevant stakeholders, to develop a comprehensive plan, by November 1, 2017, for the provision of forensic discharge planning services at local and regional correctional facilities for persons who have serious mental illnesses who are to be released from such facilities. This bill is identical to HB 1784.

Patron - Cosgrove

[P]SB975 Community services boards; preadmission screening; regional jail inmates. Provides that the duties of a community services board include reviewing any existing Memorandum of Understanding between the community services board and any other community services boards that serve the regional jail to ensure that such memorandum sets forth the roles and responsibilities of each community services board in the preadmission screening process, provides for communication and information sharing protocols between the community services boards, and provides for due consideration, including financial consideration, should there be disproportionate obligations on one of the community services boards. This bill is identical to HB 2331.

Patron - Lucas

[P]SB1005 Community services boards and behavioral health authorities; services to be provided. Provides that, effective July 1, 2019, the core of services provided by community services boards and behavioral health authorities shall include (i) same-day access to mental health screening services and (ii) outpatient primary care screening and monitoring services for physical health indicators and health risks and follow-up services for individuals identified as being in need of assistance with overcoming barriers to accessing primary health services. The bill provides that, effective July 1, 2021, the core of services provided by community services boards and behavioral health authorities shall include (a) crisis services for individuals with mental health or substance use disorders, (b) outpatient mental health and substance abuse services, (c) psychiatric rehabilitation services, (d) peer support and family support services, (e) mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility, (f) care coordination services, and (g) case management services. The bill also requires the Department of Behavioral Health and Developmental Services to report annually regarding progress in the implementation of the bill. This bill is identical to HB 1549.

Patron - Hanger

[P]SB1006 Commitment hearings; sharing of records and information. Requires the Office of the Executive Secretary of the Supreme Court to provide electronic data, including individually identifiable information, on proceedings pursuant to the Psychiatric Treatment of Minors Act and the Emergency Custody of Voluntary and Involuntary Civil Admissions Act to the Department of Behavioral Health and Developmental Services upon request and provides that the Department may use such data for the purpose of developing and maintaining statistical archives, conducting research on the outcome of such proceedings, and preparing analyses and reports for use by the Department. The bill requires the Department to take all necessary steps to protect the security and privacy of the records and information provided pursuant to the provisions of the bill in accordance with the requirements of state and federal law and regulations governing health privacy. This bill is identical to HB 1551.

Patron - Hanger

[P]SB1221 Emergency custody or involuntary admission process; alternative transportation model. Directs the Commissioner of Behavioral Health and Developmental Services and the Director of Criminal Justice Services, in conjunction with the relevant stakeholders, to develop a comprehensive model for the use of alternative transportation providers to provide safe and efficient transportation of individuals involved in the emergency custody or involuntary admission process as an alternative to transportation by law enforcement. The bill requires that the model be completed by October 1, 2017, and reported to the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century, the House Committee for Courts of Justice, and the Senate Committee for Courts of Justice. This bill is identical to HB 1426.

Patron - Barker

Failed

[F]HB1480 Mental health awareness training; law-enforcement officers, firefighters, and emergency medical services personnel. Requires the Department of Behavioral Health and Developmental Services (DBHDS) to establish and administer a mental health awareness program for training persons in emergency services professions in recognizing potential mental health issues and assisting themselves and each other with mental health issues. The bill requires DBHDS to create and administer a process by which a program not created by DBHDS can be certified as a qualified mental health awareness program. The bill requires law-enforcement officers, emergency medical services personnel, and firefighters other than volunteer firefighters to participate in a mental health awareness program created or certified by DBHDS once every two years.

Patron - Helsel

[F]HB1550 Study; Departments of Behavioral Health and Developmental Services and Medical Assistance Services to study use of the Involuntary Mental Commitment Fund; report. Requires the Department of Behavioral Health and Developmental Services, in cooperation with the Department of Medical Assistance Services, to study the use of the

Involuntary Mental Commitment Fund, including (i) the potential use of the Involuntary Mental Commitment Fund to fund both involuntary temporary detention and voluntary treatment in a health care facility for the treatment of mental illness to reduce the use of involuntary treatment in the Commonwealth, (ii) the potential benefits of transferring management of the Involuntary Mental Commitment Fund from the Department of Medical Assistance Services to the Department of Behavioral Health and Developmental Services, and (iii) any other strategies for improving use of the funds in the Involuntary Mental Commitment Fund to improve access to mental health services in the Commonwealth. The Department of Behavioral Health and Developmental Services shall report its findings to the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century by November 1, 2017.

Patron - Farrell

[F]HB1583 Southwestern Virginia Training Center; delay closure. Provides that the Southwestern Virginia Training Center shall remain open until June 30, 2019, and continue to accept new admissions of individuals with intellectual disabilities for whom treatment in a training center is appropriate.

Patron - Campbell

[F]HB1918 Acute psychiatric patient registry. Directs the Department of Behavioral Health and Developmental Services to develop and administer a web-based acute psychiatric patient registry to collect, aggregate, and display de-identified information about individuals who meet the criteria for temporary detention to facilitate the timely identification of a facility for temporary detention and treatment of the individual. The bill requires each community services board and behavioral health authority in the Commonwealth to update information contained in the acute psychiatric patient registry to include information about a person found to meet the criteria for temporary detention and requires private providers to identify patients for whom they are able to provide temporary detention and treatment and to contact the state facility, community services board, or behavioral health agency having custody of the individual to facilitate the transfer of the patient to the provider for temporary detention and treatment.

Patron - Robinson

[F]HB1972 Closure of the Southwestern Virginia Training Center and the Southeastern Virginia Training Center prohibited. Provides that the Southwestern Virginia Training Center and the Southeastern Virginia Training Center shall not be closed and shall instead remain open and continue to accept new admissions of individuals with intellectual disability for whom treatment in a training center is appropriate.

Patron - O'Quinn

[F]HB1975 Temporary detention; minimum time period. Provides that an inmate in a jail or an acquittee on conditional release held pursuant to a temporary detention order shall be held for at least 23 hours after the execution of the order. The bill also provides that a person held pursuant to a temporary detention order shall be held for up to 24 hours after admission to the facility of temporary detention for the provision of mental health treatment to stabilize such person's psychiatric condition. Currently, an inmate, acquittee, or person may be held pursuant to a temporary detention order for up to

72 hours, but there is no requirement that a person subject to such order be held for any minimum time period.

Patron - Yost

[F]SB1078 Department of Behavioral Health and Developmental Services; Catawba Hospital expansion. Directs the Department of Behavioral Health and Developmental Services to develop a plan to expand Catawba Hospital to include a step-down facility of 40 or more beds for individuals who no longer require acute care. The bill directs that the Department complete such plan and report it to the General Assembly by November 1, 2017.

Patron - Edwards

[F]SB1222 Acute psychiatric patient registry. Directs the Department of Behavioral Health and Developmental Services to develop and administer an acute psychiatric patient registry to collect, aggregate, and display de-identified information about individuals who meet the criteria for temporary detention to facilitate the timely identification of a facility for temporary detention and treatment of the individual. The bill provides that every state facility, community services board, behavioral health authority, and private provider of mental health services licensed by the Department may participate in the acute psychiatric patient registry and requires that each participating community services board and behavioral health authority update information contained in the acute psychiatric patient registry to include information about a person found to meet the criteria for temporary detention and requires private providers to identify patients for whom they are able to provide temporary detention and treatment and to contact the state facility, community services board, or behavioral health agency having custody of the individual to facilitate the transfer of the patient to the provider for temporary detention and treatment. The provisions of the bill will not become effective unless an appropriation effectuating the purposes of the bill is included in a general appropriation act passed in 2017 by the General Assembly.

Patron - Barker

[F]SB1233 Temporary detention; certified evaluators. Allows emergency physicians, psychiatrists, and certain psychiatric nurse practitioners, psychiatric clinical nurse specialists, licensed clinical psychologists, licensed professional counselors, and licensed clinical social workers to perform evaluations to determine whether a person meets the criteria for temporary detention for mental health treatment in cases in which an employee or designee of the community services board is not available to perform an evaluation within two hours of receiving notification that an evaluation is required.

Patron - Chafin

[F]SB1419 Temporary detention; minimum time period. Provides that a person held pursuant to a temporary detention order shall be held for up to 24 hours once admitted to the facility, as determined by the treating physician at such facility, to be reasonably necessary. Currently, a person may be held pursuant to a temporary detention order for up to 72 hours, but there is no requirement that a person subject to such order be held for any minimum time period.

Patron - Howell

[F]SB1551 Closure of the Central Virginia Training Center prohibited without authorization. Provides that the Central Virginia Training Center shall not be closed without authorization of the General Assembly.

Patron - Newman

Civil Remedies and Procedure

Passed

[P]HB1590 Duty of care to law-enforcement officers and firefighters; fireman's rule. Provides that the common-law doctrine known as the fireman's rule, as described in the bill, shall not be a defense to certain claims. The fireman's rule is based on assumption of the usual risks of injury in such employment, whether caused by a negligent or a nonnegligent act of the defendant.

Patron - Campbell

[P]HB1609 Nurse practitioner as expert witness; scope of activities. References the specific Code section outlining the scope of a nurse practitioner's activities in the context of the current provision that authorizes a nurse practitioner to testify as an expert witness within the scope of his activities.

Patron - Leftwich

[P]HB1641 Disclosure of insurance policy limits; homeowners or personal injury liability insurance; personal injury and wrongful death actions. Allows an injured person, the personal representative of a decedent, or an attorney representing either to request the disclosure of the liability limits of a homeowners insurance policy or personal injury liability insurance policy prior to filing a civil action for personal injuries or wrongful death from injuries sustained at the residence of another person. The party requesting this information shall provide the insurer with (i) the date the injury was sustained; (ii) the address of the residence at which the injury was sustained; (iii) the name of the owner of the residence; (iv) the claim number, if available; (v) for personal injury actions, the injured person's medical records, medical bills, and wage-loss documentation pertaining to the injury; and (vi) for wrongful death actions, (a) the decedent's death certificate; (b) the certificate of qualification of the personal representative of the decedent's estate; (c) the names and relationships of the statutory beneficiaries of the decedent; (d) medical bills, if any; and (e) a description of the source, amount, and payment history of the claimed income loss for each beneficiary. The bill provides that in personal injury actions, the insurer only has to disclose liability limits if the amount of the injured person's medical bills and wage losses equals or exceeds \$12,500. The bill also provides that disclosure of a policy's limits shall not constitute an admission that the alleged injury is subject to the policy. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Loupassi

[P]HB1646 Form of garnishment summons; maximum portion of disposable earnings subject to garnishment. Provides that the form of garnishment summons will state that an employee who makes the minimum wage or less

for his week's earnings will ordinarily get to keep 40 times the minimum hourly wage when such earnings are subject to a garnishment, not 30 times as stated in Title 8.01, Civil Remedies and Procedures. The bill is intended to reflect the current statutory requirement for exemptions in Title 34, Homestead and Other Exemptions, and is technical in nature. The bill further directs the Office of the Executive Secretary of the Supreme Court to update the form of garnishment summons accordingly. This bill is identical to SB 1333.

Patron - Loupassi

[P]HB1689 Requests for medical records or papers; fee limits; penalty for failure to provide. Provides that the requestor of medical records or papers has the option of specifying in which format the records or papers are to be produced. The bill allows a health care provider to produce such records or papers in paper or other hard copy format if the items are requested to be produced in electronic format, but the health care provider does not maintain such items in an electronic format or have the capability to produce items in an electronic format. The bill increases from 15 to 30 days the time allowed for health care providers to comply with a request received for records or papers. The bill imposes maximum charges for the production of requested medical records or papers, which vary depending on the format in which the records are produced. The bill sets a maximum total fee of \$150 for requests made on or after July 1, 2017, but before July 1, 2021, and \$160 for requests made on or after July 1, 2021. The bill directs a provider to comply with a subpoena duces tecum by returning the specified records or papers either on the return date on the subpoena, or five days after receipt of a certification sent by the issuing party, whichever is later. If a court finds that such records or papers are not produced (i) for a reason other than compliance with privacy requirements or (ii) due to an inability to retrieve or access such records or papers, the subpoenaing party shall be entitled to a rebuttable presumption that expenses and attorney fees related to the failure to produce such records shall be awarded by the court.

Patron - Habeeb

[P]HB1811 Initial hearings on a summons for unlawful detainer; amendments of amount requested on summons for unlawful detainer; immediate issuance of writs of possession in certain case judgments; written notice of satisfaction rendered in a court not of record. Provides that, at the initial hearing on a summons for unlawful detainer, upon request of the plaintiff, the court shall bifurcate the unlawful detainer case and set a continuance date no later than 120 days from the date of the initial hearing to determine final rent and damages. The bill requires the court, on such continuance date, to permit amendment of the amount requested on a summons for unlawful detainer in accordance with the notice of hearing, evidence presented to the court, and the amounts contracted for in the rental agreement. The bill further clarifies types of judgments for which a writ of possession may be immediately executed but specifies that an eviction pursuant to such a writ shall not be executed (i) until the expiration of a tenant's 10-day appeal period or (ii) if a tenant perfects an appeal. The bill removes certain requirements for a written notice of satisfaction of judgment rendered in a court not of record.

Patron - Loupassi

HB1816 Demurrers; amended pleadings. Requires that an amended pleading filed after a demurrer to an earlier pleading has been sustained incorporate or refer to the earlier pleading being amended in order to preserve the right to stand on the earlier pleading. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Minchew

HB1941 Immunity of persons; defamation; statements regarding matters of public concern communicated to a third party; statements made at a public hearing. Adds defamation to the causes of action from which a citizen shall be immune when making statements (i) regarding matters of public concern to a third party or (ii) at a public hearing before the governing body of any locality or other political subdivision, or the boards, commissions, agencies, and authorities thereof, and other governing bodies of any local governmental entity. The bill further provides that the immunity does not apply to any statements made with actual or constructive knowledge that they are false, or with reckless disregard for whether they are false. This bill is identical to SB 1413.

Patron - Kilgore

SB867 Lien against person whose negligence causes injury; emergency medical services agency. Clarifies that whenever any person sustains personal injuries caused by the alleged negligence of another and receives emergency medical services and transportation provided by an emergency medical services vehicle, the emergency medical services provider or agency shall have a lien for the amount of a just and reasonable charge for the services rendered, not to exceed \$200 for each emergency medical services provider or agency, on the claim of such injured person or of his personal representative against the person, firm, or corporation whose negligence is alleged to have caused such injuries.

Patron - Stuart

SB1210 Civil action for unlawful creation of image of another or unlawful dissemination or sale of images of another. Creates a civil cause of action against an individual who knowingly and intentionally (i) creates any videographic or still image of any nonconsenting person who is nude, clad in undergarments, or in a state of undress or (ii) captures an image of a person's intimate parts or undergarments when those captured parts or undergarments would not otherwise be visible to the general public. The bill also creates a civil cause of action against an individual who maliciously disseminates or sells any videographic or still image that depicts another person who is nude or in a state of undress where such person knows that he is not licensed or authorized to disseminate or sell such videographic or still image. The bill provides that compensatory damages, punitive damages, and reasonable attorney fees and costs may be awarded.

Patron - Wexton

SB1333 Form of garnishment summons; maximum portion of disposable earnings subject to garnishment. Provides that the form of garnishment summons will state that an employee who makes the minimum wage or less for his week's earnings will ordinarily get to keep 40 times the minimum hourly wage when such earnings are subject to a garnishment, not 30 times as stated in Title 8.01, Civil Remedies and Proce-

dures. The bill is intended to reflect the current statutory requirement for exemptions in Title 34, Homestead and Other Exemptions, and is technical in nature. The bill further directs the Office of the Executive Secretary of the Supreme Court to update the form of garnishment summons accordingly. This bill is identical to HB 1646.

Patron - McDougle

SB1413 Immunity of persons; defamation; statements regarding matters of public concern communicated to a third party; statements made at a public hearing. Adds defamation to the causes of action from which a citizen shall be immune when making statements (i) regarding matters of public concern to a third party or (ii) at a public hearing before the governing body of any locality or other political subdivision, or the boards, commissions, agencies, and authorities thereof, and other governing bodies of any local governmental entity. The bill further provides that the immunity does not apply to any statements made with actual or constructive knowledge that they are false, or with reckless disregard for whether they are false. This bill is identical to HB 1941.

Patron - Sturtevant

SB1498 Punitive damages for persons injured by intoxicated drivers; evidence. Extends to blood tests performed by the Department of Forensic Science pursuant to a search warrant the rebuttable presumption in civil cases for punitive damages for injuries caused by intoxicated drivers that provides that a person's blood alcohol level demonstrated by a test performed pursuant to the implied consent statute is at least as high as the driver's blood alcohol level at the time of the accident. The bill further establishes a rebuttable presumption applicable in a civil case for punitive damages for injuries caused by an intoxicated driver that a person who has consumed alcohol knew or should have known that his ability to drive was or would be impaired by such consumption.

Patron - Surovell

Failed

HB1464 Compensation for wrongful incarceration for a felony conviction. Establishes a process for a person wrongfully incarcerated to submit a written request to the Executive Secretary of the Supreme Court of Virginia for the disbursement of the transition assistance grant of \$15,000 for payment from the Criminal Fund; provides a 30-day time-frame, or as soon as practicable, within which such grant must be paid; and removes the provision that such grant amount be deducted from any compensation awarded for wrongful incarceration. Current law does not specify the process for the person wrongfully incarcerated to receive such grant.

Patron - Sullivan

HB1495 Servicemembers Civil Relief Act; attorney fees. Provides that, where the appointment of counsel is necessary pursuant to the Servicemembers Civil Relief Act, any attorney fees assessed shall not exceed \$125.

Patron - Lindsey

[F]HB1510 Appointment of guardian ad litem in civil cases. Requires the court to appoint a guardian ad litem for a person under a disability who is a party in a civil case. Current law requires the appointment only for a person under a disability who is a party defendant.

Patron - Lindsey

[F]HB1557 Temporary injunction of contract for services; rape, forcible sodomy, or object sexual penetration. Requires a court, in an action for a temporary injunction of a contract for services, to consider a conviction or finding of rape, forcible sodomy, or object sexual penetration, committed by one party to a contract against the other, in assessing whether to grant the injunction.

Patron - Krizek

[F]HB1589 Order of publication; use of electronic medium. Provides that a court may direct that an order of publication be electronically posted using an electronic medium chosen by the court, in lieu of directing such order be published in a newspaper.

Patron - Campbell

[F]HB1602 Invasion of privacy; civil action; damages; attorney fees and costs. Creates a civil cause of action for the physical and constructive invasion of privacy where a person, with the intent to coerce, intimidate, or harass, enters onto the land or into the airspace above the land of another person to capture an image, as specified in the bill, of private property or an individual located on the private property without consent or uses any device, including an unmanned aircraft system, to capture such an image in lieu of physically entering the land or airspace. The bill creates the same causes of action where a person, with the intent to engage in criminal activity, enters onto the land or into the airspace above the land of another person, or uses any device, including an unmanned aircraft system, to engage in such activity in lieu of physically entering the land or airspace. The bill allows a plaintiff to recover the greater of actual damages or \$1,000, along with reasonable attorney fees and costs. The bill allows a court to award punitive damages when actual damages are awarded.

Patron - Fariss

[F]HB1739 Civil immunity; emergency services and communications. Extends immunity from civil liability to persons involved in providing, operating, or maintaining services or equipment used for emergency assistance, unless the act or omission that gave rise to the injury is a result of such person's gross negligence or willful misconduct. Under current law, such immunity is limited to persons who are communications services providers, a term defined in Title 58.1.

Patron - Minchew

[F]HB1989 Excusable or justifiable self-defense; costs and attorney fees. Provides that in any civil or criminal case, a party or criminal defendant that successfully prevails on a self-defense claim shall be entitled to reasonable costs and attorney fees, unless the award of fees is unjust. The bill exempts criminal defendants that have appointed counsel whose fees are paid by the Commonwealth from collecting reasonable costs and attorney fees.

Patron - Webert

[F]HB2188 Civil liability for sale or transfer of a firearm; background check. Provides that a person may be held civilly liable for injuries to person or property or wrongful death of another caused by a third party if it can be shown that the civil defendant sold or transferred a firearm to the person who committed the crime resulting in injury or death without obtaining a background check and verification that the transferee was not prohibited from possessing a firearm.

Patron - Boysko

[F]HB2270 Spousal liability for emergency medical care; property held as tenants by the entireties. Provides that a lien arising out of a judgment for a spouse's emergency medical care shall not be enforced against the judgment debtor's property held as tenants by the entireties unless each spouse was a defendant to the underlying suit from which the judgment arose.

Patron - Krizek

[F]HB2446 Immunity of persons; defamation; state-ments regarding matters of public concern; sanctions. Adds defamation to the causes of action from which a citizen shall be immune when making statements regarding matters of public concern, as defined in the bill, to a third party, including those made at a public hearing before the governing body of any locality or other political subdivision, or the boards, commissions, agencies, and authorities thereof, and other governing bodies of any local governmental entity. The bill changes from permissive to mandatory the provision that reasonable attorney fees and costs be awarded to any individual who has a suit against him dismissed pursuant to such immunity. The bill requires the court to give priority on its docket to any pleading brought invoking such immunity. The bill requires the court to issue an order staying discovery proceedings related to the underlying claim pending the outcome of the court's ruling on any such pleading invoking immunity. The bill further specifies that, where a party brings an action to deter someone from exercising his constitutional rights, the court shall award sanctions.

Patron - Levine

[F]SB814 Services of summons for witness or subpoena duces tecum on foreign business entities. Allows the court to enforce compliance with a summons for witness or a subpoena duces tecum served on the registered agent of a foreign business entity registered with the State Corporation Commission to transact business in the Commonwealth, regardless of whether the foreign business entity is a party to the underlying case. This bill is in response to the Supreme Court of Virginia decision in *Yelp, Inc. v. Hadeed Carpet Cleaning, Inc.*, Record No. 140242, 770 S.E.2d 440 (2015) and is a recommendation of the Boyd-Graves Conference.

Patron - Surovell

[F]SB823 Service of process; multifamily residential real estate and common interest communities. Requires an employee or agent of an owner of multifamily residential real estate or a common interest community to grant entry into such property to a person attempting to execute service on a person who resides in, occupies, or is known to be present in such property.

Patron - Wexton

[F]SB858 Reinstatement of discontinued cases; court's discretion. Provides that a court has discretion to reinstate a discontinued case where a plaintiff has properly moved for such a case to be reinstated. This bill is in response to *JSR Mechanical Inc. v. Aireco Supply, Inc.*, 786 S.E.2d 144 (Va. 2016).

Patron - Locke

[F]SB888 Civil immunity; emergency services and communications. Extends immunity from civil liability to persons involved in providing, operating, or maintaining services or equipment used for emergency assistance, unless the act or omission that gave rise to the injury is a result of such person's gross negligence or willful misconduct. Under current law, such immunity is limited to persons who are communications services providers, a term defined in Title 58.1.

Patron - Chafin

[F]SB914 Reduction of amount of lien for medical services paid for by the Commonwealth. Provides that in the event that the Commonwealth's lien against any recovery from a third party obtained by an injured person whose medical costs were paid in whole or in part by the Commonwealth is compromised by the Attorney General pursuant to § 2.2-514, such lien shall be reduced by an amount proportionate to the amount that costs, expenses, and attorney fees incurred by the injured person bear to the total recovery obtained from the third party.

Patron - Edwards

[F]SB1381 Reinstatement of discontinued cases; court's discretion. Provides that a court has discretion to reinstate a discontinued case where a plaintiff has properly moved for such a case to be reinstated. This bill is in response to *JSR Mechanical Inc. v. Aireco Supply, Inc.*, 786 S.E.2d 144 (Va. 2016).

Patron - Mason

[F]SB1432 Excusable or justifiable self-defense; costs and attorney fees. Provides that in any civil or criminal case, a party or criminal defendant that successfully prevails on a self-defense claim shall be entitled to reasonable costs and attorney fees, unless the award of fees is unjust. The bill exempts criminal defendants that have appointed counsel whose fees are paid by the Commonwealth from collecting reasonable costs and attorney fees.

Patron - Reeves

[F]SB1460 Orders of publication proceeding to enforce lien against certain real property. Provides that an order of publication for the enforcement of a lien for taxes owed on real property that has a value of \$50,000 or less may be posted on the website of the local government or circuit court clerk in lieu of publication in a newspaper.

Patron - Lucas

Commercial Code - Negotiable Instruments

Passed

[P]HB1832 Negotiable instruments; statute of limitations. Provides that the provisions of the Uniform Commercial Code establishing a six-year limitations period on actions to enforce the obligation of a party to pay the instrument apply to negotiable and non-negotiable certificates of deposit. This bill is identical to SB 1217.

Patron - Kilgore

[P]SB1217 Negotiable instruments; statute of limitations. Provides that the provisions of the Uniform Commercial Code establishing a six-year limitations period on actions to enforce the obligation of a party to pay the instrument apply to negotiable and non-negotiable certificates of deposit. This bill is identical to HB 1832.

Patron - Chafin

Commonwealth Public Safety

Passed

[P]HB1524 Special conservators of the peace; liability insurance. Requires that each person registered as or seeking registration as a special conservator of the peace be covered by a policy of (i) personal injury liability insurance, (ii) property damage liability insurance, and (iii) miscellaneous casualty insurance that includes professional liability insurance that provides coverage for any activity within the scope of the duties of a special conservator of the peace, in an amount and with coverage for each as fixed by the Criminal Justice Services Board.

Patron - Lingamfelter

[P]HB1537 Active duty service; contract termination. Authorizes any member of the United States Armed Forces or Virginia National Guard who receives military orders to relocate for a period of service of at least 90 days, his spouse, or his dependent, at any time prior to the conclusion of his period of service, to terminate contracts for certain services. The bill provides that violation of these provisions is a violation of the Virginia Consumer Protection Act.

Patron - Cole

[P]HB1628 Private security; compliance agent experience; surety bond. Removes the requirement that a compliance agent for a private security services business have either five years of experience or three years of managerial or supervisory experience in a private security services business, a state or local law-enforcement agency, or a related field. The bill also removes the option for a private security services business or a private security services training school to be covered by a bond in lieu of liability insurance. The bill provides that it will

not become effective unless reenacted by the 2018 Session of the General Assembly.

Patron - Fowler

[P]HB1629 Business advertising material; private security services businesses. Expands the definition of business advertising material as it relates to private security services businesses to include any electronic medium, including the Internet, social media, and digital advertising.

Patron - Fowler

[P]HB1951 Criminal Justice Services Board. Adds to both the Criminal Justice Services Board (the Board) and its Training Committee one citizen member representing community interests. The bill also replaces the member of the Board representing the Virginia Crime Prevention Association, which is no longer in existence, with a member representing the Virginia Association of Campus Law Enforcement Administrators. The bill also directs the Secretary of Public Safety and Homeland Security, in consultation with the Governor, to review the current composition of the Board and develop a plan for restructuring the Board in order to improve its efficiency in carrying out its duties and to submit the plan by December 1, 2017, to the Chairmen of the House and Senate Committees for Courts of Justice.

Patron - Peace

[P]HB2243 Line of Duty Act. Clarifies provisions of the Line of Duty Act, including clarifying that suspension or reinstatement of health insurance benefits begins and ends at the beginning of a health insurance plan year rather than in the middle of a plan year and recognizing current practice that the Line of Duty Act administrator provides materials for training. The bill codifies certain provisions of the Line of Duty Act that currently are in the appropriation act. The bill modifies the provision that would have disqualified, effective July 1, 2017, the surviving spouse of a deceased member who remarried from receiving health insurance benefits, by restricting the disqualification to surviving spouses who remarry on or after July 1, 2017. The bill contains an emergency clause.

Patron - Jones

[P]SB1118 Line of Duty Act; firefighter trainees. Includes under the Line of Duty Act a person with a recognized membership status with a fire company or department who is enrolled in a Fire Service Training course offered by the Virginia Department of Fire Programs or required to become a certified firefighter.

Patron - McPike

Failed

[F]HB1416 Line of Duty Act; payments to beneficiaries. Increases from \$100,000 to \$125,000 the sum payable out of the general fund to the beneficiary of a deceased law-enforcement officer or other person covered by the Line of Duty Act whose death occurred on or after January 1, 2006, while in the line of duty as the direct or proximate result of the performance of his duty.

Patron - Helsel

[F]HB1894 DCJS training standards; community engaged policing. Expands the responsibilities of the Department of Criminal Justice Services regarding community policing by requiring the compulsory training standards for basic training and recertification of law-enforcement officers to include fair and impartial policing, verbal de-escalation, and needs of special populations. The bill changes the term "community policing" to "community engaged policing."

Patron - Herring

[F]HB1896 Staff of victim and witness assistance programs. Provides that guidelines developed by the Department of Criminal Justice Services related to the creation of victim and witness assistance programs shall include provisions requiring that local victim witness assistance staff shall be considered employees of the locality within which the program is established and that no elected official shall have authority to appoint or remove such staff.

Patron - Freitas

[F]HB2117 Local law-enforcement agencies; body-worn cameras. Requires localities to adopt and establish a written policy for the operation of a body-worn camera system, as defined in the bill, that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and the storage and maintenance of body-worn camera system records.

Patron - Keam

[F]HB2118 Model policy regarding officer-involved deaths; community-policing programs and training standards. Requires the Department of Criminal Justice Services to establish a model policy regarding the independent review of all officer-involved shootings. The bill also requires that the Department periodically review community-policing programs and establish training standards to ensure sensitivity to and awareness of persons who have a mental illness, substance abuse addiction, or developmental disability.

Patron - Keam

[F]HB2134 Local law-enforcement agencies; body-worn cameras. Requires localities to adopt and establish a written policy for the operation of a body-worn camera system, as defined in the bill, that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and the storage and maintenance of body-worn camera system records.

Patron - Levine

[F]HB2322 Criminal Justice Services Board. Replaces the member representing the Virginia Crime Prevention Association with a member representing the Virginia Association of Campus Law Enforcement Administrators since the Virginia Crime Prevention Association is no longer in existence.

Patron - Aird

SB811 Law-enforcement officer training; de-escalation training requirement. Adds a requirement for training in de-escalation techniques to the compulsory training standards developed by the Department of Criminal Justice Services for basic training and recertification of law-enforcement officers.

Patron - Favola

SB850 Correctional Officer Procedural Guarantee Act. Creates the Correctional Officer Procedural Guarantee Act to establish procedural guarantees for correctional officers when allegations are made against such officers involving matters that may lead to their dismissal, demotion, suspension, or transfer for punitive reasons.

Patron - Marsden

SB939 Line of Duty Act; death benefit eligibility; Department of Military Affairs employees. Confers eligibility for death benefits under the Line of Duty Act to all employees of the Department of Military Affairs not currently eligible for such benefits whose death is the direct or proximate result of the performance of official duties of the agency when those duties are related to a major disaster or emergency.

Patron - Lucas

SB1047 DCJS training standards; community engaged policing. Expands the responsibilities of the Department of Criminal Justice Services regarding community policing by requiring the compulsory training standards for basic training and recertification of law-enforcement officers to include fair and impartial policing, verbal de-escalation, and needs of special populations. The bill changes the term "community policing" to "community engaged policing."

Patron - Lucas

SB1064 Mental health awareness training; law-enforcement officers, firefighters, and emergency medical services personnel. Requires the Department of Criminal Justice Services to develop compulsory training standards for law-enforcement officers regarding mental health awareness. The bill also emergency medical services personnel, and firefighters other than volunteer firefighters to participate in a mental health awareness program created or certified by the Mental Health Work Group, established in the Department of Fire Programs.

Patron - Deeds

SB1385 Definition of law-enforcement officer; municipal park rangers. Requires sworn municipal park rangers to be certified through completion of training at an approved criminal justice training academy. The bill authorizes sworn municipal park rangers to access criminal history record information for the purposes of the administration of criminal justice and the screening of an employment application. The bill provides that any sworn municipal park ranger who is a conservator of the peace shall be considered a law-enforcement officer or member of a law-enforcement agency for the purposes of (i) execution and issuance of warrants; (ii) exemption from regulations in certain situations; (iii) obtaining criminal record information; (iv) use of flashing blue warning lights; (v) possession of controlled substances, including marijuana, in the performance of his duties; (vi) penalties for eluding a law-enforcement officer; (vii) penalties for obstruction of justice;

(viii) penalties for false reporting; (ix) penalties for escapes from jail; and (x) penalties for resisting arrest.

Patron - Mason

SB1407 Department of Criminal Justice Services; human trafficking identification and awareness training. Requires the Department of Criminal Justice Services (the Department) to adopt regulations that make compulsory for all law-enforcement personnel the Department's training standards regarding sensitivity to and awareness of human trafficking offenses, the identification of human traffickers, and identification of and assistance for victims of human trafficking offenses. Current law requires such training only for personnel in criminal investigations or assigned to vehicle or street patrol duties. The bill also requires the Department to include such human trafficking identification and awareness training as part of the minimum training standards for school security and campus security officers.

Patron - Ebbin

Conservation

Passed

HB1454 James River State Scenic River designation. Extends the scenic river designation of a portion of the James River located in Botetourt and Rockbridge Counties from 14 miles to 59 miles. This bill is identical to SB 1196.

Patron - Austin

HB1520 Reformulated gasoline; sale for farm use. Directs the Department of Environmental Quality to seek an exemption from the federal reformulated gasoline (RFG) program for conventional, ethanol-free gasoline sold and delivered for use in farm motor vehicles. This bill is identical to SB 899.

Patron - Knight

HB1547 Historical African American cemeteries and graves. Directs the distribution of funds appropriated for such purpose to qualifying charitable organizations that preserve historical African American cemeteries established before 1900. The funding formula is \$5, or the average actual cost of routine maintenance, multiplied by the number of graves, monuments, and markers of African Americans who lived at any time between 1800 and 1900 and are interred in the cemetery. The bill lists two cemeteries, East End Cemetery in Henrico County and Evergreen Cemetery in the City of Richmond, that are to receive any funds appropriated for a total of 6,975 gravesites.

Patron - McQuinn

HB1562 Dam Safety, Flood Prevention and Protection Assistance Fund. Authorizes the Director of the Department of Conservation and Recreation to disburse moneys from the Dam Safety, Flood Prevention and Protection Assistance Fund in the form of grants or loans to a local government that owns a dam, to a local government for a dam located within the locality, or to a private entity that owns a dam in order to protect public safety and welfare. The grants can be used for the

design, repair, and safety modifications of dams identified in safety reports.

Patron - Cole

HB1600 Sanitary landfill; gas collection and control system. Directs the Department of Environmental Quality and the Region 2000 Services Authority (the Authority) to continue to reduce the odor issues at the landfill operated by the Authority in Campbell County and to report on their efforts to the Chairman of the House Committee on Agriculture, Chesapeake and Natural Resources by November 1, 2017. The bill also requires the Authority to connect certain parts of its landfill gas collection system to the existing collection system when its engineers advise it that the connections will operate efficiently.

Patron - Fariss

HB1691 Property conveyance; Department of Conservation and Recreation; Widewater Beach Subdivision. Authorizes the Department of Conservation and Recreation to convey certain real property in Stafford County to the Widewater Beach Subdivision Citizens Association, Inc. This bill received Governor's recommendations.

Patron - Dudenhefer

HB1793 Burn ban; exception for freeze protection of orchard or vineyard. Adds an exception to the ban on fires from February 15 through April 30 of each year for fire set for the prevention of damage to orchards or vineyards by frost or freezing temperatures.

Patron - Fariss

HB2311 Nutrient Offset Fund; sale of credits. Requires the Director of the Department of Environmental Quality (DEQ) to use certain funds to purchase nutrient credits for point or nonpoint sources that achieve reductions beyond the requirements of state or federal law or the Chesapeake Bay Watershed Implementation Plan. The bill directs DEQ to establish procedures for distributing moneys from the Nutrient Offset Fund with certain requirements. The bill requires the Director of DEQ to consider the recommendations of the Secretary of Commerce and Trade and the requirements of the State Water Control Law (§ 62.1-44.2 et seq.) in the sale of nutrient credits to new or expanding private facilities. The bill also removes the priority given to nutrient offsets produced from facilities that generate electricity from animal waste. The bill renames nutrient offsets as nutrient credits.

Patron - Cox

SB899 Reformulated gasoline; sale for farm use. Directs the Department of Environmental Quality to seek an exemption from the federal reformulated gasoline (RFG) program for conventional, ethanol-free gasoline sold and delivered for use in farm motor vehicles. This bill is identical to HB 1520.

Patron - DeSteph

SB1196 James River State Scenic River designation. Extends the scenic river designation of a portion of the

James River located in Botetourt and Rockbridge Counties from 14 miles to 59 miles. This bill is identical to HB 1454.

Patron - Deeds

SB1395 Small renewable energy projects; permits by rule. Provides that certain small renewable energy projects proposed, developed, constructed, or purchased by (i) a public utility if the project's costs are not recovered from Virginia jurisdictional customers under base rates, a fuel factor charge, or a rate adjustment clause or (ii) a utility aggregation cooperative, are eligible for a permit by rule and are exempt from environmental review and permitting by the State Corporation Commission. The measure specifies that a small renewable energy project shall be eligible for permit by rule if it is proposed, developed, constructed, or purchased by a person that is not a regulated utility. The measure exempts a small renewable energy project for which the Department of Environmental Quality has issued a permit by rule from the requirement that it obtain a certificate of public convenience and necessity for the construction or operation of the project. Finally, the measure increases the maximum rated capacity of solar and wind facilities that qualify as small renewable energy projects from 100 megawatts to 150 megawatts.

Patron - Wagner

SB1398 Coal combustion residuals unit; closure permit; assessments required. Requires the owner or operator of a coal combustion residuals unit (CCR unit) to identify water pollution and address corrective measures to resolve it, evaluate the clean closure of the CCR unit by recycling the ash for use in cement or moving it to a landfill, and demonstrate the long-term safety of the CCR unit. The bill requires the owner or operator of each CCR unit to transmit a report on its progress to the Department of Environmental Quality (DEQ) and other agencies or legislative committees by January 1, 2018. The bill prohibits the Director of DEQ from delaying the issuance of a permit to close any CCR unit pending the completion of the assessment. This bill received Governor's recommendations.

Patron - Surovell

Failed

HB1759 Redeemable beverage containers. Requires that all beverage containers, as defined in the bill, sold in Virginia have a redemption value of five cents. Dealers and redemption centers are required to pay redeemers who return such containers to them the five-cent redemption value. Distributors are required to accept these redeemed containers from dealers and redemption centers and pay them the five-cent redemption value plus a handling fee of two cents per container. By March 1, 2019, and by March 1 of each year thereafter, distributors are required to (i) file annual reports with the Department of Taxation indicating the total value of redemption fees collected and the total amount of redemptions paid out during the previous calendar year and (ii) forward to the Department of Taxation that amount of money by which redemption fees collected exceeded redemptions paid out. After deducting the expenses incurred in administering the reporting and collecting procedures of this program, the Department of Taxation is required to pay the remaining reve-

nues collected into the state treasury to the credit of the newly established Unredeemed Container Fund. The bill requires the revenues remaining in the Unredeemed Container Fund minus expenses incurred by the Department of Taxation in monitoring the redemption fee reports of distributors to be released annually and deposited in the existing Litter Control and Recycling Fund. Violations of the bill's provisions are punishable by civil penalties of not less than \$100 or more than \$1,000. All civil penalties collected are to be placed in the Litter Control and Recycling Fund. The bill also allows the recycled beverage containers to be included in the localities' calculation of their state-mandated recycling rate. The provisions of the bill become effective January 1, 2018.

Patron - Rasoul

[F]HB1859 Department of Environmental Quality; nonfederally managed hazardous sites; inventory. Directs the Department of Environmental Quality (DEQ) to publish and update annually a Virginia Nonfederally Managed Hazardous Site Inventory, consisting of a list of sites of which DEQ is aware that meet certain criteria regarding the presence of hazardous wastes or other hazardous substances but that are not listed on the federal National Priorities List. The bill also requires an owner of an inactive nonfederally managed hazardous waste site to notify DEQ of its existence.

Patron - Lopez

[F]HB1861 Product safety; flame retardants; regulations; fund; civil penalty. Prohibits the manufacture or sale in the Commonwealth, beginning July 1, 2018, of upholstered furniture intended for residential use or any product that is intended to come into close contact with a person younger than 12 years of age if such upholstered furniture or product contains any flame-retardant chemical listed in the bill. The bill requires the manufacturer of any prohibited product to notify sellers of the prohibition by March 31, 2018, and requires a manufacturer to recall by that date any products that it has sold in violation of the prohibition. Casual sales of previously owned products containing the listed chemicals are exempted from the prohibition. The bill subjects any manufacturer in the Commonwealth that manufactures a product in violation of the provisions of the bill to a civil penalty of \$5,000 for a first offense or \$10,000 for a second or subsequent offense, and it directs the funds collected to the Virginia Product Safety Fund, created by the bill. Finally, the bill directs the Board of Agriculture and Consumer Services to adopt regulations to carry out the provisions of the chapter and to impose the chemical prohibition on certain other consumer products.

Patron - Lopez

[F]HB1974 Clean Power Plan; state implementation plan; General Assembly approval. Requires the Department of Environmental Quality to receive approval from the General Assembly for a state implementation plan to regulate carbon dioxide emissions from existing power plants prior to submitting the plan to the U.S. Environmental Protection Agency for approval.

Patron - O'Quinn

[F]HB2159 Litter. Adds cigarette or cigar butts to the definition of litter.

Patron - Rasoul

[F]HB2272 Compact fluorescent light (CFL) bulb recycling; local ordinances; civil penalties. Allows any locality to require (i) a retailer of CFL bulbs to accept used bulbs from customers and to post written notice of that requirement at the point of retail sale and (ii) a wholesaler of CFL bulbs to accept used bulbs and to pick them up from the point of collection within 90 days of collection. The bill requires any such local ordinance to require CFL bulb retailers and wholesalers to take the returned bulbs to a collection or recycling facility and authorizes the locality to subject violations of the law to a civil penalty of up to \$50 per violation.

Patron - Krizek

[F]SB984 Water Quality Improvement Fund; water reuse facilities. Includes technologies in water reuse facilities that result in the reduction of nutrient discharges in the definition of nutrient removal technology.

Patron - Dance

[F]SB1079 Dam Safety, Flood Prevention and Protection Assistance Fund. Authorizes the Director of the Department of Conservation and Recreation to disburse moneys from the Fund in the form of grants to common interest communities that own dams in order to protect public safety and welfare. The grants can be used for the design, repair, and the safety modifications of dams identified in safety reports.

Patron - Wexton

[F]SB1097 Scenic river designation; James River. Designates a segment of the James River approximately 59 miles long in Botetourt and Rockbridge Counties as a component of the Virginia Scenic Rivers System. The segment runs from the origination of the James River at the confluence of the Jackson and Cowpasture Rivers to the Rockbridge-Amherst-Bedford County line. A 14-mile portion of that segment in Botetourt County is currently so designated.

Patron - Newman

[F]SB1383 Coal ash; treatment by utilities; recycling. Requires electric utilities to recycle as much of their stored coal ash as is imported into the Commonwealth each year, on a pro rata basis. The bill directs the Department of Environmental Quality (DEQ) and the State Water Control Board (the Board) to include in any permit authorizing the storage of coal ash a requirement that the utility treat an amount of its coal ash equal to its share of the total amount of coal ash in Virginia multiplied by the amount of ash that is imported that year for use in concrete or other products. The bill authorizes each utility to recover its treatment costs from its ratepayers while requiring the utility to make an effort to sell the treated coal ash. Finally, the bill directs the Department of Transportation to enter into a memorandum of understanding with DEQ as required to permit the transportation and treatment of coal ash.

Patron - Surovell

[F]SB1471 Virginia Alternative Energy and Coastal Protection Act. Requires the Governor to seek to join the Regional Greenhouse Gas Initiative or other carbon trading program with an open auction of carbon allowances. The Department of Environmental Quality is directed to establish a carbon dioxide cap and trade program to reduce emissions released by electric generation stations. The revenues from the

sale of carbon allowances are to be deposited in the Virginia Shoreline Resiliency Fund, a revolving fund established in 2016 for the purposes of mitigating future flood damage and creating a low-interest loan program to help residents and businesses that are subject to recurrent flooding.

Patron - Locke

[F]SB1496 Virginia Alternative Energy and Coastal Protection Act. Requires the Governor to seek to join the Regional Greenhouse Gas Initiative or other carbon trading program with an open auction of carbon allowances. The Department of Environmental Quality is directed to establish a carbon dioxide cap and trade program to reduce emissions released by electric generation stations. The revenues from the sale of carbon allowances are to be deposited in the Virginia Shoreline Resiliency Fund, a revolving fund established in 2016 for the purposes of mitigating future flood damage and creating a low-interest loan program to help residents and businesses that are subject to recurrent flooding.

Patron - Lewis

[F]SB1518 Recycling; beneficial use. Expands the scope of the recycling programs supported by the Virginia Department of Environmental Quality (DEQ) to include beneficial use, defined as the use or reuse of a material that otherwise would become solid waste in a manufacturing process or as landfill cover, aggregate substitute, fuel substitute, or fill material. The bill provides that any proposal for a certain type of local recycling grant shall be deemed to meet the eligibility requirements if it includes provisions to increase recycling for beneficial reuse through a public-private cooperative program. The bill also increases from every four years to every two years the frequency of the submission of a recycling survey report by a solid waste planning unit or locality. Finally, the bill directs DEQ to evaluate recycling rates statewide and make recommendations for increasing rates and to report on its findings by October 1, 2018.

Patron - Lewis

Contracts

Passed

[P]HB1712 Procurement; energy performance-based contracting. Authorizes a public body, defined as a contracting entity, to purchase energy conservation or operational efficiency measures from an energy performance-based contract entered into by another contracting entity pursuant to the Energy and Operational Efficiency Performance-Based Contracting Act even if the entity did not participate in the request for proposals if the request for proposals specified that the procurement was being conducted on behalf of other contracting entities. The measure permits the use of cooperative procurement for energy conservation or operational efficiency measures in such instances. The bill provides, however, that energy conservation or operational efficiency measures shall not include roof replacement projects.

Patron - Minchew

Corporations

Passed

[P]HB1754 Securities Act; regulation of federal covered securities. Authorizes the State Corporation Commission (SCC) to require the issuer of a security that is a federal covered security under federal crowdfunding rules to file a notice and consent to service of process when (i) the principal place of business of the issuer is in the Commonwealth or (ii) purchasers of 50 percent or more of the securities sold by the issuer pursuant to an offering made in reliance on such rule are residents of the Commonwealth. The measure allows the SCC to assess a filing fee not to exceed \$100 in connection with such a filing.

Patron - Davis

[P]HB2230 Stock corporations; shareholders' meetings. Authorizes the board of directors of a stock corporation to determine that any meeting of shareholders not be held at any place and instead be held by means of remote communication, if the articles of incorporation or bylaws do not require the meeting to be held at a place. The measure also limits the provision that currently authorizes the holders of at least 20 percent of the votes entitled to be cast on an issue to call a special meeting of shareholders of a corporation that has 35 or fewer shareholders by requiring that the corporation not be a public corporation.

Patron - Cline

Failed

[F]HB1527 Corporations; reinstatement. Eliminates the requirement that an application for reinstatement of a non-stock corporation be made within five years after the date the corporation ceased to exist.

Patron - Albo

[F]HB1984 Limited Liability Company Protected Series Act. Provides for the creation by a limited liability company (LLC) of one or more protected series. The measure provides that each protected series may have different ownership, management structures, assets, and liabilities. Each protected series may function in a manner analogous to a separate legal entity within the LLC that established the protected series, which is referred to as the series LLC. The measure provides a process through which debts and obligations of one protected series are neither the debts nor obligations of any other protected series nor of the series LLC. Under the measure, a separate public filing is required to establish each protected series of a series LLC. The measure specifies rules for disregarding the internal liability shields that protect the assets of one protected series from the creditors of another. The measure provides that assets not properly associated with a protected series may be subject to the claims of creditors even if the internal shields among series remain intact. The measure is based on the December 8, 2016, draft of the uniform Limited Liability Company Protected Series Act prepared by the National Con-

ference of Commissioners on Uniform State Laws. The measure has a delayed effective date of July 1, 2018.

Patron - Webert

HB2110 State Corporation Commission; business entity fees. Removes provisions that authorize the State Corporation Commission (Commission) to refund certain fees collected for business entity documents that are not accepted for filing. The measure provides that the fee accompanying a document delivered to the Commission for filing is nonrefundable. The measure provides that a document not accepted for filing for which the required fee was paid may be resubmitted for filing without an additional fee, if the resubmitted document is received within one year from the date of payment. The measure also increases the fee required for filing certain articles of entity conversion from \$25 to \$100.

Patron - Keam

Counties, Cities and Towns

Passed

HB1457 Part-time deputies; compensation. Includes like rank and experience as a factor in setting the maximum allowable hourly equivalent compensation paid to part-time deputy sheriffs performing like duties of full-time deputy sheriffs.

Patron - Cole

HB1486 Arts and cultural districts. Provides that arts and cultural districts may be created jointly by two or more localities. This bill is identical to SB 1225.

Patron - Albo

HB1570 Local industrial development authority; Louisa County airports. Authorizes Louisa County, by ordinance, to empower a local industrial development authority to acquire, own, operate, and regulate the use of airports and related facilities. The bill authorizes Louisa County to appoint members of the board of directors of the local industrial development authority to serve for terms coincident with the term of its supervisors.

Patron - Farrell

HB1686 Planning district commissions; Indian tribes; membership. Permits certain Indian tribes recognized by the federal government to join planning district commissions as members and to negotiate the terms of such membership.

Patron - Hodges

HB1697 Extension of approvals to address housing crisis. Extends the sunset date for several measures related to various land use approvals from July 1, 2017, to July 1, 2020. The bill also expands the scope of such measures that will be subject to the extension to include those measures approved by January 1, 2017.

Patron - Marshall, D.W.

HB1729 Charter; Town of Port Royal. Provides that the terms for council and mayor shall begin in January so as to reflect the town's change to November municipal elections.

Patron - Ransone

HB1740 Sanitary districts; creation by board of supervisors. Transfers authority to create or enlarge sanitary districts from the circuit court with jurisdiction over the locality in which the district is located to the governing body of the county in which the district is located. The bill requires the governing body, at a hearing for the creation or enlargement of a sanitary district, to make a finding of fact of whether the action is necessary, practical, fiscally responsible, and supported by at least 50 percent of persons who own real property in (i) the proposed district or (ii) in the case of enlargement, the area proposed to be included in the existing district. The bill also requires a minimum standard regarding timeliness for hearings.

Patron - Minchew

HB1797 Amendment of proffers; notice. Provides that when any landowner applies to the governing body for amendments to proffered conditions, direct mail notice shall be given to those directly affected by the amendment.

Patron - Stolle

HB1820 Real property tax; board of equalization in certain counties. Requires that the board of equalization of real estate assessments in any county having the county manager plan of government (Arlington County) be composed of an odd number of not less than three nor more than 11 members, as determined by the local governing body. The circuit court of the county shall appoint a number of members equal to the lowest number that constitutes a majority of members, and the governing body shall appoint the remainder.

Patron - Hope

HB1936 Derelict and blighted buildings; land banks; receivership. Authorizes a locality to petition the circuit court to appoint a land bank entity to act as a receiver in certain limited circumstances to repair derelict and blighted buildings that contain residential dwelling units.

Patron - Carr

HB1970 Creation of economic revitalization zones in counties. Grants counties authority to create economic revitalization zones. The zones shall be for the purpose of providing incentives to private entities to purchase real property and interests in real property to assemble parcels suitable for economic development. Each county establishing an economic revitalization zone may grant incentives and provide regulatory flexibility. This authority currently exists for cities.

Patron - Landes

HB1992 Lien priority. Inserts "real estate" in several places related to the priority of tax liens so that the operative language now reads "on a parity with liens for unpaid local real estate taxes." This bill is identical to SB 920.

Patron - Habeeb

[P]HB1994 Board of zoning appeals. Clarifies that provisions that currently state that appeal costs may not be awarded against the locality unless it appears to the court that the locality acted in bad faith also apply to the governing body.
Patron - Habeeb

[P]HB2000 Sanctuary policies prohibited. Provides that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws. This bill was vetoed by the Governor.
Patron - Poindexter

[P]HB2003 Comparative report of local government revenues and expenditures. Provides that the submittal of the comparative report by a locality to the Auditor of Public Accounts shall include a notarized statement from the chief elected official and the chief administrative officer of the locality that the locality's audited financial report has been presented to the local governing body.
Patron - Poindexter

[P]HB2055 Rural Coastal Virginia Community Enhancement Authority. Establishes the Rural Coastal Virginia Community Enhancement Authority, consisting of the 12 counties within the Northern Neck, Middle Peninsula, and Accomack-Norhampton planning districts, if approved by the respective governing bodies. The Authority is created for the purpose of serving as a regional economic development body and represents a partnership of the Commonwealth, the planning districts, and the 12 counties of the coastal region. The Authority shall be governed by a board of up to 15 members. The Authority may seek and approve loans and solicit donations, grants, and any other funding from the Commonwealth, the federal government, and regional, local government, and private entities to carry out its purposes, powers, and duties. Also, the Authority will (i) assist the region in obtaining necessary job training or employment-related education, leadership and civic development, and business development, especially entrepreneurship for the coastal region; (ii) provide special assistance to distressed and underdeveloped counties within the coastal region; and (iii) fund demonstration projects, and conduct research, evaluations, and assessments of the coastal region's assets and needs.
Patron - Hodges

[P]HB2067 Decertification of law-enforcement officers; notification. Requires persons obligated to notify the Criminal Justice Services Board when a law-enforcement officer or jail officer has committed an act or been convicted of a crime that requires decertification to notify the Criminal Justice Services Board within 48 hours of becoming aware of such act or conviction. The bill requires that, upon such notification, decertification be immediate. Any conviction of a misdemeanor that has been appealed to a court of record shall not be considered a conviction unless a final order of conviction is entered.
Patron - Mullin

[P]HB2138 State and local transportation planning. Provides that prior to the adoption of or amendment to any comprehensive plan that substantially affects transportation on state-controlled highways in Planning District 8 (Northern Vir-

ginia), the Department of Transportation shall specify by name and location any transportation facility having a functional classification of minor arterial or higher for which an increase in traffic volume is expected to exceed the capacity of such facility as a result of the proposed plan or amendment.
Patron - LeMunyon

[P]HB2154 Running bamboo; cutting by localities; ordinance prohibiting spread; designation of certain plants as noxious weeds; civil penalties. Authorizes any locality to adopt an ordinance requiring proper upkeep of running bamboo and prohibiting the spread of running bamboo from a landowner's property, with violations punishable by a civil penalty not to exceed \$50 for a first violation and not to exceed \$200 for a subsequent violation within 12 months. The bill includes running bamboo in the "other foreign growth" category that current law allows localities to regulate and in some cases to cut. The bill also directs the Department of Conservation and Recreation (DCR) and the Virginia Department of Agriculture and Consumer Services (VDACS) to develop a model running bamboo ordinance and, with the Department of Forestry, to enter into a Memorandum of Understanding that clarifies the roles of the VDACS noxious weeds regulations and the work of the Virginia Invasive Species Working Group. Finally, the bill directs VDACS and DCR to examine the eligibility of certain plants for designation as noxious weeds. This bill is identical to SB 964.
Patron - Rasoul

[P]HB2168 Virginia Coal Train Heritage Authority. Creates the Virginia Coal Train Heritage Authority (the Authority) with rights and powers to be exercised by a 25-member board, which will consist of three representatives from the governing body of each of the Counties of Dickenson, Russell, and Wise; two citizen members from each of those three counties; one citizen member from each of the Towns of Clinchco, Haysi, and St. Paul; three commissioners of the Breaks Interstate Park Commission; two citizen members with experience in the excursion train business; and two members of the General Assembly. The Authority's powers are similar to those that other authorities possess. The bill authorizes the Authority to cooperate with any private or governmental entity in the state of West Virginia, Kentucky, Tennessee, or North Carolina in the development of a tourist train and exempts any train operator that has entered into a public-private partnership contract with the Authority from liability for personal injury or wrongful death except in the case of gross negligence or an intentional tort. Notice of such immunity must be posted at the time of ticketing and at all train entrances. This bill received Governor's recommendations.
Patron - Pillion

[P]HB2313 Removal of courthouse. Provides that in the case of the removal of a county courthouse that is not located in a city or town, and is not being relocated to a city or town, such removal shall not require a petition or approval by the voters.
Patron - Ransone

[P]HB2442 Local collection fees. Provides that an ordinance for collection of overdue accounts may also provide for the imposition of collection and administrative fees, not to

exceed the amount provided for in § 58.1-3958. This bill received Governor's recommendations.

Patron - Ingram

HB2449 Term limits; certain public bodies in City of Chesapeake. Provides that members of the Chesapeake Economic Development Authority, Chesapeake Redevelopment and Housing Authority, Chesapeake Airport Authority, and Chesapeake Hospital Authority shall be limited to two terms. The bill provides that members of such authorities serve at the pleasure of the city council and that no member shall work for an authority within one year of serving as a member of that authority. This bill is identical to SB 1553.

Patron - Knight

HB2464 Charter; City of Petersburg. Updates and reorganizes the city's charter. Obsolete provisions are either repealed or updated, and numerous technical amendments are made. This bill is identical to SB 1580.

Patron - Aird

HB2469 Zoning; delinquent charges. Provides that the local treasurer may give authorization in an instance where a land use applicant is required to first provide satisfactory evidence that various taxes or charges have been paid.

Patron - Jones

HB2474 Virginia Coalfields Expressway Authority; report. Creates the Virginia Coalfields Expressway Authority to improve the transportation into, from, within, and through Southwest Virginia; assist in regional economic development; and generally enhance highway safety in the affected localities through development of a proposed Coalfields Expressway. The bill regulates the membership and duties of the Authority.

Patron - Pillion

SB919 Removal of blight; building collapse. Allows a locality to charge owners of property the cost the locality incurred in removing or repairing a building or structure on such property if permitted under the Virginia Uniform State-wide Building Code in the event of an emergency.

Patron - Edwards

SB920 Lien priority. Inserts "real estate" in several places related to the priority of tax liens so that the operative language now reads "on a parity with liens for unpaid local real estate taxes." This bill is identical to HB 1992.

Patron - Edwards

SB926 Noise violations; civil penalties. Allows localities to authorize the chief law-enforcement officer in the locality to enforce a uniform schedule of civil penalties for violation of that locality's noise ordinance.

Patron - Petersen

SB932 Conveyance of utility easements; transportation. Exempts from the public hearing requirement prior to disposal of real property by a locality the conveyance of utility

easements related to transportation projects. This bill incorporates SB 1259.

Patron - Favola

SB936 Employees of constitutional officers; local leave benefits. Authorizes constitutional officers who have contracted with a county or city to grant vacation and sick leave to their employees under the locality's benefits leave policy instead of the state-required leave policy as long as the leave amounts are not less than the state-required policy.

Patron - Favola

SB964 Running bamboo; cutting by localities; ordinance prohibiting spread; designation of certain plants as noxious weeds; civil penalties. Authorizes any locality to adopt an ordinance requiring proper upkeep of running bamboo and prohibiting the spread of running bamboo from a landowner's property, with violations punishable by a civil penalty not to exceed \$50 for a first violation and not to exceed \$200 for a subsequent violation within 12 months. The bill includes running bamboo in the "other foreign growth" category that current law allows localities to regulate and in some cases to cut. The bill also directs the Department of Conservation and Recreation (DCR) and the Virginia Department of Agriculture and Consumer Services (VDACS) to develop a model running bamboo ordinance and, with the Department of Forestry, to enter into a Memorandum of Understanding that clarifies the roles of the VDACS noxious weeds regulations and the work of the Virginia Invasive Species Working Group. Finally, the bill directs VDACS and DCR to examine the eligibility of certain plants for designation as noxious weeds. This bill is identical to HB 2154.

Patron - Hanger

SB967 Chesapeake Port Authority; Chesapeake Economic Development Authority; transfer of powers. Permits the City Council of Chesapeake to transfer the powers of the Chesapeake Port Authority to the Chesapeake Economic Development Authority. Such transfer has the effect of dissolving the Chesapeake Port Authority.

Patron - Cosgrove

SB1173 Vested property rights. Provides that if a structure is one that requires no permit, and an authorized local government official informs the property owner that the structure will comply with the zoning ordinance, and the improvement was thereafter constructed, a zoning ordinance may provide that the structure is nonconforming but shall not provide that such structure is illegal and subject to removal solely due to such nonconformity. The bill provides that in any proceeding when the authorized local government official is deceased or is otherwise unavailable to testify, uncorroborated testimony of the oral statement of such official shall not be sufficient evidence to prove that the authorized local government official made such statement. The provisions of the bill are declared to not be deemed retroactive.

Patron - Obenshain

SB1189 Water and sewer services; liens; owners, lessees, or tenants. Separates Code provisions regarding water and sewer services provided to lessees or tenants of real property from Code provisions regarding water and sewer services

provided to owners of real property. The bill removes a locality's authority to waive a required written authorization by an owner for water or sewer services provided by a locality to a lessee or tenant. A copy of the lease between the lessee or tenant and the owner is acceptable authorization.

The bill provides that no lien can be placed on the property of an owner when a lessee or tenant has delinquent fees for water or sewer charges until the locality has made reasonable collection efforts and practices, including (i) applying the security deposit to the payment of the outstanding balance and (ii) either filing for the Setoff Debt Collection Program (§ 58.1-520 et seq.) or placing the account with a debt collection service. A lien against the lessee or tenant shall rank on a parity with a lien for unpaid taxes. When a locality does not require a security deposit from a lessee or tenant to obtain water and sewer services, the locality shall waive its lien rights against the property owner.

The bill also authorizes the locality or authority to provide a partial credit where excessive water and sewer charges result from an intentional cause. A locality or authority cannot deny service to a new lessee or tenant when there are unpaid fees for services to a previous lessee or tenant unless a lien against the property owner is placed on the property.

Patron - Edwards

SB1203 Working waterfront development areas; establishment. Authorizes localities, by ordinance, to establish a working waterfront development area and grant certain incentives and regulatory flexibility to private entities for the development of working waterfronts in such area.

Patron - Lewis

SB1225 Arts and cultural districts. Provides that arts and cultural districts may be created jointly by two or more localities. This bill is identical to HB 1486.

Patron - Barker

SB1311 Hampton Roads Sanitation District; adding territory. Adds the County of Surry, excluding the Town of Claremont, to the Hampton Roads Sanitation District territory. The bill also adds a resident of Surry County as a potential appointee for the Hampton Roads Sanitation District Commission member who under current law must be a resident of the City of Suffolk or Isle of Wight County.

Patron - Norment

SB1553 Term limits; certain public bodies in City of Chesapeake. Provides that members of the Chesapeake Economic Development Authority, Chesapeake Redevelopment and Housing Authority, Chesapeake Airport Authority, and Chesapeake Hospital Authority shall be limited to two terms. The bill provides that members of such authorities serve at the pleasure of the city council and that no member shall work for an authority within one year of serving as a member of that authority. This bill is identical to HB 2449.

Patron - Cosgrove

SB1558 Blanket surety bonds; proof of coverage of local officer. Allows a local officer required to give bond to provide confirmation from the Division of Risk Management that such officer is included in a blanket surety bond. Current

law requires the officer to provide an extract of the master surety bond as proof of coverage.

Patron - Petersen

SB1559 Board of zoning appeals. Requires that the recipient of certain notices from the board of zoning appeals receive notice via registered mail to the last known address or usual place of abode of the property owner or its registered agent, if any, prior to the commencement of the 30-day appeal period.

Patron - Petersen

SB1578 Short-term rental of property. Authorizes a locality to adopt an ordinance requiring the registration of persons offering property for short-term rental. The bill defines "short-term rental" as the provision of a room or space suitable for sleeping or lodging for less than 30 consecutive days in exchange for a charge for the occupancy. Persons and entities already licensed or registered related to the rental or management of property by the Department of Health, the Real Estate Board, the Virginia Real Estate Time-Share Act, or a locality would not be required to register. The bill authorizes localities to impose penalties not to exceed \$500 per violation on persons who violate the registry ordinance. The bill amends the Alcoholic Beverage Control (ABC) Act to clarify that certain property rented on a short-term basis is considered a bed and breakfast establishment for purposes of ABC licensing and that the exception from ABC licensing for serving alcoholic beverages to guests in a residence does not apply if the guest is a short-term lessee of the residence. This bill incorporates SB 1579.

Patron - Norment

SB1580 Charter; City of Petersburg. Updates and reorganizes the city's charter. Obsolete provisions are either repealed or updated, and numerous technical amendments are made. This bill is identical to HB 2464.

Patron - Dance

Failed

HB1418 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 - McQuinn

HB1506 Vacant developed property; overgrown shrubs and trees. Authorizes localities to require owners of vacant developed property to cut overgrown shrubs and trees on the property. The bill also authorizes localities, after reasonable notice, to cut overgrown shrubs and trees on vacant developed property and charge the cost to the owner.

Patron - Helsel

HB1674 Conditional rezoning proffers; definition of public facilities. Expands the definition of public facilities to include libraries, court facilities, and certain other public buildings. The bill also provides that when considering the off-site impact of a development on public facilities for purposes

of determining the reasonableness of an offsite proffer, the time period of consideration is extended through the anticipated completion of the development.

Patron - Dudenhefer

HB1723 Resettlement of refugees; notice to localities, the Secretary of the Commonwealth, and the General Assembly. Provides that any public or private entity in the Commonwealth that proposes to enter into a contractual agreement with the federal government that would result in the acceptance and resettlement of refugees or persons not lawfully present in the United States shall first notify in writing the chief elected official of all local governments where such persons may be resettled, the Secretary of the Commonwealth, and the Chairmen of the House and Senate Committees on Rules. Such written notice shall be given at least 30 days prior to the signing of any such agreement. The purpose of this bill is for notification purposes only and grants no authority to localities or the Commonwealth to either approve or disapprove any such proposed resettlement.

Patron - Anderson

HB1735 Conditional rezoning proffers. Provides that for purposes of determining what constitutes the requesting of an unreasonable proffer, the term "locality" shall not include a person participating at a meeting sponsored by a locality for the purpose of facilitating communication among interested parties and the applicant, provided that the person does not have a statutory role in the approval of a rezoning or a proffer condition amendment.

Patron - Bulova

HB1897 Zoning; aquaculture in agricultural zone; preexisting use. Provides that any aquaculture use that was established on property that was zoned as an agricultural district at the time, but later was rezoned to disallow agriculture, is a valid nonconforming use of the property. The bill also amends a 2014 Act of Assembly that expanded the definition of agricultural products to provide that the act was declaratory of existing law.

Patron - Freitas

HB1899 Conditional zoning proffers; affordable dwelling units. Exempts onsite proffers related to affordable dwelling units from provisions that determine whether a proffer is unreasonable.

Patron - Bell, John J.

HB1934 Excessive calls for police service; civil penalty. Provides that any locality may by ordinance declare that when a property requires an excessive number of calls for police service within a specified time period, the owner of the property is subject to a civil penalty. The locality shall determine in its ordinance the number of calls that is excessive, but no owner shall be cited under such ordinance for fewer than five calls in a 12-month period. The bill requires the ordinance to contain an exclusion for all calls related to domestic violence.

Patron - Carr

HB1976 Inoperable vehicles; James City County. Authorizes James City County to prohibit any person from keeping, unless shielded or screened from view, on any property zoned or used for residential purposes, or on any property zoned for commercial or agricultural purposes, any inoperable motor vehicle, trailer, or semitrailer.

Patron - Mullin

HB2093 Commission on Local Government; estimated fiscal impact on a locality of relocated refugees. Provides for the Commission on Local Government to provide, upon the request of any locality, an estimated fiscal impact of the relocation to the requesting locality of individuals admitted to the United States as refugees on the delivery of core services.

Patron - LaRock

HB2094 Localities; regulation of firearms in government buildings. Allows localities to regulate the possession of firearms, ammunition, or components or combination thereof in, or the carrying of firearms, ammunition, or components or combination thereof into, any building owned or used by such locality for governmental purposes. Current law prohibits localities from adopting or enforcing any ordinance, resolution, or motion regarding firearms, ammunition, or components or combination thereof unless expressly authorized by statute.

Patron - Price

HB2123 Conservation and replacement of trees; land development processes; Town of Vienna; Planning District 8. Authorizes the Town of Vienna, by ordinance, to require a site plan for certain development processes to include the planting or replacement of trees such that certain tree canopies or covers will be provided at 10 years, rather than the current 20 years. The bill authorizes any locality in Planning District 8, by ordinance, to require a site plan for certain development processes to provide for the preservation or replacement of trees such that certain tree canopy requirements will be provided at 10 years, rather than the current 20 years.

Patron - Keam

HB2192 Relocation of courthouse. Provides that in the case of a county courthouse located in a city, the relocation or expansion of the courthouse to any other location within such city is not such a removal as to require authorization by the electorate.

Patron - Landes

HB2194 Noxious weeds; golden bamboo. Designates golden bamboo as a noxious weed and authorizes any locality to adopt an ordinance to prevent, control, and abate the growth, importation, or spread of golden bamboo.

Patron - Rush

HB2236 Sanctuary policies prohibited. Provides that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law. The General Assembly shall reduce state funding to the extent permitted by

state and federal law to any locality found to have violated the provisions of the bill.

Patron - Cline

HB2312 Industrial development authorities; issuance of bonds to finance local tax preferences. Authorizes industrial development authorities to make loans to any locality for the purpose of reducing local tax rates.

Patron - Morefield

HB2351 Unoccupied property; grass cutting; Buchanan County. Authorizes Buchanan County, by ordinance, to require owners of unoccupied or abandoned property to cut grass on the property or to cut grass on the property and charge the owner for the service.

Patron - Morefield

SB795 Register of funds expended; required posting by localities and school divisions. Requires every locality and each school division located within the locality to post on the public government website of the locality a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information. A locality and school division may exclude from such posting any information that is exempt from mandatory disclosure under the Virginia Freedom of Information Act, any personal identifying information related to a court ordered payment, or any information related to undercover law enforcement officers. This bill has a delayed effective date of July 1, 2018.

Patron - Sturtevant

SB802 Special use permit; camping in tent or recreational vehicle. Prohibits any locality from barring or requiring a special use permit for camping by a landowner and his family or nonpaying guests in a tent or recreational vehicle on the landowner's property for a total of no more than two months per year.

Patron - Stanley

SB857 Conditional rezoning; certain conditional rezoning proffers; floor area ratio. Reduces from 3.0 to 2.0 the minimum floor area ratio necessary for a new residential development to be exempted from provisions applicable to certain proffers as a condition for rezoning.

Patron - Locke

SB884 Waste and recycling charges; liens. Provides that certain waste and recycling charges, and any penalty and interest thereon, constitute a lien against the real property ranking on a parity with liens for unpaid taxes. The bill provides that a lien may be placed on the property in the amount of (i) up to three months of delinquent waste and recycling charges when the service is supplied to a lessee or tenant or (ii) up to the number of months of delinquent charges when the service is provided to the property owner.

Patron - Locke

SB901 Park authority liability; immunity. Grants immunity from liability in any civil action to park authorities created pursuant to the Park Authorities Act (§ 15.2-5700 et

seq.) for damages caused by ordinary negligence on the part of any officer or agent of such park authority in the maintenance or operation of any such park, recreational facility, or playground.

Patron - Marsden

SB930 Conservation and replacement of trees; land development processes. Authorizes the Town of Vienna, by ordinance, to provide for the planting and replacement of trees, and the conservation of trees, during certain land development processes.

Patron - Petersen

SB938 Smoking in outdoor public place; locality regulation. Authorizes a locality, by ordinance, to designate nonsmoking areas in an outdoor amphitheater or concert venue owned by a locality. The bill requires such ordinance to provide for adequate signage designating such areas and provides that a violation of such ordinance is subject to a civil penalty of not more than \$25 paid into the Virginia Health Care Fund.

Patron - Edwards

SB1112 Control of firearms; chambers of local governing bodies. Allows a locality to adopt an ordinance that prohibits firearms, ammunition, or components or a combination thereof at any regular or special meeting of such local governing body, provided notice of such prohibition is publicly posted and the meeting room is owned or operated by the locality.

Patron - Edwards

SB1135 Inoperable vehicles; James City County. Authorizes James City County to prohibit any person from keeping, unless shielded or screened from view, on any property zoned or used for residential purposes, or on any property zoned for commercial or agricultural purposes, any inoperable motor vehicle, trailer, or semitrailer.

Patron - Mason

SB1139 Vested property rights. Provides that if a structure is one that requires no building permit, and an authorized local government official informs the property owner that the structure will comply with the zoning ordinance, and the owner relies upon the representation and constructs the improvements, a zoning ordinance may provide that the structure is nonconforming but shall not provide that such structure is illegal and subject to removal solely due to such nonconformity. The provisions of the bill are declared to not be deemed retroactive.

Patron - Obenshain

SB1183 Excessive calls for police service; civil penalty. Provides that any locality may by ordinance declare that when a property requires an excessive number of calls for police service within a specified time period, the owner of the property is subject to a civil penalty. The locality shall determine in its ordinance the number of calls that is excessive, but no owner shall be cited under such ordinance for fewer than five calls in a 12-month period. The bill requires the ordinance

to contain an exclusion for all calls related to domestic violence.

Patron - Dance

SB1259 **Conveyance of utility easements; transportation.** Exempts from the public hearing requirement prior to disposal of real property by a locality the conveyance of utility easements related to transportation projects. This bill was incorporated into SB932.

Patron - Black

SB1262 **Liability of sanctuary cities for certain injuries and damages.** Provides that a sanctuary city, defined in the bill as any locality that adopts any ordinance, procedure, or policy that intentionally restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law, shall be jointly and severally liable for the tortious injury to persons or property caused by an illegal alien within such locality.

Patron - Black

SB1354 **Comprehensive plan; telecommunications towers and facilities; Planning District 8.** Provides that localities in Planning District 8 (Northern Virginia) have the option to enact ordinances that deem proposed telecommunications towers or facilities constructed by certain entities to be substantially in accord with the comprehensive plan if any such proposed telecommunications tower or facility is located in a zoning district that allows such telecommunications towers or facilities by right, in which case local planning commission approval shall not be required. Under existing law, commission approval is not required for such proposed telecommunications towers and facilities statewide.

Patron - Favola

SB1373 **Group homes.** Provides that any entity intending to locate a public or private detention home, group home, or other residential care facility in a locality shall give the chief administrative officer of that locality and the president of any home owner's association for the neighborhood in which such public or private detention home, group home, or other residential care facility is to be located at least 90 days written notice prior to the issuance of the license. The bill also states that no initial license to operate a public or private detention home, group home, or other residential care facility shall be granted if (i) the facility is to be located within one-half mile of a public or private licensed day care center or a public or private K-12 school and (ii) the residents of such facility may include persons who, on the basis of a prior record of criminal charges involving harm to persons or property or a finding of not guilty by reason of insanity for crimes involving harm to persons or property, may constitute a clear and present threat to the health or safety of other individuals, except when such service is provided by a hospital licensed by the Board of Health or the Commissioner or is owned or operated by an agency of the Commonwealth. Other provisions of the bill relate to the validity of restrictive covenants that prohibit owners from using, or renting a dwelling for another entity to use, their premises to house a person or persons who, on the basis of a prior record of criminal convictions involving harm to persons or property or a finding of not guilty by reason of insanity involving harm to persons or property, may constitute a clear

and present threat to the health or safety of other individuals in the neighborhood.

Patron - Norment

SB1515 **Existing buildings; manual entry door hardware.** Authorizes a locality to require property owners by ordinance to install manual entry door hardware in any building located in its jurisdiction where such fitting is affordable and readily achievable. The bill excludes historic buildings.

Patron - Wagner

SB1529 **Zoning; aquaculture in agricultural zone; preexisting use.** Provides that any aquaculture use that was established on property that was zoned as an agricultural district at the time, but later was rezoned to disallow agriculture, is a valid nonconforming use of the property. The bill also amends a 2014 Act of Assembly that expanded the definition of agricultural products to provide that the act was declaratory of existing law.

Patron - Vogel

SB1569 **Water and sewer connection fees; calculation factors.** Changes the standard a locality may use to calculate the charges for water and sewer connection services from fair and reasonable to practicable and equitable defined by a number of factors. The bill has a delayed effective date of January 1, 2018.

Patron - Reeves

SB1579 **Short-term rental of property.** Affirms the rights of localities to regulate the short-term rental of property, defined as the provision of space suitable for sleeping or lodging for fewer than 30 days. If a locality allows short-term rentals, the locality shall require that the person offering property for rental notify adjacent landowners in writing, obtain local permission to offer the property for rental, and carry a minimum of \$500,000 of commercial premises liability insurance. If a locality prohibits short-term rentals, any person or entity, including an online hosting platform, that advertises the availability of a short-term rental in the locality shall be subject to a \$10,000 fine per violation. This bill was incorporated into SB 1578.

Patron - Stanley

Courts Not of Record

Passed

HB1652 **City of Richmond general district court; concurrent criminal jurisdiction.** Provides that the separate division of the City of Richmond general district court that is operated south of the James River shall have concurrent jurisdiction over criminal matters arising in that part of the city, not exclusive jurisdiction over such matters. This bill is identical to SB 1273.

Patron - Loupassi

[P]HB2287 Confidentiality of Department of Juvenile Justice records; gang task forces. Permits the Department of Juvenile Justice to disclose, at its discretion, the social reports and records of children who are committed to the Department to a gang task force, provided that its membership (i) consists of only representatives of state or local government or (ii) includes a law-enforcement officer who is present at the time of the disclosure. This bill is identical to SB 1288.

Patron - Collins

[P]SB1273 City of Richmond general district court; concurrent criminal jurisdiction. Provides that the separate division of the City of Richmond general district court that is operated south of the James River shall have concurrent jurisdiction over criminal matters arising in that part of the city, not exclusive jurisdiction over such matters. This bill is identical to HB 1652.

Patron - McDougale

[P]SB1288 Confidentiality of Department of Juvenile Justice records; gang task forces. Permits the Department of Juvenile Justice to disclose, at its discretion, the social reports and records of children who are committed to the Department to a gang task force, provided that its membership (i) consists of only representatives of state or local government or (ii) includes a law-enforcement officer who is present at the time of the disclosure. This bill is identical to HB 2287.

Patron - McDougale

[P]SB1342 District courts; attorney fees. Provides that the jurisdictional limit for general district courts does not include any attorney fees. The bill requires that the amount of an appeal bond required for appeals from a district court include any amount awarded for attorney fees in the case.

Patron - Surovell

[P]SB1343 Reimbursement for cost of guardian ad litem. Codifies the requirement that, for cases in which a guardian ad litem has been appointed to represent a child, a judge shall order a parent, or other party with a legitimate interest who has filed a petition in such case, to reimburse the Commonwealth for the costs of the guardian. The bill provides that if a party is unable to pay, the judge may reduce or eliminate the reimbursement. The bill further provides that the Executive Secretary of the Supreme Court shall administer the guardian ad litem program and report semiannually to the money committees the amounts paid and the amounts reimbursed under the program. This bill incorporates SB 1488.

Patron - Surovell

[P]SB1360 Department of Military Affairs; civil actions. Authorizes certain employees of the Department of Military Affairs to prepare, execute, file, and have served certain civil documents without the intervention of an attorney. The bill provides that its provisions do not authorize a nonattorney to file any legal document not specifically set forth in the bill.

Patron - Reeves

Failed

[F]HB1523 Appointment of substitute judges; district courts. Requires substitute judges for the general district and juvenile and domestic relations district courts to be appointed by the chief judges of those courts instead of the chief judge of the circuit court.

Patron - Miyares

[F]HB1765 Appeal to circuit court; failure to appear. Provides that if any person convicted of a misdemeanor in a general district court, a juvenile and domestic relations district court, or a court of limited jurisdiction perfects an appeal and (i) fails to appear in circuit court at the time for setting the appeal for trial, (ii) fails to appear in circuit court on the trial date, or (iii) absconds from the jurisdiction, the circuit court shall enter an order affirming the judgment of the lower court, and the clerk shall tax the costs as provided by statute.

Patron - Bulova

[F]HB1957 Standards for guardians ad litem appointed in custody and visitation cases; certification form. Requires a guardian ad litem appointed in a custody or visitation proceeding to submit to the court a form certifying that he has complied with all applicable standards for attorneys appointed as guardians ad litem. The bill directs the Judicial Council of Virginia, in conjunction with the Virginia State Bar and the Virginia Bar Association, to promulgate such a form by July 1, 2018.

Patron - Ingram

[F]HB2063 Pretrial appeal by the Commonwealth. Expands pretrial appeal by an attorney for the Commonwealth to include an appeal on the constitutionality of a ruling by a juvenile and domestic relations district court in a case in which a juvenile is to be tried for an offense that would be a felony if committed by an adult. The bill provides that such appeal shall be heard by the circuit court. If the juvenile and domestic relations district court's ruling is affirmed, the attorney for the Commonwealth may appeal the circuit court's decision to the Court of Appeals, and such decision shall be final. If the circuit court finds that the juvenile and domestic relations court erred, the circuit court shall remand the case for trial consistent with the circuit court's ruling.

Patron - Mullin

[F]HB2071 Juvenile records; expungement; certain felony larceny offenses. Provides for the expungement of juvenile records for certain offenses that would be felony larceny if committed by an adult if the juvenile has not been adjudicated delinquent of any other felony larceny offense and the amount of the goods or chattels taken by the juvenile was less than \$750. Under current law, juvenile records of all delinquent acts that would be a felony if committed by an adult are retained.

Patron - Watts

[F]HB2157 Third or subsequent violation of family abuse protective order; private security services. Authorizes courts, upon a defendant's third or subsequent violation of cer-

tain family abuse protective orders against the same victim, to modify such order to require that the defendant provide private security services for the victim.

Patron - Rasoul

[F]HB2292 Judicial training; law related to rights of persons of legitimate interest in custody and visitation proceedings. Directs the Office of the Executive Secretary of the Supreme Court of Virginia to require that all juvenile and domestic relations district court judges receive training, at least once during each six-year judicial term, on the rights of persons of legitimate interest in child custody and visitation proceedings.

Patron - McQuinn

[F]SB1065 General district court judges; 25th Judicial District. Increases from three to four the number of judges in the general district court of the 25th Judicial District effective July 1, 2017. Current law creates this seat effective July 1, 2018.

Patron - Deeds

[F]SB1155 Termination of parental rights; manufacture of methamphetamine. Includes in the definition of "severe abuse" knowingly allowing a child to be present during the manufacture or attempted manufacture of methamphetamine. Severe abuse is included in the definition of "aggravated circumstances"; under current law, a finding of aggravated circumstances can lead to termination of parental rights under certain conditions.

Patron - Reeves

[F]SB1190 Judicial training; law related to rights of persons of legitimate interest in custody and visitation proceedings. Directs the Office of the Executive Secretary of the Supreme Court of Virginia to require that all juvenile and domestic relations district court judges receive training, at least once during each six-year judicial term, on the rights of persons of legitimate interest in child custody and visitation proceedings.

Patron - Sturtevant

[F]SB1356 Informal truancy plans. Provides that a student may have multiple discretionary diversions for truancy so long as no previous diversion occurred during the same school year. The bill extends the time frame for an informal truancy plan from 90 days to 120 days.

Patron - Locke

[F]SB1488 Reimbursement for cost of guardian ad litem. Requires a judge, in cases in which a guardian ad litem has been appointed for a child, to order the parent, parents, adoptive parent or parents of the child, or any other person with a legitimate interest who has filed a petition with the court, to reimburse the Commonwealth for the costs of the guardian ad litem. The bill provides that if a party is unable to pay, the judge may reduce or eliminate the reimbursement. This bill was incorporated into SB 1343.

Patron - Marsden

[F]SB1592 Juvenile and domestic relations district court; jurisdiction over juveniles who are not lawfully present in the United States. Prohibits the juvenile and domestic relations district court from making a determination that it is not in a juvenile's best interest to return to his home country when such juvenile is not lawfully present in the United States and when the purpose of making such determination is for the juvenile's eligibility for special immigrant juvenile classification. The bill exempts decisions made by the court for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act and the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption of 1993, as amended.

Patron - Black

Courts of Record

Passed

[P]HB1630 Report of money kept by clerk; money held recorded in civil law book; recording in the order book. Requires the clerk to make available to the Auditor of Public Accounts a copy of the annual report that the clerk is currently required to provide to the court regarding the receipt of money by the clerk. The bill further directs the clerk to record (i) trust fund orders and (ii) the annual trust fund report regarding the receipt of money in the civil order book. The bill removes the requirement that such recordings are in addition to, but not in lieu of, any other required recording.

Patron - Habeeb

[P]HB1713 Online access to nonconfidential court records; date of birth verification. Provides that the Supreme Court and any other court clerk may provide online access to subscribers who have entered into an agreement with the clerk to have secure remote access to court records of nonconfidential criminal case information to confirm the complete date of birth of a defendant. This bill is identical to SB 1044.

Patron - Minchew

[P]HB2035 Electronic filing of land records; fee for paper filing. Provides that a clerk of a circuit court that has established an electronic filing system for land records may charge a fee not to exceed \$5 per instrument for every land record filed by paper. This bill is identical to SB 870.

Patron - Miller

[P]HB2324 Payment of jurors; prepaid debit card or card account. Adds payment by credit to a prepaid debit card or card account to the methods by which a juror may be paid. The bill requires that, where such method is used, such card or card account permit the juror to make at least one withdrawal or transfer without incurring a fee. This bill received Governor's recommendations.

Patron - Yost

[P]HB2328 Inability to pay fees or costs on account of poverty; guidelines. Requires the court to use the guidelines for determining indigency for the appointment of counsel in

determining a person's inability to pay fees or costs on account of poverty in a civil action. This bill is identical to SB 1305.

Patron - Collins

[P]SB870 Electronic filing of land records; fee for paper filing. Provides that a clerk of a circuit court that has established an electronic filing system for land records may charge a fee not to exceed \$5 per instrument for every land record filed by paper. This bill is identical to HB 2035.

Patron - Stuart

[P]SB928 Substitute judges. Removes the prohibition against substitute judges sitting in the courts in which they regularly practice.

Patron - Petersen

[P]SB946 Appeal to Supreme Court; time frame for filing of petition. Expresses the time frame within which petitions for appeal from a final judgment of a trial court or the State Corporation Commission to the Supreme Court shall be filed, currently expressed in months, in an equivalent number of days. As introduced, the bill is a recommendation of the Judicial Council.

Patron - Obenshain

[P]SB947 Petition for appeal to Supreme Court; time period within which petition must be presented. Authorizes the Supreme Court of Virginia to grant a 30-day extension of the deadline for presentation of the petition for appeal in all cases for good cause shown. Under current law, the Court may grant an extension in criminal cases only. The bill also expresses time periods, currently expressed as months, in an equivalent number of days to reduce ambiguity. This bill is a recommendation of the Judicial Council of Virginia.

Patron - Obenshain

[P]SB1044 Online access to nonconfidential court records; date of birth verification. Provides that the Supreme Court and any other court clerk may provide online access to subscribers who have entered into an agreement with the clerk to have secure remote access to court records of nonconfidential criminal case information to confirm the complete date of birth of a defendant. This bill is identical to HB 1713.

Patron - Obenshain

[P]SB1305 Inability to pay fees or costs on account of poverty; guidelines. Requires the court to use the guidelines for determining indigency for the appointment of counsel in determining a person's inability to pay fees or costs on account of poverty in a civil action. This bill is identical to HB 2328.

Patron - Vogel

Failed

[F]HB1427 Circuit courts; number of circuit court judges in the Twenty-first and Twenty-second Circuits. Reduces the maximum number of circuit court judges in the Twenty-second Circuit from five to four and removes the provision for the future reduction in the number of circuit court judges in the Twenty-first Circuit from three to two. The bill

also removes the requirement that the Judicial Council study and report on the need for additional judges before a new judgeship may be created.

Patron - Poindexter

[F]HB1487 Maximum number of circuit court judges; 19th Judicial Circuit. Reduces from 15 to 14 the maximum number of circuit court judges in the 19th Judicial Circuit (Fairfax, Fairfax County), effective July 1, 2018, or upon the death, resignation, or retirement of any judge of that court, whichever occurs later.

Patron - Albo

[F]HB1794 Public accessibility of case management system. Requires the case management system operated and maintained by the Executive Secretary of the Supreme Court of Virginia to be open to the public for inspection. The bill provides that the case management system shall be searchable by party name, charge (for criminal cases), filing type (for civil cases), hearing date, and case number across all localities and that the entire compilation of records contained in the system shall be made available.

Patron - Simon

[F]HB1844 Executive Secretary of the Supreme Court; case information system. Requires the Executive Secretary to maintain a free online statewide name-searchable case information system of all criminal cases in the circuit courts, general district courts, and adult criminal cases in the juvenile and domestic relations district courts of the Commonwealth.

Patron - Ransone

[F]HB2307 Cover sheet for deed; property subject to the Property Owners' Association Act. Requires the cover sheet for a deed where the instrument to be recorded is a declaration creating a development that is subject to the Property Owners' Association Act to contain an acknowledgment of the review of best practices for the contents of declarations published by the Common Interest Community Board.

Patron - Bulova

[F]HB2385 Assessed court costs; electronic summons system. Requires, in any criminal or traffic case in which the Virginia State Police issued the summons, ticket, or citation, executed the warrant, or made the arrest for a violation of any statute, an additional assessment of \$5 as part of the costs, which shall be remitted to the state treasury to be placed in a fund for the Virginia State Police solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. Current law allows localities to assess such a sum.

Patron - Lingamfelter

[F]SB794 City of Chesapeake; pilot program for problem-solving docket. Authorizes the City of Chesapeake to establish a pilot program to promote public safety and reduce recidivism by creating a problem-solving docket to address substance abuse, mental illness, issues unique to military service experienced by veterans, and issues related to previously incarcerated persons. The bill directs the Department of Behavioral Health and Developmental Services, the Depart-

ment for Aging and Rehabilitative Services, and the Department of Veterans Services to provide assistance to the City of Chesapeake as requested. The bill provides for the City of Chesapeake to report on the pilot program to the Commissioners of the assisting agencies on or before November 30, 2018. The bill has an expiration date of July 1, 2019.

Patron - Cosgrove

[F]SB807 Circuit courts; number of circuit court judges in the Twenty-first and Twenty-second Circuits. Reduces the maximum number of circuit court judges in the Twenty-second Circuit from five to four and removes the provision for the future reduction in the number of circuit court judges in the Twenty-first Circuit from three to two. The bill also removes the requirement that the Judicial Council study and report on the need for additional judges before a new judgeship may be created.

Patron - Stanley

[F]SB879 Retired circuit court judges under recall; qualification by Committees for Courts of Justice. Requires that retired circuit court judges sitting as substitutes be found qualified every three years by the Courts Committees instead of authorized by the Chief Justice. The bill provides that the Chief Justice may call upon and authorize any circuit court judge whose retirement becomes effective during the interim period between regularly scheduled sessions of the General Assembly to sit in recall. The bill has a delayed effective date of July 1, 2018.

Patron - Stuart

Crimes and Offenses Generally

Passed

[P]HB1404 Activation of fire alarms; reimbursement of expenses; penalty. Removes the condition that a building must be for public use in order for the Class 1 misdemeanor for maliciously activating a building's fire alarm to apply. The bill authorizes any locality to provide by ordinance that a person convicted of maliciously activating a fire alarm shall be liable for the reasonable expense in responding to such a fire alarm. Current law allows such an ordinance to impose liability for the reasonable expense of an emergency response to an imitation version of a weapon of terrorism, fire bomb, other explosive device, bomb threat, or incitement of a bomb threat. The bill increases the maximum amount that a locality or volunteer emergency medical services agency may recover under such an ordinance from \$1,000 to \$2,500. This bill is identical to SB 1054.

Patron - Cole

[P]HB1432 Carrying a switchblade knife; exception. Authorizes any person to carry a switchblade knife concealed when such knife is carried for the purpose of engaging in a lawful profession or lawful recreational activity the performance of which is aided by the use of a switchblade knife. The bill removes switchblade knives from the list of weapons the selling, bartering, giving, or furnishing of which is a Class 4

misdemeanor. This bill is identical to SB 1347. This bill was vetoed by the Governor.

Patron - Ware

[P]HB1466 Renewal of concealed handgun permits; notice. Provides that if a clerk has an electronic system for the application for and issuance of concealed handgun permits and such system has the capability of sending electronic notices to a permit holder, the clerk shall send the permit holder an electronic email notice that the permit will expire at least 90 days prior to such expiration. The bill provides that such notice shall be sent only if the applicant provides his email or other electronic address on his permit application, which shall request but not require this information. The bill provides further that any failure to send or receive such notice does not extend the validity of the existing permit beyond its expiration date.

Patron - Fowler

[P]HB1485 Sex offenses prohibiting proximity to children; penalty. Includes in the list of certain sex offenses that prohibit a person convicted of such offenses from being or residing in proximity to schools and certain other property where children congregate or from working on school property any offense similar to such offenses under the laws of any foreign country or political subdivision thereof or the United States or any political subdivision thereof. The prohibition regarding residing in proximity to a school that is predicated upon an offense similar to any offense under the laws of any foreign country or any political subdivision thereof, or the United States or any political subdivision thereof, only applies to residences established on and after July 1, 2017.

Patron - Bell, Richard P.

[P]HB1493 Definition of sales draft; credit card offenses; penalty. Includes within the definition of "sales draft," with regard to offenses relating to credit cards, the electronic form evidencing a purchase of goods, services, or a thing of value. A person convicted of forgery of such a sales draft is guilty of a Class 5 felony.

Patron - Hope

[P]HB1580 Possession of child pornography by employees of the Department of Social Services. Provides that an employee of the Department of Social Services or a local department of social services may, in the course of conducting his professional duties, lawfully possess child pornography for a bona fide purpose.

Patron - Campbell

[P]HB1582 Concealed handgun permits; age requirement for persons on active military duty. Allows a person at least 18 years of age but less than 21 years of age to apply for a concealed handgun permit if he is on active military duty or has received an honorable discharge from the United States Armed Forces or the Virginia National Guard and has completed basic training as a part of his military service. The bill allows reciprocity under the same circumstances for a nonresident who carries a concealed handgun or weapons permit recognized in the Commonwealth. Current law requires that residents and nonresidents be at least 21 years of age to carry a concealed handgun. This bill was vetoed by the Governor.

Patron - Campbell

HB1791 Conspiracy; incitement, etc., to riot; public safety personnel; penalty. Provides that any person who conspires with others to cause or produce a riot against, or directs or incites other persons who participate in a riot to acts of force or violence against, a law-enforcement officer, firefighter, volunteer firefighter, or emergency medical services personnel, engaged in the performance of his public duties, or a member of the Virginia National Guard or the Virginia Defense Force on official state or federal duty is guilty of a Class 3 felony. The bill also eliminates the existing provision that prohibits any person from soliciting other persons to participate in a riot. This bill received Governor's recommendations.

Patron - Lingamfelter

HB1815 Computer trespass; government computers and computers used for public utilities; penalty. Increases the Class 1 misdemeanor computer trespass crimes to a Class 6 felony if the computer affected is one that is exclusively for the use of, or used by or for, the Commonwealth, a local government within the Commonwealth, or certain public utilities.

Patron - Yancey

HB1849 Concealed handgun permit; permit requirements. Provides that a concealed handgun permit shall be of a size comparable to a Virginia driver's license and may be laminated or use a similar process to protect the permit. Current law requires that the permit be no larger than two inches wide by three and one-fourth inches long.

Patron - Gilbert

HB1851 Assault and battery against a family or household member; deferred disposition; waiver of appeal. Provides that a person charged with a first offense of assault against a family or household member who consents to probation and a deferred disposition of the charge has no right of appeal if he is subsequently found guilty of the original charge for a violation of the terms of his probation. The bill provides that the order for the deferred disposition shall be stayed by the court for 14 days and placed on the court's docket for review and that such person may withdraw his consent to the waiver of appeal at any point prior to the date set for review of the order. This bill received Governor's recommendations.

Patron - Gilbert

HB1852 Carrying concealed handguns; protective orders. Authorizes any person 21 years of age or older who is not prohibited from purchasing, possessing, or transporting a firearm and is protected by an unexpired protective order to carry a concealed handgun for 45 days after the protective order was issued. The bill provides that if the person issued the protective order applies for a concealed handgun permit during such 45-day period, such person will be authorized to carry a concealed handgun for an additional 45 days and be given a copy of the certified application, which shall serve as a de facto concealed handgun permit. The bill requires such person to have the order or certified application and photo identification on his person when carrying a concealed handgun and to display them upon demand by a law-enforcement officer; failure to do so is punishable by a \$25 civil penalty. This bill is identical to SB 1299. This bill was vetoed by the Governor.

Patron - Gilbert

HB1853 Victims of domestic violence, etc.; firearms safety or training course. Creates the Virginia Firearms Safety and Training for Sexual and Domestic Violence Victims Fund. The bill provides that the Department of Criminal Justice Services may distribute funds from the Fund to reimburse an entity that offers a firearms safety or training course or class approved by the Department free of charge to victims of domestic violence, sexual abuse, stalking, or family abuse. The Department would not be permitted to issue reimbursements in excess of the amount available in the Fund. The bill also requires that, upon the issuance of a protective order, the petitioner for the order be provided with a list of such approved courses or classes. This bill is identical to SB 1300. This bill was vetoed by the Governor.

Patron - Gilbert

HB1921 Assault and battery; health care providers; penalty. Expands the penalty for battery against a health care provider who is engaged in the performance of his duties to apply in hospitals or in emergency rooms on the premises of any clinic or other facility rendering emergency care. Under current law, the penalties only apply to a battery against an emergency health care provider. The bill requires the Department of Health to work with stakeholder groups to develop guidelines regarding the publication of penalties for battery on a health care provider and for the training of health care professionals and providers in violence prevention programs. This bill is identical to SB 973.

Patron - Robinson

HB1931 Fare enforcement inspectors. Provides for the appointment of fare enforcement inspectors to enforce payment of fares for use of mass transit facilities operated anywhere in the Commonwealth. Currently, fare enforcement inspectors may be appointed only in Planning District 8 (Northern Virginia). Under current law, failure of a transit user to pay the fare or produce proof of fare payment to such fare enforcement inspectors carries a civil penalty of not more than \$100. This bill is identical to SB 1172.

Patron - Carr

HB2051 Driver's license; marijuana possession. Revises the existing provision that a person loses his driver's license for six months when convicted of or placed on deferred disposition for a drug offense to provide that the provision does not apply to deferred disposition of simple possession of marijuana. The exception applies only to adults; juveniles will still be subject to license suspension. The bill provides that a court retains the discretion to suspend or revoke the driver's license of a person placed on deferred disposition for simple possession of marijuana and must suspend or revoke for six months the driver's license of such person who was operating a motor vehicle at the time of the offense. The bill also requires that such a person whose driver's license is not suspended or revoked perform 50 hours of community service in addition to any community service ordered as part of the deferred disposition. The provisions of the bill are contingent upon written assurance from the U.S. Department of Transportation that Virginia will not lose any federal funds as a result of implementation of the bill. This bill is identical to SB 1091.

Patron - Adams

HB2064 Assault and battery against a family or household member; eligibility for first offender status. Precludes a person who has been convicted of any felony defined as an act of violence from being eligible for first offender status for assault and battery against a family or household member unless the attorney for the Commonwealth does not object to the person being placed on first offender status. Under current law, only prior convictions for assault and battery against a family or household member serve as a disqualifier.

Patron - Mullin

HB2177 Charitable Gaming Board; exempt rulemaking for certain regulations. Provides that Charitable Gaming Board regulations relating to charitable gaming development, including game variations for the conduct of raffles, bingo, network bingo, and instant bingo games, shall be exempt from the Administrative Process Act, provided that (i) such variations result in games that are consistent with the provisions of charitable gaming law and Board regulations, (ii) such regulations are published and posted, and (iii) the Board files a copy of any such regulations with the Registrar of Regulations. This bill is identical to SB 1509.

Patron - Hodges

HB2231 Ignition interlock; duration; installation. Provides that the period of time during which a person is (i) prohibited from operating a motor vehicle that is not equipped with an ignition interlock system or (ii) required to have an ignition interlock system installed on each motor vehicle owned by or registered to him is calculated from the date the court issues him a restricted license. The bill further provides that this period of time is tolled upon the expiration of the restricted license issued by the court until such time as the person is issued a restricted license by the Department of Motor Vehicles.

Patron - Miller

HB2308 Carrying a concealed handgun; retired conservation officers. Adds conservation officers retired from the Department of Conservation and Recreation to the list of retired persons eligible to carry a concealed handgun without a permit. This bill is identical to SB 1465.

Patron - Wright

HB2325 Application for a concealed handgun permit; photo identification. Requires applicants for a concealed handgun permit to present one valid form of government-issued photo identification issued by a governmental agency of the Commonwealth or by the U.S. Department of Defense or U.S. State Department (passport). The bill removes the requirement that the application be made under oath before a notary.

Patron - Fariss

HB2327 DUI; implied consent; refusal of blood or breath tests. Eliminates the criminal penalties for refusing to submit to a blood test to determine the alcohol or drug content of a defendant's blood upon arrest for a DUI-related offense under the law on implied consent. The bill also increases to a Class 1 misdemeanor the criminal penalty for refusing to submit to a breath test under the law on implied consent for an offense committed within 10 years of a prior offense of refusal or of another DUI-related offense. The bill also extends to

blood tests performed by the Department of Forensic Science pursuant to a search warrant the rebuttable presumption that a person is intoxicated based on the person's blood alcohol level demonstrated by such tests. The bill also provides that an application for a search warrant to perform a blood test on a person suspected of committing a DUI-related offense shall be given priority over other matters pending before the judge or magistrate. Finally, the bill establishes a rebuttable presumption applicable in a civil case for punitive damages for injuries caused by an intoxicated driver that a person who has consumed alcohol knew or should have known that his ability to drive was or would be impaired by such consumption. This bill is in response to the U.S. Supreme Court decision in *Birchfield v. North Dakota*, 136 S. Ct. 2160 (2016). The bill contains an emergency clause.

Patron - Collins

HB2350 Use of electronic device to trespass; peeping into dwelling or occupied building; penalty. Punishes as a Class 1 misdemeanor the use of an electronic device to enter the property of another to secretly or furtively peep or spy or attempt to peep or spy into a dwelling or occupied building located on such property, unless such use occurs pursuant to a lawful criminal investigation.

Patron - Minchew

HB2369 Concealed handgun permit; change of address. Replaces the requirement that a concealed carry permit holder present proof of a new address with a requirement that the permit holder present written notice of the change of address on a form provided by the Department of State Police for a court to issue a replacement concealed handgun permit due to a change of address.

Patron - Pogge

HB2374 Charitable gaming; conduct of raffles. Increases from one to three the number of times per calendar year that a qualified organization qualified as a tax-exempt organization pursuant to § 501(c) of the Internal Revenue Code may conduct a raffle for a prize consisting of a lot improved by a residential dwelling where 100 percent of the moneys received from such a raffle, less deductions for the fair market value for the cost of acquisition of the land and materials, are donated to lawful religious, charitable, community, or educational organizations specifically chartered or organized under the laws of the Commonwealth and qualified as a § 501(c) tax-exempt organization. The bill also provides that no more than one such raffle shall be conducted in any one geographical region of the Commonwealth.

Patron - Knight

HB2410 Providing support to terrorist organizations; penalty. Provides that any person who knowingly provides any material support to an individual or organization whose primary objective is to commit an act of terrorism and does so with the intent to further such objective is guilty of a Class 3 felony. If the provision of such material support results in the death of any person, the penalty is increased to a Class 2 felony. The bill also expands the definition of an act of terrorism to include an act committed outside the Commonwealth

that would meet the definition of an act of violence if such act was committed within the Commonwealth.

Patron - Gilbert

HB2424 Carrying concealed weapons; former attorneys for the Commonwealth and assistant attorneys for the Commonwealth. Exempts from the prohibition on carrying a concealed handgun a retired or resigned attorney for the Commonwealth or assistant attorney for the Commonwealth who (i) was not terminated for cause and served at least 10 years prior to his retirement or resignation; (ii) during the most recent 12-month period, has met, at his own expense, the standards for qualification in firearms training for active law-enforcement officers in the Commonwealth; (iii) carries with him written proof of consultation with and favorable review of the need to carry a concealed handgun issued by the attorney for the Commonwealth from whose office he retired or resigned; and (iv) meets the requirements of a "qualified retired law enforcement officer" pursuant to the federal Law Enforcement Officers Safety Act of 2004 (18 U.S.C. § 926C). The bill provides that a retired or resigned attorney for the Commonwealth or assistant attorney for the Commonwealth who has received such proof of consultation and favorable review shall have the opportunity to annually participate, at his expense, in the same training and testing to carry firearms as is required of active law-enforcement officers in the Commonwealth.

Patron - Miller

HB2429 Purchase, possession, or transportation of firearms; petition to restore right. Provides that any person who is not a resident of the Commonwealth and who is prohibited from purchasing, possessing, or transporting any firearm in the Commonwealth due to an acquittal by reason of insanity, being adjudicated mentally incompetent or incapacitated, or being involuntarily admitted or ordered to outpatient treatment may petition for the restoration of such rights in the general district court of the city or county in which the most recent of such proceedings occurred. Current law provides that a person so prohibited may petition for the restoration of such rights in the general district court of the city or county in which he resides.

Patron - O'Quinn

SB817 Restricted driver's license; purposes. Adds travel to and from a job interview to the list of purposes for the issuance of a restricted driver's license. The bill provides that a person issued a restricted driver's license for this purpose is required to maintain on his person written proof from the prospective employer of the date, time, and location of the job interview.

Patron - Surovell

SB865 Furnishing certain weapons to minor; exemption. Exempts the transfer of a dirk, switchblade knife, or bowie knife between family members or for the purpose of engaging in a sporting event or activity from the current prohibition against selling, bartering, giving, or furnishing such weapons to a minor. This bill was vetoed by the Governor.

Patron - Stuart

SB889 Concealed handgun permit fees; exemptions; retired probation and parole officers. Exempts retired

probation and parole officers who have completed 15 years of service from concealed handgun permit application fees.

Patron - Chafin

SB904 Carrying weapon into courthouse; Workers' Compensation commissioner or deputy commissioner exempt. Provides an exception from the prohibition against carrying a weapon into courthouses in the Commonwealth for a commissioner or deputy commissioner of the Workers' Compensation Commission while in the conduct of official duties.

Patron - Obenshain

SB906 Introduction of snakehead fish; penalty. Prohibits the introduction of snakehead fish from any location into state waters. Current law only prohibits the introduction of snakehead fish from outside the Commonwealth.

Patron - Surovell

SB973 Assault and battery; health care providers; penalty. Expands the penalty for battery against a health care provider who is engaged in the performance of his duties to apply in hospitals or in emergency rooms on the premises of any clinic or other facility rendering emergency care. Under current law, the penalties only apply to a battery against an emergency health care provider. The bill requires the Department of Health to work with stakeholder groups to develop guidelines regarding the publication of penalties for battery on a health care provider and for the training of health care professionals and providers in violence prevention programs. This bill is identical to HB 1921.

Patron - Sturtevant

SB1023 Concealed handgun permits; sharing of information. Prohibits sharing of information regarding Virginia concealed handgun permits in the Virginia Criminal Information Network with law enforcement in states that do not recognize a Virginia concealed handgun permit as valid in the state. The bill requires the Department of State Police to maintain and publish online a list of states that recognize a Virginia concealed handgun permit as valid in the state. The bill does not create a private cause of action. This bill received Governor's recommendations.

Patron - Stuart

SB1054 Activation of fire alarms; reimbursement of expenses; penalty. Removes the condition that a building must be for public use in order for the Class 1 misdemeanor for maliciously activating a building's fire alarm to apply. The bill authorizes any locality to provide by ordinance that a person convicted of maliciously activating a fire alarm shall be liable for the reasonable expense in responding to such a fire alarm. Current law allows such an ordinance to impose liability for the reasonable expense of an emergency response to an imitation version of a weapon of terrorism, fire bomb, other explosive device, bomb threat, or incitement of a bomb threat. The bill increases the maximum amount that a locality or volunteer emergency medical services agency may recover under such an ordinance from \$1,000 to \$2,500. This bill is identical to HB 1404.

Patron - Stuart

SB1060 Female genital mutilation; criminal penalty and civil action. Makes it a Class 1 misdemeanor for any person to knowingly circumcise, excise, or infibulate the labia major, labia minora, or clitoris of a minor. The bill makes it a Class 1 misdemeanor for any parent, guardian, or other person responsible for the care of a minor to consent to such circumcision, excision, or infibulation. The bill also makes it a Class 1 misdemeanor for any parent, guardian, or other person responsible for the care of a minor to knowingly remove or cause or permit the removal of such minor from the Commonwealth for the purposes of performing such circumcision, excision, or infibulation. The bill also provides a civil cause of action for any person injured by such circumcision, excision, or infibulation. The bill provides that any of these offenses shall be a separate and distinct offense and shall not preclude prosecution under any other statute.

Patron - Black

SB1091 Driver's license; marijuana possession. Revises the existing provision that a person loses his driver's license for six months when convicted of or placed on deferred disposition for a drug offense to provide that the provision does not apply to deferred disposition of simple possession of marijuana. The exception applies only to adults; juveniles will still be subject to license suspension. The bill provides that a court retains the discretion to suspend or revoke the driver's license of a person placed on deferred disposition for simple possession of marijuana and must suspend or revoke for six months the driver's license of such person who was operating a motor vehicle at the time of the offense. The bill also requires that such a person whose driver's license is not suspended or revoked perform 50 hours of community service in addition to any community service ordered as part of the deferred disposition. The provisions of the bill are contingent upon written assurance from the U.S. Department of Transportation that Virginia will not lose any federal funds as a result of implementation of the bill. This bill is identical to HB 2051.

Patron - Ebbin

SB1154 Providing support to terrorist organizations; penalty. Provides that any person who knowingly provides any material support to an individual or organization whose primary objective is to commit an act of terrorism and does so with the intent to further such objective is guilty of a Class 3 felony. If the provision of such material support results in the death of any person, the penalty is increased to a Class 2 felony. The bill also expands the definition of an act of terrorism to include an act committed outside the Commonwealth that would meet the definition of an act of violence if such act were committed within the Commonwealth. This bill incorporates SB 1052.

Patron - Reeves

SB1172 Fare enforcement inspectors. Provides for the appointment of fare enforcement inspectors to enforce payment of fares for use of mass transit facilities operated anywhere in the Commonwealth. Currently, fare enforcement inspectors may be appointed only in Planning District 8 (Northern Virginia). Under current law, failure of a transit user to pay the fare or produce proof of fare payment to such fare

enforcement inspectors carries a civil penalty of not more than \$100. This bill is identical to HB 1931.

Patron - Dance

SB1299 Carrying concealed handguns; protective orders. Authorizes any person 21 years of age or older who is not prohibited from purchasing, possessing, or transporting a firearm and is protected by an unexpired protective order to carry a concealed handgun for 45 days after the protective order was issued. The bill provides that if the person issued the protective order applies for a concealed handgun permit during such 45-day period, such person will be authorized to carry a concealed handgun for an additional 45 days and be given a copy of the certified application, which shall serve as a de facto concealed handgun permit. The bill requires such person to have the order or certified application and photo identification on his person when carrying a concealed handgun and to display them upon demand by a law-enforcement officer; failure to do so is punishable by a \$25 civil penalty. This bill is identical to HB 1852. This bill was vetoed by the Governor.

Patron - Vogel

SB1300 Victims of domestic violence, etc.; firearms safety or training course. Creates the Virginia Firearms Safety and Training for Sexual and Domestic Violence Victims Fund. The bill provides that the Department of Criminal Justice Services may distribute funds from the Fund to reimburse an entity that offers a firearms safety or training course or class approved by the Department free of charge to victims of domestic violence, sexual abuse, stalking, or family abuse. The Department would not be permitted to issue reimbursements in excess of the amount available in the Fund. The bill also requires that, upon the issuance of a protective order, the petitioner for the order be provided with a list of such approved courses or classes. This bill is identical to HB 1853. This bill was vetoed by the Governor.

Patron - Vogel

SB1347 Carrying a switchblade knife; exception. Authorizes any person to carry a switchblade knife concealed when such knife is carried for the purpose of engaging in a lawful profession or lawful recreational activity the performance of which is aided by the use of a switchblade knife. The bill removes switchblade knives from the list of weapons the selling, bartering, giving, or furnishing of which is a Class 4 misdemeanor. This bill is identical to HB 1432. This bill was vetoed by the Governor.

Patron - Reeves

SB1362 Carrying concealed weapons; exemption for nonduty status military personnel. Provides that a member of the Virginia National Guard, Armed Forces of the United States, or Armed Forces Reserves of the United States in a nonduty status may carry a concealed weapon wherever such member may travel in the Commonwealth, provided that such member is carrying his valid military identification card. This bill was vetoed by the Governor.

Patron - Black

SB1465 Carrying a concealed handgun; retired conservation officers. Adds conservation officers retired from the Department of Conservation and Recreation to the list of

retired persons eligible to carry a concealed handgun without a permit. This bill is identical to HB 2308.

Patron - Carrico

[P]SB1509 Charitable Gaming Board; exempt rulemaking for certain regulations. Provides that Charitable Gaming Board regulations relating to the approval and conduct of game variations for raffles, bingo, network bingo, and instant bingo games shall be exempt from the Administrative Process Act, provided that (i) such variations result in games that are consistent with the provisions of charitable gaming law and Board regulations and (ii) such regulations are published and posted. This bill is identical to HB 2177.

Patron - Cosgrove

[P]SB1533 Possession of antique firearms; nonviolent felons. Permits nonviolent felons to possess, transport, and carry muzzle-loading firearms and black powder in a quantity not exceeding five pounds if it is intended to be used solely for sporting, recreational, or cultural purposes in muzzle-loading firearms.

Patron - Obenshain

Failed

[F]HB1403 Driving while intoxicated; subsequent offenses; penalty. Provides that a person who commits a third offense of driving while intoxicated within a 20-year period is guilty of a Class 6 felony and the punishment for a person who commits a fourth or subsequent offense within such period must include a mandatory minimum sentence of one year and a mandatory minimum fine of \$1,000. Under current law, the relevant time period for applying enhanced penalties for subsequent offenses is 10 years.

Patron - Bell, Richard P.

[F]HB1406 Restoration of right to possess, etc., a firearm. Provides that a person convicted of a felony, other than a violent felony, whose civil rights have been restored is not required to petition a circuit court for an order to possess, transport, or carry a firearm, ammunition for a firearm, or a stun weapon. The bill provides that such person's right to possess, transport, or carry such items is automatically restored upon the restoration of his civil rights. The bill has an effective date of January 1, 2019, contingent upon voter approval of amendments to Article II, Section 1 and Article V, Section 12 of the Constitution of Virginia at the November 2018 general election.

Patron - Habeeb

[F]HB1441 Financial exploitation of incapacitated persons; penalty. Expands the class of victims of the crime of financial exploitation of incapacitated persons to include persons incapacitated due to physical illness or disability, advanced age, or other causes. The current law applies only to victims who suffer from mental incapacity. The bill also allows for forfeiture of personal property used in connection with the crime.

Patron - Kory

[F]HB1458 Local law enforcement; fees for concealed handgun permits; courthouse and courtroom security; assessment. Eliminates (i) the fee, under current law up to \$35, that a local law-enforcement agency is permitted to charge for conducting the background investigation for a concealed handgun permit and (ii) the requirement that the local law-enforcement agency forward to the State Police any amount assessed by the FBI for providing criminal history record information in the background investigation. The bill makes discretionary the current mandatory fee of up to \$10 charged by the clerk for processing a concealed handgun permit application or issuing a permit. The bill increases from \$10 to \$20 the maximum amount, designated solely to fund courthouse and courtroom security, that a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court.

Patron - Lingamfelter

[F]HB1473 Pain-Capable Unborn Child Protection Act; penalty. Creates the Pain-Capable Unborn Child Protection Act (the Act). The Act prohibits an abortion after 20 weeks' gestation unless, in reasonable medical judgment, the mother has a condition that so complicates her medical condition as to necessitate the abortion to avert her death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function. When an abortion is not prohibited post-20 weeks' gestation, and if the woman elects to have an abortion, the physician is required to terminate the pregnancy in a manner that would provide the unborn child the best opportunity to survive. The bill punishes performance of an abortion in violation of the Act as a Class 4 felony. The bill also provides for civil remedies against a physician who performs an abortion in violation of the Act.

Patron - LaRock

[F]HB1616 Felony homicide; certain drug offenses; penalty. Provides that a person is guilty of felony homicide, which constitutes second degree murder and is punishable by confinement of not less than five nor more than 40 years, if the underlying felonious act that resulted in the killing of another involved the manufacture, sale, gift, or distribution of a Schedule I or II controlled substance to another and (i) such other person's death results from his use of the controlled substance and (ii) the controlled substance is the proximate cause of his death. The bill also provides that venue for a prosecution of this crime shall lie in the locality where the underlying felony occurred, where the use of the controlled substance occurred, or where death occurred. This bill serves to overrule the Court of Appeals of Virginia decision in *Woodard v. Commonwealth*, 61 Va. App. 567, 739 S.E.2d 220 (2013), *aff'd*, 287 Va. 276, 754 S.E.2d 309 (2014).

Patron - Lingamfelter

[F]HB1637 Possession or distribution of marijuana for medical purposes; Crohn's disease. Provides an affirmative defense in a prosecution for the possession of marijuana if the marijuana is in the form of cannabidiol oil or THC-A oil possessed pursuant to a valid written certification issued by a practitioner of medicine or osteopathy licensed by the Board of Medicine for purposes of treating Crohn's disease or alleviating such patient's symptoms. The bill provides that a practitioner shall not be prosecuted for distribution of marijuana for the

treatment of or for alleviating the symptoms of Crohn's disease.

Patron - Davis

HB1644 Driving under the influence; first offenders; secure transdermal alcohol monitoring. Provides that in the case of an adult offender's first DUI conviction when the offender's blood alcohol content was less than 0.15, the court may, upon request of the offender, order that the offender (i) wear a transdermal alcohol monitoring device that continuously monitors the person's blood alcohol level and (ii) refrain from alcohol consumption and that these shall be the only conditions of the offender's driver's license restriction. Such offenders will no longer be required to have an ignition interlock as a condition of a restricted license. The bill also provides that it is a Class 1 misdemeanor to tamper with or in any way attempt to circumvent the operation of a secure transdermal alcohol monitoring device.

Patron - Loupassi

HB1683 Prohibited public carrying of certain firearms; penalty. Prohibits the carrying of a loaded shotgun or rifle in places open to the public in certain cities and counties. Current law prohibits the carrying in such locations of certain loaded firearms with high capacity magazines, silencers, folding stock, or long ammunition or a loaded shotgun with a magazine that will hold more than seven rounds of the longest ammunition for which it is chambered. The bill adds the City of Roanoke to the list of cities in which the carrying of such firearms is prohibited.

Patron - Simon

HB1684 Restricting access to firearms by children; mental state; penalty. Removes the requirement that conduct required for a conviction of unlawfully leaving a loaded, unsecured firearm in such a manner as to endanger the life or limb of any child under the age of 14 be reckless. The bill increases the penalty for such violation from a Class 3 misdemeanor to a Class 1 misdemeanor.

Patron - Simon

HB1685 Purchase of handguns; limitation on handgun purchases; penalty. Prohibits any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period and establishes such an offense as a Class 1 misdemeanor. The bill exempts from this provision (i) persons who have been issued a certificate by the Department of State Police under certain circumstances and with an enhanced background check, (ii) law-enforcement agencies and officers, (iii) state and local correctional facilities, (iv) licensed private security companies, (v) persons who hold a valid Virginia concealed handgun permit, (vi) persons whose handgun has been stolen or irretrievably lost or who are trading in a handgun, (vii) purchases of handguns in a private sale, and (viii) purchases of antique firearms.

Patron - Simon

HB1700 Firearms; alcohol; penalties. Provides that it is a Class 1 misdemeanor for a person who is intoxicated or under the influence of illegal drugs to carry a loaded firearm on or about his person in a public place and that a person found guilty is ineligible to apply for a concealed handgun permit for

a period of five years. Current law provides that such prohibition applies only to persons permitted to carry a concealed handgun. The bill also creates a Class 2 misdemeanor for a person who carries a loaded firearm on or about his person onto the premises of any restaurant or club licensed to sell and serve alcoholic beverages for on-premises consumption and consumes an alcoholic beverage while on the premises. Current law provides that such prohibition applies only to those persons carrying a concealed handgun on such premises.

Patron - Marshall, D.W.

HB1704 Grand larceny; threshold. Increases from \$200 to \$500 the threshold amount of money taken or value of goods or chattel taken at which the crime rises from petit larceny to grand larceny. The bill increases the threshold by the same amount for the classification of certain property crimes.

Patron - Filler-Corn

HB1706 Law-enforcement immunity; storage of firearms. Shields from civil or criminal liability any law-enforcement agency or law-enforcement officer that stores, possesses, or transports a firearm with the consent of a person prohibited from possessing a firearm because he is subject to a protective order for any damage, deterioration, loss, or theft of such firearm. The bill does not require any law-enforcement agency or law-enforcement officer to take possession of any firearm.

Patron - Filler-Corn

HB1726 Disarming a law-enforcement officer; penalty. Increases from a Class 1 misdemeanor to a Class 6 felony the penalty for removing a chemical irritant weapon or impact weapon from a law-enforcement officer or correctional officer engaged in the performance of his duties with the intent to impede or prevent such officer from performing his duties. The bill further increases the penalty from a Class 6 felony to a Class 4 felony if the weapon removed is such officer's firearm or stun weapon.

Patron - Ransone

HB1745 Restoration of firearms rights; report to State Police. Provides a mechanism for reporting to the Department of State Police when a circuit court restores a felon's right to possess, transport, and carry a firearm, ammunition for a firearm, or a stun weapon. The bill provides that if a court enters an order restoring a felon's right, the order shall contain the felon's name and date of birth and the clerk of the court shall certify and forward the restoration order to the Central Criminal Records Exchange (CCRE). The bill provides that the Department of State Police, upon receipt of the restoration order, shall enter the felon's name and description in the CCRE so that law-enforcement personnel accessing the CCRE will be aware of the order's existence.

Patron - Rush

HB1758 Firearms; removal from persons posing substantial risk; penalties. Creates a procedure by which an attorney for the Commonwealth or law-enforcement officer may apply to a circuit court judge for a warrant to remove firearms from a person who poses a substantial risk of injury to himself or others. If firearms are seized pursuant to such warrant, the bill requires a court hearing within 14 days from exe-

cution of the warrant to determine whether the firearms should be returned or retained by law enforcement. Seized firearms may be retained by court order for up to 180 days or, with court approval, may be transferred to a third party chosen by the person from whom they were seized. Persons who have been served with a warrant to remove firearms until such warrant has been dissolved by a court or who are the subject of an order to retain firearms are disqualified from having a concealed handgun permit or purchasing a firearm from a licensed dealer and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of an order is guilty of a Class 6 felony.

Patron - Sullivan

[F]HB1762 Abortion; informed written consent; civil penalty. Provides that any woman seeking an abortion be provided with a written informed consent form at least 24 hours before the performance of the abortion. The bill also provides that such form must contain information regarding the risks of the woman developing placenta previa and placenta accreta in future pregnancies from the performance of a surgical abortion and the attendant consequences of those conditions. The bill increases from \$2,500 to \$5,000 the civil penalty for a physician who fails to comply with the provisions governing the woman's informed written consent.

Patron - Marshall, R.G.

[F]HB1769 Malicious bodily injury to or pointing of laser at members of United States Armed Forces. The bill adds members of the United States Armed Forces, including members of the Virginia National Guard, to the list of persons the malicious or unlawful wounding of whom, or the pointing of a laser at whom, is subject to an enhanced penalty.

Patron - Dudenhefer

[F]HB1773 Transfer of firearms; criminal history record information check; penalties. Requires that a criminal history record information check be performed on the prospective transferee before a vendor may transfer firearms at a gun show. A violation is a Class 6 felony. A definition of "vendor" is added. The bill also requires that the promoter of a firearms show post notice of the requirement for a criminal history record information check and provide vendors with access to licensed dealers who will conduct the criminal history record information check. The bill repeals a provision added by the 2016 Session of the General Assembly that requires the Department of State Police to be available to perform background checks for non-dealer sales at firearms shows if requested by a party involved in a transaction.

Patron - Plum

[F]HB1776 Hate crimes; gender, sexual orientation, gender identity, or disability; penalty. Adds gender, sexual orientation, gender identity, and disability to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also adds these categories of victims to the categories of hate crimes that are to be reported to the central

repository of information regarding hate crimes maintained by the Virginia State Police.

Patron - Plum

[F]HB1778 Purchase and transport of firearms; simple assault hate crime. Prohibits persons convicted of simple assault or assault and battery when the victim was selected because of his race, religious conviction, color, or national origin from purchasing or transporting a firearm for five years following such conviction.

Patron - Plum

[F]HB1779 Hate crimes; immigration status; penalty. Adds immigration status to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also adds immigration status to the categories of hate crimes that are to be reported to the central repository of information regarding hate crimes maintained by the Virginia State Police.

Patron - Plum

[F]HB1788 Incapacitated persons; abuse and neglect; financial exploitation of incapacitated persons; penalty. Provides that any responsible person who abuses or neglects an incapacitated adult and such abuse or neglect results in any bodily injury, other than serious bodily injury, to the incapacitated adult is guilty of a Class 6 felony, which is in addition to the current Class 4 felony if such abuse or neglect results in serious bodily injury. The bill also expands the class of victims of the crime of financial exploitation of incapacitated persons to include persons incapacitated due to physical illness or disability, advanced age, or other causes. The current law applies only to victims who suffer from mental incapacity.

Patron - Yancey

[F]HB1792 Possession of firearms; shared residence. Exempts a person prohibited from possessing a firearm due to a felony conviction from such prohibition if he is in constructive possession of a firearm owned by another person by virtue of sharing a residence with such other person who lawfully possesses a firearm, provided that he is not in actual possession of the firearm.

Patron - Fariss

[F]HB1809 RICO; computer crimes; penalties. Adds certain felony offenses contained in the Virginia Computer Crimes Act as qualifying offenses under the Virginia Racketeer Influenced and Corrupt Organization (RICO) Act. Such crimes include computer fraud, transmission of unsolicited commercial electronic mail, computer trespass, computer invasion of privacy, using a computer to gather identifying information, and theft of computer services.

Patron - Bell, John J.

[F]HB1822 Dangerous weapon; place of worship; personal protection. Provides that the term "good and sufficient reason," as used in the exception to the prohibition on carrying dangerous weapons in a place of worship, includes

personal protection. This bill codifies an opinion of the Attorney General (4/8/2011).

Patron - LaRock

HB1864 Firearms; access by children; penalty. Provides that it is a Class 1 misdemeanor to knowingly authorize a child age four or younger to use a firearm or pneumatic gun.

Patron - Lopez

HB1865 Transfer of firearms; criminal history record check delay. Increases from the end of the next business day to within five business days the time in which State Police must advise a dealer if its records indicate that a firearms buyer or transferee is prohibited from possessing or transporting a firearm and the time after which a dealer may complete the sale or transfer without a response from the State Police. The bill removes the option in current law that a dealer may immediately complete the sale or transfer if he is advised by the State Police that a response will not be available within the required timeframe.

Patron - Lopez

HB1879 Disqualification for a concealed handgun permit; persons under 21 driving after illegally consuming alcohol. Disqualifies a person convicted or adjudicated delinquent of driving after illegally consuming alcohol as a person under the age of 21 or adjudicated delinquent of operating a motor vehicle while intoxicated within the three-year period immediately preceding the application from obtaining a concealed handgun permit. Current law disqualifies persons convicted of operating a motor vehicle while intoxicated within the three-year period immediately preceding the application from obtaining a concealed handgun permit.

Patron - Pogge

HB1906 Marijuana; decriminalization of simple marijuana possession. Decriminalizes marijuana possession and provides a civil penalty of no more than \$250 for a first violation and \$1,000 for a second or subsequent violation. Under current law, a first offense is punishable by a maximum fine of \$500 and a maximum 30-day jail sentence, and subsequent offenses are a Class 1 misdemeanor. The bill creates a rebuttable presumption that a person who possesses no more than one-half ounce of marijuana possesses it for personal use and provides that the existing suspended sentence and substance abuse screening provisions apply only to criminal violations or to civil violations by a minor. The bill decreases the penalty for distribution or possession with intent to sell more than one-half but not more than five pounds of marijuana from a Class 5 felony to a Class 6 felony.

Patron - Heretick

HB1928 Felony homicide; certain drug offenses; penalty. Provides that a person is guilty of felony homicide, which constitutes second degree murder and is punishable by confinement of not less than five nor more than 40 years, if the underlying felonious act that resulted in the killing of another involved the manufacture, sale, gift, or distribution of a Schedule I or II controlled substance to another and (i) such other person's death results from his use of the controlled substance and (ii) the controlled substance is the proximate cause of his

death. The bill also provides that venue for a prosecution of this crime shall lie in the locality where the underlying felony occurred, where the use of the controlled substance occurred, or where death occurred. This bill serves to overrule the Court of Appeals of Virginia decision in *Woodard v. Commonwealth*, 61 Va. App. 567, 739 S.E.2d 220 (2013), *aff'd*, 287 Va. 276, 754 S.E.2d 309 (2014).

Patron - Bell, Robert B.

HB1930 Safe reporting of overdoses. Extends to an individual experiencing a drug-related or alcohol-related overdose the affirmative defense to prosecution for (i) simple possession of a controlled substance, marijuana, or controlled paraphernalia; (ii) intoxication in public; or (iii) the unlawful purchase, possession, or consumption of alcohol, if another individual, in good faith, sought or obtained emergency medical attention for the individual experiencing the overdose. Under current law, the affirmative defense applies only to an individual who sought or obtained emergency medical attention for another individual experiencing an overdose or to an individual who sought or obtained emergency medical attention for himself.

Patron - Carr

HB1948 Substance abuse treatment upon conviction of a crime; recovery community organization. Authorizes a recovery community organization to provide substance abuse treatment to individuals ordered to such treatment by a court upon conviction or placement on first offender status of such individual for a crime involving controlled substances. The bill defines recovery community organization as a non-profit organization composed of and governed by representatives of local communities of addiction recovery that offers peer recovery support services for persons with substance abuse and is accredited by the Council on Accreditation of Peer Recovery Support Services.

Patron - Peace

HB1954 Damaging or destroying farm products. Makes it a crime to maliciously damage or destroy any farm products, including any crops, and requires the court to determine the market value of the products when awarding restitution. The bill provides that a violation is punishable as a Class 6 felony if the value of the product is \$400 or more and as a Class 1 misdemeanor if the value is less than \$400. Current law makes certain damage or destruction a crime only if the person committing the act knows that the farm products are grown for testing or research purposes in the context of product development in conjunction or coordination with a private research facility, a university, or any federal, state, or local government agency.

Patron - Webert

HB1978 Profane swearing in public. Eliminates the crime of profanely swearing or cursing in public, which is currently punishable as a Class 4 misdemeanor.

Patron - Webert

HB1986 Computer trespass; penalty. Expands the crime of computer trespass to provide that the prohibited actions that constitute computer trespass are criminalized if done through intentionally deceptive means and without

authority and specifies that monitoring and interaction involving a subscriber's Internet or other network connection or service is not considered computer trespass unless such monitoring or interaction is done through intentionally deceptive means without authorization or with malicious intent.

Patron - Bell, John J.

[F]HB1990 Concealed handgun permits; age requirement for persons on active military duty. Allows a person at least 18 years of age but less than 21 years of age to apply for a concealed handgun permit if he is on active military duty. The bill allows a nonresident at least 18 and years of age but less than 21 years of age who holds a concealed handgun or weapons permit recognized in the Commonwealth to carry a concealed handgun within the Commonwealth if he is on active military duty. Current law requires that persons be at least 21 years of age to carry a concealed handgun.

Patron - Webert

[F]HB2043 Public release of identifying information of a law-enforcement officer during and following an official investigation; penalty. Prohibits any public official, public employee, or person acting on behalf of a public official or public employee from releasing to the public any identifying information of a law-enforcement officer who is the subject of an official investigation that involves the discharge of a firearm or use of force by such law-enforcement officer during the performance of his official duties prior to the conclusion of such official investigation or the conclusion of the first six months of such investigation. The bill requires that such law-enforcement officer's name be released to the public if he is charged with a criminal offense as a result of the official investigation. The bill authorizes the law-enforcement officer's name to be withheld if the law-enforcement officer is not charged with a criminal offense as a result of the official investigation and the release of his name would create a risk of harm to such law-enforcement officer or his family. A violation is a Class 1 misdemeanor. The bill makes corresponding changes in the Virginia Freedom of Information Act.

Patron - Miller

[F]HB2044 Protective orders; possession of firearms; felony. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect, which is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person. The bill also requires that any person who is prohibited from possessing a firearm because he is subject to a permanent protective order certify in writing to the clerk of the court that issued the order within 48 hours after being served with the order that any firearm in his possession has been sold or transferred.

Patron - Murphy

[F]HB2059 Drug Treatment Court Act; eligibility. Eliminates the restriction that renders persons convicted of cer-

tain violent felonies within the preceding 10 years ineligible to participate in a drug treatment court. Persons convicted of felony acts of violence (i.e., offenses that result in life imprisonment upon conviction of a third offense) within the preceding 10 years remain ineligible to participate in a drug treatment court.

Patron - Watts

[F]HB2065 Sexual battery; surprise; penalty. Provides that sexual battery, which is punishable as a Class 1 misdemeanor, may be accomplished by surprise.

Patron - Mullin

[F]HB2079 Sale of firearms; persons not lawfully present in United States; penalty. Provides that the crime of selling, bartering, giving, or furnishing or possessing with the intent to sell, barter, give, or furnish a firearm to a person knowing that such person is prohibited from possessing or transporting a firearm because he is not lawfully present in the United States also applies to selling, bartering, giving, or furnishing an assault firearm to a person prohibited from possessing or transporting an assault firearm because he is not lawfully admitted for permanent residence.

Patron - Wilt

[F]HB2098 Relating to possession of certain firearms by minors; parental permission; penalty. Requires any minor who possesses certain firearms in the home or on the property of his parent, grandparent, or legal guardian to have prior permission from such parent, grandparent, or legal guardian.

Patron - Price

[F]HB2125 Drug treatment court for Counties of Clarke, Frederick, and Loudoun. Authorizes the establishment of drug treatment courts in the Counties of Clarke, Frederick, and Loudoun.

Patron - Minchew

[F]HB2135 Medical marijuana; written certification. Allows a person to possess marijuana or tetrahydrocannabinol pursuant to a valid written certification issued by a physician for the treatment of any medical condition and allows a physician or pharmacist to distribute such substances without being subject to prosecution. Under current law, a person has an affirmative defense to prosecution for possession of marijuana if the marijuana is in certain forms and the person has been issued a written certification by a physician that such marijuana is for the purposes of treating or alleviating the person's symptoms of intractable epilepsy. The bill requires that the person issued the written certification register with the Board of Pharmacy which will issue the person an identification card upon registration. The bill also clarifies that the penalties for forging or altering a recommendation for medical marijuana or for making or uttering a false or forged recommendation are the same as the penalties for committing the same acts with regard to prescriptions.

Patron - Levine

[F]HB2166 Possession of controlled substances. Lists possession of certain controlled substances (buprenorphine, cocaine, codeine, fentanyl, heroin, hydrocodone, hydromor-

phone, methadone, methamphetamine; methylphenidate, morphine, and oxycodone) as separate offenses under the existing crime of possession of controlled substances for the purpose of having the Virginia Criminal Sentencing Commission promulgate separate Virginia crime codes for such offenses. The bill does not alter the existing penalty for possession of these substances.

Patron - Pillion

[F]HB2176 Charitable gaming; conduct of instant games, etc.; number of sessions. Allows a qualified organization to conduct instant bingo, pull tabs, seal cards, or any other authorized charitable game (i) outside of the social quarters of an organization or (ii) not in connection with a bingo game. The bill requires the Charitable Gaming Board to adopt regulations to effect this change in the law. The bill also eliminates the current limits of two sessions of bingo games, with no more than 55 bingo games per session, that may be conducted in any one calendar day. The bill contains technical amendments.

Patron - Hodges

[F]HB2186 Whole Woman's Health Act; performance of abortions. Provides that a woman has a fundamental right to obtain a lawful abortion and that no statute or regulation shall be construed to prohibit the performance of an abortion prior to viability or if necessary to protect the life or health of the woman. The bill also provides that any statute that places a burden on a woman's access to abortion without conferring any legitimate health benefit is unenforceable. The bill expands who can perform first trimester abortions from physicians to any health care providers licensed by the Board of Medicine or the Board of Nursing. The bill eliminates the requirement that second trimester abortions be performed in a licensed hospital. The bill eliminates the requirement that two other physicians certify that a third trimester abortion is necessary to prevent the woman's death or impairment of her mental or physical health as well as the need to find that the woman's health would be substantially and irretrievably impaired. The bill eliminates all the procedures and processes, including the performance of an ultrasound, required to effect a woman's informed written consent to the performance of an abortion; however, the bill does not change the requirement that a woman's informed written consent is first obtained. The bill removes language classifying facilities that perform five or more first trimester abortions per month as hospitals for the purpose of complying with regulations establishing minimum standards for hospitals. The bill also removes the prohibition on the sale of health insurance policies that provide coverage for abortions through an exchange established or operated pursuant to the federal Patient Protection and Affordable Care Act. The provisions of this bill are in response to the U.S. Supreme Court decision in *Whole Woman's Health v. Hellerstedt*, 136S. Ct. 2292 (2016).

Patron - Boysko

[F]HB2187 Firearm transfers; criminal history record information checks; penalty. Requires a background check for any firearm transfer and requires the Department of State Police to establish a process for transferors to obtain such a check from licensed firearms dealers. A transferor who fails to obtain a required background check and sells the firearm to another person is guilty of a Class 1 misdemeanor. The bill exempts transfers between immediate family members, trans-

fers that occur by operation of law, transfers by the executor or administrator of an estate or by the trustee of a testamentary trust, and temporary transfers that occur in the presence of the owner of the firearm or are necessary to prevent imminent death or serious bodily injury. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary.

Patron - Boysko

[F]HB2197 Unmanned aircraft systems; designated facility; critical infrastructure; unlawful use; penalties. Creates a civil cause of action for the invasion of privacy when a person uses an unmanned aircraft system to enter without consent into the airspace above any designated facility, as defined in the bill, or critical infrastructure to capture an image or attempt to capture an image, as specified in the bill. The bill allows a plaintiff to recover actual damages and allows the court to award punitive damages where actual damages are awarded and to order any other appropriate relief. The bill also makes it unlawful to use an unmanned aircraft to enter into the airspace of a designated facility or critical infrastructure without consent to capture an image or attempt to capture an image of such designated facility or critical infrastructure. The bill directs the Virginia Department of Aviation to prepare a plan and budget for developing Sectional Aeronautical Charts compliant with the provisions of the bill and the related regulations of the Federal Aviation Administration and present such a plan and budget to the Governor by October 1, 2017.

Patron - Kilgore

[F]HB2212 Firearm transfers; criminal history record information checks; penalty. Requires a background check for any firearm transfer and requires the Department of State Police to establish a process for transferors to obtain such a check from licensed firearms dealers. A transferor who fails to obtain a required background check and sells the firearm to another person is guilty of a Class 1 misdemeanor. The bill exempts transfers between immediate family members, transfers that occur by operation of law, transfers by the executor or administrator of an estate or by the trustee of a testamentary trust, and temporary transfers that (i) occur within the continuous presence of the owner of the firearm; (ii) are necessary to prevent imminent death or serious bodily injury; (iii) occur at a shooting range, shooting gallery, or other area designed for the purpose of target shooting, for use during target practice, a firearms safety or training course or class, a shooting competition, or any similar lawful activity; or (iv) are for the purpose of and while the transferee is engaged in hunting, trapping, or target shooting. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary.

Patron - Plum

[F]HB2234 Fees for concealed handgun permits. Makes the \$10 fee that the clerk of court is now required to charge for processing a concealed handgun permit application or issuing a concealed handgun permit discretionary with the clerk.

Patron - Cline

[F]HB2238 DUI manslaughter; ignition interlock. Requires that, as a condition of being granted a restricted

driver's license, a person convicted of manslaughter as a result of driving under the influence be prohibited from operating a motor vehicle without an ignition interlock and have an ignition interlock installed on all vehicles owned by or registered to such person.

Patron - Miller

[F]HB2253 Use or display of firearm in committing felony; penalty. Increases from three to five years for a first offense and from five to 10 years for a second or subsequent offense the mandatory minimum sentences for use or display of a firearm during the commission of certain felonies.

Patron - Lingamfelter

[F]HB2256 Third or subsequent conviction of street gang crimes; penalty. Provides that for purposes of imposing the Class 3 felony penalty for a third or subsequent conviction for criminal street gang participation or recruitment for a criminal street gang, prior convictions include findings of not innocent or adjudications of delinquency in the case of a juvenile.

Patron - Collins

[F]HB2263 Concealed handgun permits; age requirement for persons on active military duty. Allows a person at least 18 years of age but less than 21 years of age to apply for a concealed handgun permit if he is on active military duty. The bill allows a nonresident at least 18 and years of age but less than 21 years of age who holds a concealed handgun or weapons permit recognized in the Commonwealth to carry a concealed handgun within the Commonwealth if he is on active military duty. Current law requires that persons be at least 21 years of age to carry a concealed handgun.

Patron - Cline

[F]HB2265 Concealed handgun permits. Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.

Patron - Cline

[F]HB2268 Ignition interlock violations; venue. Provides that venue for the prosecution of any offense of (i) tampering or attempting to circumvent an ignition interlock system, (ii) starting a motor vehicle equipped with an ignition interlock for a person prohibited from operating a motor vehicle not equipped with an ignition interlock, or (iii) furnishing a motor vehicle not equipped with an ignition interlock to a person prohibited from operating a motor vehicle not equipped with an ignition interlock shall lie in the county or city in which (a) the offense was committed, (b) the defendant resides, or (c) the order prohibiting a person from operating a motor vehicle that is not equipped with a functioning ignition interlock system was entered.

Patron - Adams

[F]HB2284 Charitable gaming; subpoena powers of the Department of Agriculture and Consumer Services; enforcement; penalty. Provides that any person who fails or

refuses to obey any subpoena issued by the Department is guilty of a Class 1 misdemeanor.

Patron - Yost

[F]HB2286 Abortion; informed written consent. Provides that a woman seeking an abortion may waive in writing any requirement establishing a mandatory time period or mandating that a physician provide to or review with the woman specific information or materials before an abortion may be performed. The bill requires that a copy of such waiver be maintained in the woman's medical records. The bill also provides that, regardless of any waiver, a physician is still obligated to satisfy the applicable standard of care.

Patron - Ward

[F]HB2288 Computer trespass; computer invasion of privacy; penalty; civil relief. Makes it a Class 5 felony for a person to maliciously install or cause to be installed a computer program that takes control of or restricts access to another computer or computer network, or data therein, and demand money or anything else of value to remove the computer program; restore control of or access to the computer or computer network, or data therein; or remediate the impact of the computer program. The bill adds medical information to the list of information that if obtained without authority constitutes computer invasion of privacy. The bill expands the private right of action for a person or property that is injured by a computer trespass.

Patron - Collins

[F]HB2321 Restricted ammunition; use or attempted use in the commission of a felony; penalty. Removes the prohibition on use or attempted use of restricted firearm ammunition in any non-felony criminal offense. The bill expands the definition of restricted firearms ammunition to include "pinched tip" bullets and expands the exception to such definition to include certain ammunition with copper cores. The bill provides that if any ammunition has been approved by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives for commercial sale, it is not restricted firearms ammunition.

Patron - Morefield

[F]HB2361 Brandishing a firearm; intent; penalty. Requires that a person pointing, holding, or brandishing a firearm or similar weapon must have the intent to induce fear in the mind of another or know or reasonably should know that his conduct would induce such fear in order to be convicted of the crime of brandishing. Currently, the perpetrator's intent is not an element of the offense in the statute.

Patron - Collins

[F]HB2459 Prohibition on sale of certain wireless telecommunications devices to minors. Provides that any retail establishment that sells a cellular telephone or other wireless telecommunications device that is capable of capturing a photographic or other visual image to a person it knows or has reason to know is a minor is subject to a civil penalty not to exceed \$100 for a first violation, a civil penalty not to exceed \$200 for a second violation, and a civil penalty not to exceed \$500 for a third or subsequent violation.

Patron - Marshall, R.G.

[F]HB2466 Sale of handguns; personalized handguns required. Requires all dealers who sell or transfer any handgun to also have personalized handguns available for sale. The bill defines "personalized handgun" as a handgun that incorporates within its design, and as part of its original manufacture, technology that automatically limits its operational use and that cannot be readily deactivated, so that it is capable of being fired only by an authorized or recognized user. The bill requires the Attorney General, in consultation with the Superintendent of State Police, to maintain a list of personalized handguns that are available for retail sales purposes. The bill exempts transactions between certain manufacturers, dealers, and collectors, purchases by law-enforcement agencies, and sales or transfers of antique firearms.

Patron - Simon

[F]HB2468 Commissioners and deputy commissioners of the Virginia Workers' Compensation Commission; carrying a concealed weapon; carrying a weapon in a courthouse. Permits commissioners and deputy commissioners of the Virginia Workers' Compensation Commission to carry a concealed weapon wherever they may travel in the Commonwealth and exempts such persons from the prohibition on carrying firearms in a courthouse.

Patron - Miller

[F]HB2473 Violation of protective order or stalking; third or subsequent offense. Expands the offenses for which a conviction of a third or subsequent offense, when the offense is committed within 20 years of the first conviction and when either the instant or one of the prior offenses was based on an act or threat of violence and the instant and prior offenses arise out of separate incidents, is a Class 6 felony with a mandatory minimum term of confinement of six months from violating a protective order to any combination of violating a protective order or stalking.

Patron - Cline

[F]SB784 Driver's license; marijuana possession. Revises the existing provision that a person loses his driver's license for six months when convicted of or placed on deferred disposition for a drug offense to provide that the provision does not apply to deferred disposition of simple possession of marijuana. The exception applies only to adults; juveniles will still be subject to license suspension. The provisions of the bill are contingent upon written assurance from the U.S. Department of Transportation that Virginia will not lose any federal funds as a result of implementation of the bill.

Patron - Ebbin

[F]SB790 Crimes against law-enforcement officers, firefighters, and other emergency personnel; penalty. Eliminates, for the crime of capital murder of a law-enforcement officer or fire marshal, the element that the killing must be committed for the purpose of interfering with the performance of the victim's official duties for the defendant to be guilty of the crime. For the crimes of (i) malicious or unlawful wounding of a law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel and (ii) assault or assault and battery of a judge, magistrate, law-enforcement officer, correctional officer, firefighter, emergency medical services personnel, or certain other employees

of custodial facilities, the bill eliminates the element that the victim must be engaged in the performance of his public duties for the defendant to be guilty of such crimes.

Patron - Cosgrove

[F]SB791 Fees for concealed handgun permits. Makes the \$10 fee that the clerk of court is now required to charge for processing a concealed handgun permit application or issuing a concealed handgun permit discretionary with the clerk.

Patron - Chase

[F]SB809 Reporting lost or stolen firearms. Requires a person who lawfully possesses a firearm to report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 24 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. The bill requires the relevant law-enforcement agency to enter the report information into the National Crime Information Center (NCIC). A violation is punishable by a \$50 civil penalty for a first offense and a civil penalty of not less than \$100 or more than \$250 for any subsequent offense. The bill provides that a person who, in good faith, reports the loss or theft is immune from criminal or civil liability for acts or omissions that result from such loss or theft; the immunity does not apply to a person who knowingly gives a false report. The bill does not apply to the loss or theft of an antique firearm.

Patron - Favola

[F]SB816 Grand larceny; threshold. Increases from \$200 to \$500 the threshold amount of money taken or value of goods or chattel taken at which the crime rises from petit larceny to grand larceny. This bill incorporates SB923.

Patron - Surovell

[F]SB831 Manufacture of marijuana; accommodation; penalty. Provides that a person who proves that he manufactured marijuana or possessed marijuana with the intent to manufacture marijuana only as an accommodation to another individual who is not an inmate in a correctional facility, and without the intent to profit from such manufacture or possession with the intent to manufacture or to induce the recipient or intended recipient of the marijuana to use or become dependent upon marijuana, is guilty of a Class 1 misdemeanor. Currently, manufacturing marijuana or possessing marijuana with the intent to manufacture marijuana is a felony punishable by imprisonment of five to 30 years regardless of the person's intent.

Patron - DeSteph

[F]SB841 Possession or distribution of marijuana for medical purposes; affirmative defense for treatment of certain conditions. Provides an affirmative defense to prosecution for possession of marijuana if a person has a valid written certification issued by a practitioner for cannabidiol oil or THC-A oil for treatment of, or to alleviate the symptoms of, cancer, human immunodeficiency virus, acquired immune deficiency syndrome, Tourette syndrome, amyotrophic lateral sclerosis, multiple sclerosis, Crohn's disease, or complex regional pain syndrome. Under current law, only the treatment of intractable epilepsy is covered by the affirmative defense.

Patron - Favola

[F]SB862 Driving after forfeiture of license. Provides that a person is guilty of an offense of driving or operating a motor vehicle (i) after his driver's license has been revoked for certain offenses, (ii) in violation of the terms of a restricted license, (iii) without an ignition interlock system if one is required, or (iv) if the person's license had been restricted, suspended, or revoked for certain driving under the influence offenses, with a blood alcohol content of 0.02 percent or more, only if such person was driving or operating the motor vehicle on a highway, as defined in § 46.2-100.

Patron - Surovell

[F]SB890 Ignition interlock; time for installation. Requires a court, upon request of the offender, to delay the installation of an ignition interlock for a period of time not to exceed 15 days from the date of conviction of an offense of driving under the influence. The bill provides that the period of time that the interlock is in effect commences on the date specified in the court order.

Patron - Chafin

[F]SB893 Firearm locks required for sale or transfer of handguns; warning against accessibility to children; penalty. Makes it unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any handgun to any person (i) other than a licensed manufacturer, licensed importer, or licensed dealer, unless the transferee is provided with a locking device for that handgun, or (ii) unless the handgun is accompanied by a warning, in conspicuous and legible type in capital letters printed on a label affixed to the gun and on a separate sheet of paper included within the packaging enclosing the handgun, that handguns should be locked and kept away from children and that there may be civil and criminal liability for failing to do so. There are exceptions for law-enforcement and governmental agencies.

Patron - Howell

[F]SB908 Marijuana; decriminalization of simple marijuana possession. Decriminalizes marijuana possession and provides a civil penalty of no more than \$250 for a first violation and \$1,000 for a second or subsequent violation. Under current law, a first offense is punishable by a maximum fine of \$500 and a maximum 30-day jail sentence, and subsequent offenses are a Class 1 misdemeanor. The bill creates a rebuttable presumption that a person who possesses no more than one-half ounce of marijuana possesses it for personal use and provides that the existing suspended sentence and substance abuse screening provisions apply only to criminal violations or to civil violations by a minor. The bill decreases the penalty for distribution or possession with intent to sell more than one-half but not more than five pounds of marijuana from a Class 5 felony to a Class 6 felony.

Patron - Lucas

[F]SB915 Firearm transfers; penalties. Creates a Class 3 misdemeanor for a person who is not a licensed dealer but who conducts business as a merchant of firearms to sell a firearm without a background check conducted by a federally licensed dealer. The bill exempts transfers to family members, to personal friends, by inheritance, by operation of law, or for a temporary purpose.

Patron - Edwards

[F]SB923 Grand larceny; threshold. Increases from \$200 to \$500 the threshold amount of money taken or value of goods or chattel taken at which the crime rises from petit larceny to grand larceny. The bill increases the threshold by the same amount for the classification of certain property crimes. This bill was incorporated into SB816.

Patron - Petersen

[F]SB957 Recordings; destruction or seizure by a law-enforcement officer. Prohibits any law-enforcement officer from interfering with, damaging, destroying, or seizing another person's recording or recording device, provided that such recording or recording device is lawful and does not interfere with the duties of a law-enforcement officer. The bill provides that a violation of this prohibition is a Class 1 misdemeanor. The bill exempts any seizure or alteration of a recording or recording device by a law-enforcement officer with the permission of the person who possesses the recording or recording device, when the law-enforcement officer reasonably believes that seizure is necessary to prevent the destruction of evidence, pursuant to a lawful court order, or in accordance with state or federal law.

Patron - Locke

[F]SB1039 Protective orders; possession of firearms; felony. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect, which is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person. The bill also requires that any person who is prohibited from possessing a firearm because he is subject to a permanent protective order certify in writing to the clerk of the court that issued the order within 48 hours after being served with the order that any firearm in his possession has been sold or transferred.

Patron - Howell

[F]SB1049 Firearms; administration of machine gun registry, nonresident concealed handgun permits, and criminal history record checks. Requires any person registered to possess a machine gun to notify the Department of State Police (the Department) of a change of address within 30 days of such change. The bill reduces the number of photographs that an applicant for a nonresident concealed handgun permit must submit from two to one. The bill requires the form provided by the Department for a dealer to obtain criminal history record information for a firearm purchase to include a question about whether the proposed purchaser has been the subject of a temporary detention order and subsequently agreed to voluntary admission to a state facility. Current law prohibits such persons from purchasing, possessing, or transporting a firearm and provides that other mental health disqualifications be disclosed on such form. The bill requires firearms dealers to comply with the federal minimum wait time of three days after contacting the system for a background check before releasing a firearm without an approval number; under existing state law,

such firearm must be released after one business day without an approval number. The bill removes the option under state law for a dealer to complete a sale if notified that a response will not be available by the end of the dealer's next business day and removes the requirement that the Department notify the dealer of such delay. The bill removes the requirement that the dealer mail the criminal history record check consent form for a person who is not a resident of Virginia to the Department.

Patron - Edwards

[F]SB1052 Providing material support or resources to a designated terrorist organization; exemptions; penalty. Provides that any person who provides material support or resources to an organization that has been designated by the U.S. Secretary of State as a foreign terrorist organization is guilty of a Class 3 felony. If such material support results in the death of any person, the penalty is increased to a Class 2 felony. The bill provides an exemption to those persons who provide such material support with the approval of the U.S. Secretary of State and U.S. Attorney General. The bill provides that its provisions do not preclude prosecution under any other statute. This bill was incorporated into SB 1154.

Patron - Howell

[F]SB1055 Remaining at place of riot or unlawful assembly after warning to disperse; penalty. Increases from a Class 3 to a Class 1 misdemeanor the penalty for failure to leave the place of any riot or unlawful assembly after having been lawfully warned to disperse.

Patron - Stuart

[F]SB1056 Crossing established police lines, perimeters, or barricades; penalty. Increases from a Class 3 misdemeanor to a Class 1 misdemeanor the crossing or remaining within lawfully established police lines or barricades without proper authorization.

Patron - Stuart

[F]SB1057 Injuries to property or persons by persons unlawfully or riotously assembled; penalty. Increases from a Class 6 felony to a Class 5 felony any injury to property or persons by any person unlawfully or riotously assembled.

Patron - Stuart

[F]SB1058 Riots; unlawful assembly; penalty. Provides that any person participating in a riot or unlawful assembly that blocks a public highway is guilty of a Class 6 felony and that any person who conspires with others to cause or produce a riot, or who directs, incites, or solicits other persons who participate in a riot, during which any other person is injured is guilty of a Class 4 felony in addition to any other penalty provided by law.

Patron - Stuart

[F]SB1067 Assault and battery of private police officers; penalty. Adds private police officers employed by a private police department to the definition of law-enforcement officer for purposes of the crimes of assault and battery. The current punishment for assault and battery against a law-enforcement officer engaged in the performance of his public

duties is a Class 6 felony with a six-month mandatory minimum sentence.

Patron - Deeds

[F]SB1068 Defrauding certain entities; penalties. Provides that it is a Class 1 misdemeanor for a person, without paying for, and with the intent to cheat or defraud the owner or keeper, to use a ski lift without a valid lift ticket or ski pass.

Patron - Deeds

[F]SB1072 Sex offenses prohibiting proximity to children; penalty. Includes in the list of certain sex offenses that prohibit a person from being within 100 feet or residing within 500 feet of a school or certain other property frequented by children or from working on school property any offense similar to such sex offenses under the laws of any foreign country or political subdivision thereof, any federally recognized Native American tribe or band, or the United States or any political subdivision thereof.

Patron - Deeds

[F]SB1090 Computer trespass; computer invasion of privacy; penalty; civil relief. Makes it a Class 5 felony for a person to maliciously install or cause to be installed a computer program that takes control of or restricts access to another computer or computer network, or data therein, and demand money or anything else of value to remove the computer program; restore control of or access to the computer or computer network, or data therein; or remediate the impact of the computer program. The bill adds medical information to the list of information that if obtained without authority constitutes computer invasion of privacy. The bill expands the private right of action for a person or property that is injured by a computer trespass.

Patron - Sturtevant

[F]SB1124 Adultery; civil penalty. Reduces the penalty for adultery from a Class 4 misdemeanor to a civil penalty of not more than \$250.

Patron - Surovell

[F]SB1138 Computer trespass; government computers and computers used for public utilities; penalty. Increases the Class 1 misdemeanor computer trespass crimes to a Class 6 felony if the computer targeted is one that is exclusively for the use of, or used by or for, the Commonwealth, a local government within the Commonwealth, or certain public utilities.

Patron - Mason

[F]SB1185 Reporting lost or stolen firearms. Requires a person who lawfully possesses a firearm to report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 24 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. The bill requires the relevant law-enforcement agency to enter the report information into the National Crime Information Center (NCIC). A violation is punishable by a \$50 civil penalty for a first offense and a civil penalty of not less than \$100 or more than \$250 for any subsequent offense. The bill provides that a person who, in

good faith, reports the loss or theft is immune from criminal or civil liability for acts or omissions that result from such loss or theft; the immunity does not apply to a person who knowingly gives a false report. The bill does not apply to the loss or theft of an antique firearm.

Patron - Dance

SB1194 Firearm transfers; criminal history record information checks; penalty. Requires a background check for any firearm transfer and requires the Department of State Police to establish a process for transferors to obtain such a check from licensed firearms dealers. A transferor who fails to obtain a required background check and sells the firearm to another person is guilty of a Class 1 misdemeanor. The bill exempts transfers between immediate family members, transfers that occur by operation of law, transfers by the executor or administrator of an estate or by the trustee of a testamentary trust, and temporary transfers that (i) occur within the continuous presence of the owner of the firearm; (ii) are necessary to prevent imminent death or serious bodily injury; (iii) occur at a shooting range, shooting gallery, or other area designed for the purpose of target shooting, for use during target practice, a firearms safety or training course or class, a shooting competition, or any similar lawful activity; or (iv) are for the purpose of and while the transferee is engaged in hunting, trapping, or target shooting. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary.

Patron - Lucas

SB1227 Drug Treatment Court Act; eligibility. Eliminates the restriction that renders persons convicted of breaking and entering dwelling house with intent to commit other misdemeanor, punishable as a Class 6 Felony, ineligible to participate in a drug treatment court. Persons convicted of other violent felony offenses remain ineligible to participate in a drug treatment court.

Patron - Barker

SB1241 Female genital mutilation; criminal penalty and civil action. Makes it a felony with a punishment of 20 years to life, five of which shall be a mandatory minimum, for any person to knowingly circumcise, excise, or infibulate the labia major, labia minora, or clitoris of a minor. The bill makes it a Class 2 felony for any parent or guardian charged with the care of a minor to consent to such circumcision, excision, or infibulation. The bill also provides a civil cause of action for any person injured by such circumcision, excision, or infibulation.

Patron - Dunnivant

SB1266 Firearms; access by children; penalty. Provides that it is a Class 1 misdemeanor to knowingly authorize a child age four or younger to use or handle a firearm.

Patron - Ebbin

SB1267 Firearms; alcohol; penalties. Provides that it is a Class 1 misdemeanor for a person who is intoxicated or under the influence of illegal drugs to carry a loaded firearm on or about his person in a public place and that a person found guilty is ineligible to apply for a concealed handgun permit for a period of five years. Current law provides that such prohibi-

tion applies only to persons permitted to carry a concealed handgun. The bill also creates a Class 2 misdemeanor for a person who carries a loaded firearm on or about his person onto the premises of any restaurant or club licensed to sell and serve alcoholic beverages for on-premises consumption and consumes an alcoholic beverage while on the premises. Current law provides that such prohibition applies only to those persons carrying a concealed handgun on such premises.

Patron - Ebbin

SB1269 Marijuana; decriminalization of simple marijuana possession. Decriminalizes simple marijuana possession and provides a civil penalty of no more than \$100 for a first violation, \$250 for a second violation, and \$500 for a third or subsequent violation. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that the suspended sentence/substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations or to civil violations by a juvenile. The bill provides that a court may suspend a driver's license for a civil violation committed by an adult. A civil violation will be treated as a conviction for prohibitions on the purchase or transport of a handgun and disqualification for a concealed handgun permit.

Patron - Ebbin

SB1281 Substance abuse treatment upon conviction of a crime; recovery community organization. Authorizes a recovery community organization to provide substance abuse treatment to individuals ordered to such treatment by a court upon conviction or placement on first offender status of such individual for a crime involving controlled substances. The bill defines recovery community organization as a non-profit organization composed of and governed by representatives of local communities of addiction recovery that offers peer recovery support services for persons with substance abuse and is accredited by the Council on Accreditation of Peer Recovery Support Services.

Patron - McDougle

SB1297 Carrying concealed weapons; exemption for nonduty status active military personnel. Provides that an active duty member of the Virginia National Guard, Armed Forces of the United States, or Armed Forces Reserves of the United States in a nonduty status may carry a concealed weapon wherever such member may travel in the Commonwealth.

Patron - Vogel

SB1298 Possession or distribution of marijuana for medical purposes; affirmative defense for treatment of certain conditions. Provides an affirmative defense to prosecution for possession of marijuana if a person has a valid written certification issued by a practitioner for cannabidiol oil or THC-A oil for treatment of, or to alleviate the symptoms of, cancer, glaucoma, human immunodeficiency virus, acquired immune deficiency syndrome, hepatitis C, amyotrophic lateral sclerosis, Crohn's disease, Alzheimer's disease, nail patella, cachexia or wasting syndrome, multiple sclerosis, or complex

regional pain syndrome. Under current law, only the treatment of intractable epilepsy is covered by the affirmative defense.

Patron - Vogel

SB1377 Computer trespass; penalty. Expands the crime of computer trespass to provide that the prohibited actions that constitute computer trespass are criminalized if done through intentionally deceptive means and without authority and specifies that a computer hardware or software provider, an interactive computer service, or a telecommunications or cable operator does not have to provide notice of its activities to a computer user that a reasonable computer user should expect may occur.

Patron - Mason

SB1378 RICO; computer crimes; penalties. Adds certain felony offenses contained in the Virginia Computer Crimes Act as qualifying offenses under the Virginia Racketeer Influenced and Corrupt Organization (RICO) Act. Such crimes include computer fraud, transmission of unsolicited commercial electronic mail, computer trespass, computer invasion of privacy, using a computer to gather identifying information, and theft of computer services.

Patron - Mason

SB1400 Poker; definition of illegal gambling and charitable gaming; poker games authorized; regulation of poker tournaments. Provides that poker is a game of skill and therefore not illegal gambling. The bill also allows a qualified organization to conduct poker games in conjunction with its charitable gaming activities, but does not allow 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, 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 and operators to be registered with the Department. The bill contains technical amendments. The bill has a delayed effective date of July 1, 2018.

Patron - Lucas

SB1420 Incapacitated persons; abuse and neglect; financial exploitation of incapacitated persons; penalty. Provides that any responsible person who abuses or neglects an incapacitated adult and such abuse or neglect results in any bodily injury, other than serious bodily injury, to the incapacitated adult is guilty of a Class 6 felony, which is in addition to the current Class 4 felony if such abuse or neglect results in serious bodily injury. The bill also expands the class of victims of the crime of financial exploitation of incapacitated persons to include persons incapacitated due to physical illness or disability, advanced age, or other causes. The current law applies only to victims who suffer from mental incapacity.

Patron - Mason

SB1422 Local law enforcement; fees for concealed handgun permits; courthouse and courtroom security; assessment. Eliminates (i) the fee, under current law up to \$35, that a local law-enforcement agency is permitted to charge for conducting the background investigation for a concealed handgun permit and (ii) the requirement that the local law-enforcement agency forward to the State Police any amount assessed by the FBI for providing criminal history record information in the background investigation. The bill makes discretionary the current mandatory fee of up to \$10 charged by the clerk for processing a concealed handgun permit application or issuing a permit. The bill increases from \$10 to \$20 the maximum amount, designated solely to fund courthouse and courtroom security, that a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court.

Patron - Chase

SB1424 Abortion; informed written consent. Provides that a woman seeking an abortion may waive in writing any requirement establishing a mandatory time period or mandating that a physician provide to or review with the woman specific information or materials before an abortion may be performed. The bill requires that a copy of such waiver be maintained in the woman's medical records. The bill also provides that, regardless of any waiver, a physician is still obligated to satisfy the applicable standard of care.

Patron - Locke

SB1439 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 exempts certain transfers, such as between immediate family members, by operation of law, at a firearms show with a voluntary background check, and when the transfer is temporary and is necessary to prevent imminent death or great bodily harm or occurs while in the continuous presence of the owner of the firearm.

Patron - Surovell

SB1440 Concealed handgun permits. Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.

Patron - Black

SB1443 Firearms; removal from persons posing substantial risk; penalties. Creates a procedure by which an attorney for the Commonwealth or law-enforcement officer may apply to a circuit court judge for a warrant to remove firearms from a person who poses a substantial risk of injury to himself or others. If firearms are seized pursuant to such warrant, the bill requires a court hearing within 14 days from execution of the warrant to determine whether the firearms should be returned or retained by law enforcement. Seized firearms may be retained by court order for up to 180 days or, with court approval, may be transferred to a third party chosen by the person from whom they were seized. Persons who have been

served with a warrant to remove firearms until such warrant has been dissolved by a court or who are the subject of an order to retain firearms are disqualified from having a concealed handgun permit or purchasing a firearm from a licensed dealer and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of an order is guilty of a Class 6 felony.

Patron - Barker

[F]SB1444 Restricted ammunition; use or attempted use in the commission of a crime; penalty. Provides that restricted firearms ammunition means any ammunition that has been banned or prohibited from commercial sale by the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives or under federal law. Under current law, restricted firearms ammunition was defined as ammunition that are: (i) coated with or contain, in whole or in part, polytetrafluorethylene or a similar product, (ii) commonly known as "KTW" bullets or "French Arcanes," or (iii) any cartridges containing bullets coated with a plastic substance with other than lead or lead alloy cores, jacketed bullets with other than lead or lead alloy cores, or cartridges of which the bullet itself is wholly comprised of a metal or metal alloy other than lead.

Patron - Chafin

[F]SB1452 Possession or distribution of marijuana for medical purposes; affirmative defense for treatment of certain conditions. Provides an affirmative defense to prosecution for possession of marijuana if a person has a valid written certification issued by a practitioner for cannabidiol oil or THC-A oil for treatment of, or to alleviate the symptoms of, cancer. Under current law, only the treatment of intractable epilepsy is covered by the affirmative defense.

Patron - Lucas

[F]SB1453 Firearms on school property. Adds public, private, or religious preschools and child day centers that are not operated at the residence of the provider or of any of the children to the list of schools where possessing a firearm on school property or on a school bus is prohibited. Under current law, the list of such schools only includes public, private, or religious elementary, middle, or high schools.

Patron - Lucas

[F]SB1458 Dangerous weapons; place of religious worship. Requires a person to have the express authorization of a place of religious worship to carry certain weapons to such place of worship while a meeting for religious purposes is being held. Current law requires such person to have a good and sufficient reason to do so.

Patron - McPike

[F]SB1464 Restoration of firearm rights; convicted felons. Requires the court to find by clear and convincing evidence that a convicted felon, whose civil rights have been restored by the Governor or other appropriate authority, petitioning for a permit to possess or carry a firearm is not a risk to public safety and poses no present or future danger to himself or others prior to granting the petition and issuing the permit. Current law provides for a standard of good cause shown. The bill requires the court to conduct a hearing on such petition,

where current law requires a hearing only if requested by the petitioner or the attorney for the Commonwealth.

Patron - Carrico

[F]SB1474 Resisting arrest; penalty. Expands the Class 1 misdemeanor of resisting arrest to include, in addition to fleeing from a law-enforcement officer, attempting to escape from the lawful custody of a law-enforcement officer by force or violence.

Patron - DeSteph

[F]SB1480 Digital impersonation; penalty. Provides that it is a Class 1 misdemeanor for a person to knowingly and with malice impersonate a living individual without his authorization through the use of a computer and with the intent to defraud or injure that person in his reputation, trade, business, or profession. The bill provides that an impersonation is credible if a reasonable person would believe the defendant was in fact the person who was impersonated.

Patron - Edwards

[F]SB1524 Hate crimes; gender, sexual orientation, gender identity, or disability; civil action; penalty. Adds disability, gender, gender identity, and sexual orientation to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also adds disability, gender, gender identity, and sexual orientation status to the categories of hate crimes that are to be reported to the central repository of information regarding hate crimes maintained by the Virginia State Police. The bill also provides that a person who is subjected to acts of vandalism to his real or personal property, where such vandalism is motivated by disability, gender, gender identity, and sexual orientation, may bring a civil action to recover his damages. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of disability, gender, gender identity, sexual orientation.

Patron - Favola

[F]SB1525 Trespass by persons using hunting dogs; penalty. Provides that a person who intentionally releases hunting dogs on the land of another or releases hunting dogs and fails to exercise due care to prevent such dogs from entering onto the land of another is liable for damages incurred as a result of such conduct or \$500, whichever is greater, in addition to reasonable attorney fees and costs. The bill further provides that any person who releases hunting dogs adjacent to lands subject to the trespass of the hunting dogs who knew or should have known that a trespass was imminent and who is in the act of hunting or training hunting dogs is subject to a Class 3 misdemeanor.

Patron - Marsden

[F]SB1549 Performance of abortions; informed written consent. Eliminates all the procedures and processes, including the performance of an ultrasound, required to effect a woman's informed written consent to the performance of an abortion; however, the bill does not change the requirement

that a woman's informed written consent be first obtained. The bill reduces from two to one the number of consulting physicians who must certify that a third trimester abortion is necessary to prevent the woman's death or impairment of her mental or physical health and eliminates the need for such physicians to find that the woman's health would be substantially and irretrievably impaired. The bill removes language classifying facilities that perform five or more first trimester abortions per month as hospitals for the purpose of complying with regulations establishing minimum standards for hospitals.

Patron - Wexton

SB1560 Possession of child pornography where the accused has produced the child pornography; penalties. Provides that any person who knowingly possesses child pornography that he has produced shall be punished by not less than five years nor more than 20 years in a state correctional facility, two years of which shall be a mandatory minimum term of imprisonment. The bill also provides that any person who knowingly (i) reproduces by any means, sells, gives away, distributes, electronically transmits, displays, purchases, or possesses with intent to sell, give away, distribute, transmit, or display child pornography that he has produced or (ii) commands, entreats, or otherwise attempts to persuade another person to send, submit, transfer, or provide to him any child pornography in order to gain entry into a group, association, or assembly of persons engaged in trading or sharing child pornography that he has produced shall be punished by not less than five years nor more than 20 years in a state correctional facility, five years of which shall be a mandatory minimum term of imprisonment. A second or subsequent offense involving the reproduction or attempts to persuade another person to send child pornography that was produced by the offender shall be punished by not less than 10 years nor more than 20 years in a state correctional facility, 10 years of which shall be a mandatory minimum term of imprisonment. The bill provides that any violation involving child pornography that the accused has produced constitutes a separate and distinct offense from other production of child pornography offenses.

Patron - Norment

Criminal Procedure

Passed

HB1411 Withdrawal of privately retained counsel. Allows a privately retained counsel in a criminal case to withdraw from representation without leave of court after certification of a charge by a district court by providing written notice within 10 days of the certification to the client, the attorney for the Commonwealth, and the circuit court. The bill also directs the Judicial Council to review the current process for withdrawal of privately retained counsel in civil cases and submit a report by November 1, 2017, to the Chairmen of the House and Senate Committees for Courts of Justice. This bill received Governor's recommendations.

Patron - Albo

HB1545 Delayed appeals in criminal cases; assignment of errors dismissed in part. Provides that an appellant may file a motion for leave to pursue a delayed appeal in a criminal case in the Court of Appeals of Virginia when the appeal was dismissed, in whole or in part, for a failure to (i) initiate the appeal; (ii) adhere to proper form, procedures, or time limits in the perfection of the appeal; or (iii) file the indispensable transcript or written statement of facts, even if other parts of the appeal were refused on the merits. Under current law, an appellant may not pursue a delayed appeal in such a case if part of the appeal was refused on the merits. The bill also provides that an appellant may file a motion for leave to pursue a delayed appeal in a criminal case that is appealed to the Supreme Court of Virginia from the Court of Appeals of Virginia for those assignments of error that were dismissed because they did not adhere to a proper form, even if other assignments of error were refused on the merits. As introduced, this bill was a recommendation of the Judicial Council of Virginia. This bill is identical to SB 853.

Patron - Collins

HB1546 Juror information; confidentiality. Limits to name and home address the personal information of a juror impaneled in a criminal case that the court may only regulate the disclosure of upon a showing of good cause, which includes a likelihood of bribery, tampering, or physical injury to or harassment of a juror. The bill limits the release of any additional personal information, defined in the bill as any information other than a name and home address, of a juror impaneled in a criminal case to the counsel of record in the case or a pro se defendant. The bill also provides that the court may, upon the motion of either party or its own motion, and for good cause shown, authorize the disclosure of such personal information to any other person, subject to any restrictions imposed by the court on further dissemination of such personal information.

Patron - Collins

HB1560 Procedure when aliens convicted of certain felonies; forms. Requires an alienage determination made by a probation or parole officer to be submitted to the Central Criminal Records Exchange of the Department of State Police (Exchange) in a format approved by the Exchange. Current law requires the Exchange to provide reporting forms to the probation and parole officers.

Patron - Krizek

HB1579 Transportation order for defendant held in correctional facility. Requires the court or clerk, upon request of the attorney for the Commonwealth or counsel for the defendant, to issue a transportation order for a defendant to be brought to court from a correctional facility.

Patron - Campbell

HB1647 Presentence report; waiver by defendant. Expands from guilty to guilty or nolo contendere the pleas for which a court is required to direct a probation officer to create a presentence report upon conviction for certain felonies. The bill provides that upon a conviction or plea agreement for such felonies, the defendant and the attorney for the Commonwealth may waive the presentence report.

Patron - Loupassi

HB1855 Restitution; form order, enforcement, noncompliance; etc. Makes numerous changes related to the repayment of court-ordered restitution, including: (i) requiring the court to enter the amount of restitution, the date by which all restitution is to be paid, and the terms and conditions of repayment on a form prescribed by the Office of the Executive Secretary of the Supreme Court; (ii) providing that docketing an order of restitution as a civil judgment does not prohibit the court from enforcing such order by any other available means; (iii) requiring the clerk of every circuit and district court to submit quarterly reports to the attorney for the Commonwealth and any probation agency serving the locality listing (a) all defendants with outstanding balances of court-ordered restitution and (b) all accounts where more than 90 days have passed since such account was sent to collections and no payments have been made; and (iv) removing the court's authority to impose a fine not to exceed \$500 for a defendant's nonpayment of court-ordered fines, costs, restitution, forfeiture, or penalties after the defendant has entered into an installment or deferred payment agreement. As introduced, the bill was a recommendation of the Virginia State Crime Commission. This bill is identical to SB 1284. This bill received Governor's recommendations.

Patron - Bell, Robert B.

HB1856 Restitution; probation. Provides that for any offense that occurs on or after July 1, 2017, if restitution is ordered at the time of sentencing, the court shall place the defendant on an indefinite term of probation until all ordered restitution is paid in full. The bill requires that a probation agency ordered to monitor the restitution payments of a defendant placed on supervised probation notify the court and the attorney for the Commonwealth of the amount of unsatisfied restitution, if any, 30 days prior to the defendant's release from supervision. The bill also requires that a court schedule a hearing if any restitution remains unsatisfied on the date upon which restitution was to be paid in full within 90 days of such date if no probation agency was ordered to monitor the defendant's payments. The bill also establishes a mechanism for releasing a defendant from an indefinite term of probation even though all ordered restitution has not been paid in full. As introduced, this bill was a recommendation of the Virginia State Crime Commission. This bill is identical to SB 1285. This bill received Governor's recommendations.

Patron - Bell, Robert B.

HB1874 Search warrants; customer records from financial institutions. Provides that a search warrant for records pertaining to a customer of a financial institution, money transmitter, commercial business that provides credit reports, or credit card issuer may be executed in the Commonwealth by hand, mail, commercial delivery service, facsimile, or other electronic means. The bill requires the executing officer to file the warrant in the circuit court clerk's office where the warrant was executed within three days after receiving the ordered records. The bill eliminates the requirement that a copy of the warrant be filed where the warrant was issued for all search warrants. The bill provides that the search warrant will be considered executed in the jurisdiction where the entity on which the warrant is served is located. This bill is identical to SB 1310.

Patron - Pogge

HB1882 Capital cases; replacing certain terminology. Replaces the term "mental retardation" in all of its various iterations with a corresponding iteration of the term "intellectual disability" for purposes of the statutes governing capital cases. The U.S. Supreme Court has held in *Hall v. Florida*, 134 S. Ct. 1886 (2014), that the terms describe the identical phenomenon. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to SB 1352.

Patron - Hope

HB1903 Admissibility of business records; criminal proceedings. Extends to criminal proceedings the existing procedures in civil proceedings for the authentication and foundation necessary for the admission of a business record under the business records exception to the rule against hearsay.

Patron - Heretick

HB1996 Incompetent defendants; psychiatric treatment. Requires that a defendant who is found incompetent to stand trial for a crime and who is ordered to receive treatment to restore his competency at an inpatient hospital be transferred to and accepted by the hospital as soon as practicable, but no later than 10 days, from the receipt of the court order for restoration treatment.

Patron - Hope

HB2066 Criminal history record information; National Crime Prevention and Privacy Compact of 1998. Authorizes Virginia to become a signatory to the National Crime Prevention and Privacy Compact of 1998. The Compact allows member states to exchange criminal history records for noncriminal justice purposes according to the laws of the requesting state.

Patron - Mullin

HB2084 Search warrants; person subject to arrest. Authorizes the issuance of a search warrant to search for and seize any person for whom a warrant or process for arrest has been issued. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to SB 1260.

Patron - Herring

HB2127 Rights of victims of sexual assault; physical evidence recovery kits. Requires that victims of sexual assault be advised by the investigating law-enforcement agency of their rights regarding physical evidence recovery kits. The bill requires the Division of Consolidated Laboratory Services of the Virginia Department of General Services and law-enforcement agencies to store a physical evidence recovery kit for an additional 10 years following a written objection to its destruction from the victim. The bill requires the law-enforcement agency to notify the victim at least 60 days prior to the intended date of destruction of the kit and provides that no victim of sexual assault shall be charged for the cost of collecting or storing a kit.

Patron - Levine

HB2184 Evaluation of inmate; inpatient psychiatric hospital admission. Requires that if the person having custody of an inmate of a local correctional facility files a petition

for inpatient psychiatric hospital admission of the inmate, the person having custody shall ensure that the appropriate community services board or behavioral health authority is advised of the need for a preadmission screening. The bill further requires the person having custody of the inmate to contact the director or other senior management at the community services board or behavioral health authority if such board or authority does not respond to the advisement that a preadmission screening is necessary or fails to complete the preadmission screening.

Patron - Yost

HB2240 Crime victim's right to nondisclosure of certain information; murder. Requires that written consent provided by the victim's next of kin to law enforcement is necessary, if the victim is a minor, before a law-enforcement agency may disclose any information that identifies the victim of a crime that resulted in the victim's death.

Patron - Miller

HB2329 Division of Capitol Police; arrest without warrant. Adds members of the Division of Capitol Police to the list of officers authorized to arrest without a warrant in certain situations.

Patron - Morefield

HB2338 Restitution; priority of payments. Provides that whenever a defendant owes court-ordered restitution payments, any money collected shall be used first to satisfy such restitution order and any collection costs associated with restitution prior to being used to satisfy any other fines or costs owed by the defendant.

Patron - Bell, Robert B.

HB2386 Collection of unpaid court fines, etc. Increases the grace period after which collection activity for unpaid court fines, costs, forfeitures, penalties, and restitution may be commenced from 30 days to 90 days after sentencing or judgment. The bill also establishes the requirements for deferred or installment payment agreements that a court must offer a defendant who is unable to pay court-ordered fines, costs, forfeitures, and penalties. The bill requires that a court take into account a defendant's financial circumstances, including whether the defendant owes fines and costs to other courts, in setting the terms of a payment agreement. The bill fixes the maximum down payments that a court may require as a condition of entering a payment plan and provides that payments made within 10 days of their due date are timely made. The bill precludes a court from denying a defendant the opportunity to enter into a payment agreement solely because of the crime committed, the total amount owed or that such amount has been referred to collections, any previous default by the defendant or failure to establish a payment history, or the defendant's eligibility for a restricted driver's license. The bill allows all costs and fines owed by a defendant to any one court to be incorporated into one payment agreement and allows a defendant to request a modification of the terms of the agreement, which shall be granted upon a good faith showing of need. The bill requires a court to consider a request by a defendant who has defaulted on a payment agreement to enter into a subsequent agreement and requires the court to fix a down payment for subsequent payment agreements. Finally, the bill provides

that the payment agreement includes restitution unless the court has entered a separate order regarding the payment of restitution. This bill is identical to SB 854. This bill received Governor's recommendations.

Patron - Loupassi

HB2462 Inpatient psychiatric hospital admission; defendant found incompetent. Removes the prohibition on inpatient psychiatric hospital admission for defendants who have already been ordered to receive treatment to restore their competency to stand trial. This bill is identical to SB 935.

Patron - Bell, Robert B.

SB853 Delayed appeals in criminal cases; assignment of errors dismissed in part. Provides that an appellant may file a motion for leave to pursue a delayed appeal in a criminal case in the Court of Appeals of Virginia when the appeal was dismissed, in whole or in part, for a failure to (i) initiate the appeal; (ii) adhere to proper form, procedures, or time limits in the perfection of the appeal; or (iii) file the indispensable transcript or written statement of facts, even if other parts of the appeal were refused on the merits. Under current law, an appellant may not pursue a delayed appeal in such a case if part of the appeal was refused on the merits. The bill also provides that an appellant may file a motion for leave to pursue a delayed appeal in a criminal case that is appealed to the Supreme Court of Virginia from the Court of Appeals of Virginia for those assignments of error that were dismissed because they did not adhere to a proper form, even if other assignments of error were refused on the merits. As introduced, this bill was a recommendation of the Judicial Council of Virginia. This bill is identical to HB 1545.

Patron - Stanley

SB854 Collection of unpaid court fines, etc. Increases the grace period after which collection activity for unpaid court fines, costs, forfeitures, penalties, and restitution may be commenced from 30 days to 90 days after sentencing or judgment. The bill also establishes the requirements for deferred or installment payment agreements that a court must offer a defendant who is unable to pay court-ordered fines, costs, forfeitures, and penalties. The bill requires that a court take into account a defendant's financial circumstances, including whether the defendant owes fines and costs to other courts, in setting the terms of a payment agreement. The bill fixes the maximum down payments that a court may require as a condition of entering a payment plan and provides that payments made within 10 days of their due date are timely made. The bill precludes a court from denying a defendant the opportunity to enter into a payment agreement solely because of the crime committed, the total amount owed or that such amount has been referred to collections, any previous default by the defendant or failure to establish a payment history, or the defendant's eligibility for a restricted driver's license. The bill allows all costs and fines owed by a defendant to any one court to be incorporated into one payment agreement and allows a defendant to request a modification of the terms of the agreement, which shall be granted upon a good faith showing of need. The bill requires a court to consider a request by a defendant who has defaulted on a payment agreement to enter into a subsequent agreement and requires the court to fix a down payment for subsequent payment agreements. Finally, the bill provides

that the payment agreement includes restitution unless the court has entered a separate order regarding the payment of restitution. This bill is identical to HB 2386. This bill received Governor's recommendations.

Patron - Stanley

SB935 Inpatient psychiatric hospital admission; defendant found incompetent. Removes the prohibition on inpatient psychiatric hospital admission for defendants who have already been ordered to receive treatment to restore their competency to stand trial. This bill incorporates SB 895 and is identical to HB 2462.

Patron - Lucas

SB1257 Two-way video testimony; forensic analysis and examination. Provides that any testimony offered by either party in a preliminary hearing or sentencing hearing, or offered by the accused in any hearing other than a trial, from a person who performed an analysis or examination that resulted in a certificate of analysis may be presented by two-way video conferencing. The bill provides that any decision to purchase a two-way electronic video and audio communication system is at the discretion of the locality.

Patron - Chafin

SB1260 Search warrants; person subject to arrest. Authorizes the issuance of a search warrant to search for and seize any person for whom a warrant or process for arrest has been issued. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to HB 2084.

Patron - Black

SB1284 Restitution; form order, enforcement, non-compliance; etc. Makes numerous changes related to the repayment of court-ordered restitution, including: (i) requiring the court to enter the amount of restitution, the date by which all restitution is to be paid, and the terms and conditions of repayment on a form prescribed by the Office of the Executive Secretary of the Supreme Court; (ii) providing that docketing an order of restitution as a civil judgment does not prohibit the court from enforcing such order by any other available means; (iii) requiring the clerk of every circuit and district court to submit quarterly reports to the attorney for the Commonwealth and any probation agency serving the locality listing (a) all defendants with outstanding balances of court-ordered restitution and (b) all accounts where more than 90 days have passed since such account was sent to collections and no payments have been made; and (iv) removing the court's authority to impose a fine not to exceed \$500 for a defendant's nonpayment of court-ordered fines, costs, restitution, forfeiture, or penalties after the defendant has entered into an installment or deferred payment agreement. As introduced, the bill was a recommendation of the Virginia State Crime Commission. This bill is identical to HB 1855. This bill received Governor's recommendations.

Patron - Obenshain

SB1285 Restitution; probation. Provides that for any offense that occurs on or after July 1, 2017, if restitution is ordered at the time of sentencing, the court shall place the defendant on an indefinite term of probation until all ordered restitution is paid in full. The bill requires that a probation

agency ordered to monitor the restitution payments of a defendant placed on supervised probation notify the court and the attorney for the Commonwealth of the amount of unsatisfied restitution, if any, 30 days prior to the defendant's release from supervision. The bill also requires that a court schedule a hearing if any restitution remains unsatisfied on the date upon which restitution was to be paid in full within 90 days of such date if no probation agency was ordered to monitor the defendant's payments. The bill also establishes a mechanism for releasing a defendant from an indefinite term of probation even though all ordered restitution has not been paid in full. As introduced, this bill was a recommendation of the Virginia State Crime Commission. This bill is identical to HB 1856. This bill received Governor's recommendations.

Patron - Obenshain

SB1310 Search warrants; customer records from financial institutions. Provides that a search warrant for records pertaining to a customer of a financial institution, money transmitter, commercial business that provides credit reports, or credit card issuer may be executed in the Commonwealth by hand, mail, commercial delivery service, facsimile, or other electronic means. The bill requires the executing officer to file the warrant in the circuit court clerk's office where the warrant was executed within three days after receiving the ordered records. The bill eliminates the requirement that a copy of the warrant be filed where the warrant was issued for all search warrants. The bill provides that the search warrant will be considered executed in the jurisdiction where the entity on which the warrant is served is located. The bill is identical to HB 1874.

Patron - Norment

SB1330 Critical incident stress management team and critical stress management team privileged communications. Provides that certain communications regarding a critical incident to a peer support team member are included in the critical incident stress management team privilege. Under current law, the privilege applies only to members of a critical incident stress management team. The bill specifies that a peer support team shall be headed by a Virginia-licensed clinical psychologist, Virginia-licensed psychiatrist, Virginia-licensed clinical social worker, or Virginia-licensed professional counselor with at least five years of experience as a mental health consultant who works directly with emergency medical services personnel or public safety personnel to meet the accreditation standards. Finally, the bill defines a critical incident as an incident that induces an abnormally high level of negative emotions in response to a perceived loss of control and is often related to a threat to the well-being of emergency medical services personnel or public safety personnel or to the well-being of another individual for whom such personnel has some obligation of personal or professional concern.

Patron - Carrico

SB1352 Capital cases; replacing certain terminology. Replaces the term "mental retardation" in all of its various iterations with a corresponding iteration of the term "intellectual disability" for purposes of the statutes governing capital cases. The U.S. Supreme Court has held in *Hall v. Florida*, 134 S. Ct. 1986 (2014), that the terms describe the identical phe-

nomenon. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to HB 1882.

Patron - Howell

[P]SB1501 Victim's right to notification of scientific analysis information. Provides that for any physical evidence recovery kit that was received by a law-enforcement agency prior to July 1, 2016, and submitted for analysis, the victim, a parent or guardian of a minor victim, or the next of kin of a deceased victim shall be notified of the completion of the analysis and shall, upon request, receive information regarding the results of any analysis from the law-enforcement agency. The bill provides that law enforcement shall not be required to disclose the results of any analysis to an alleged perpetrator. The bill contains technical amendments.

Patron - Favola

[P]SB1564 DUI; search warrants for blood withdrawals. Provides that an application for a search warrant to perform a blood test on a person suspected of committing a DUI-related offense shall be given priority over pending matters that do not involve an imminent risk to another's health or safety.

Patron - Norment

[P]SB1594 Conservators of the peace; investigator employed by an attorney for the Commonwealth. Designates an investigator who is employed by an attorney for the Commonwealth as a conservator of the peace, provided that such investigator was an active law-enforcement officer within 10 years immediately prior to being employed by the attorney for the Commonwealth and retired or resigned from that position in good standing.

Patron - Vogel

Failed

[F]HB1511 Presentence reports. Provides that a court shall not order a presentence report in any case in which a defendant is convicted of certain firearms-related crimes that require the imposition of a mandatory minimum sentence, provided that the defendant is convicted of no other crime in the same case.

Patron - Lindsey

[F]HB1513 Personal appearance by two-way electronic video and audio communication. Requires any court to use two-way electronic video and audio communication, if available, in any pre-trial proceeding to determine bail or representation by counsel that would otherwise require the transportation of a person in order to appear in person before the court. Under current law, only district courts are required to use such communication to conduct these pre-trial proceedings and only if the person would have to be transported from outside the jurisdiction of the court conducting the proceeding.

Patron - Farrell

[F]HB1522 Death penalty; severe mental illness. Provides that a defendant in a capital case who had a severe mental illness, which is defined in the bill, at the time of the offense is not eligible for the death penalty. The bill establishes proce-

dures for determining whether a defendant had a severe mental illness at the time of the offense and provides for the appointment of expert evaluators. When the defendant's severe mental illness is at issue, a determination will be made by the jury, or by the judge in a bench trial, as part of the sentencing proceeding, and the defendant bears the burden of proving his severe mental illness by a preponderance of the evidence.

Patron - Leftwich

[F]HB1613 Testimony of law-enforcement officer; failure of body-worn camera. Provides that a law-enforcement officer who is required to wear a body-worn camera during the performance of his duties and fails to cause an audiovisual recording to be made may still testify regarding any occurrence that would have otherwise been recorded by the body-worn camera, but the court shall instruct the jury that the officer's failure shall be considered in determining the weight given to his testimony or, if there is no jury, the court shall consider such failure in determining the weight given to his testimony.

Patron - Marshall, R.G.

[F]HB1621 Preliminary hearing; certification of ancillary misdemeanors; fees and costs. Provides that if, pursuant to a preliminary hearing, a district court certifies a felony offense and any ancillary misdemeanor offense for trial in circuit court, fees and costs shall be assessed against the accused in the same manner as if a final judgment had been entered by the district court on the misdemeanor offense.

Patron - Collins

[F]HB1655 Sentencing guidelines; appeals. Allows a court's failure to file the required written explanation deviating from the discretionary sentencing guidelines to be reviewable on appeal, provided that the sentence imposed exceeded the maximum of the sentencing guidelines range by more than 12 months. The bill provides that the appellate court reviewing the sentence shall (i) determine whether there exists evidence of potential bias by the court that imposed the sentence and (ii) if such evidence is found, review the sentence for abuse of discretion.

Patron - Lindsey

[F]HB1812 Presentence reports; access by work release programs. Authorizes the court to provide a copy of a presentence report to the director or administrator of a work release program if the person who is the subject of the report is under consideration for participation in such program.

Patron - Leftwich

[F]HB1908 Expungement of police and court records. Provides that a court that enters a nolle prosequi for a criminal charge or dismisses such charge for any reason may, upon motion of the person charged and with the agreement of the attorney for the Commonwealth, enter an order requiring the expungement of the police and court records relating to the charge.

Patron - Heretick

[F]HB1997 Warrantless arrest for misdemeanor; transportation to crisis stabilization unit. Authorizes a law-

enforcement officer who makes a warrantless arrest of a person for a misdemeanor offense who the officer believes has a mental illness to transport such person to a crisis stabilization unit or similar facility in lieu of taking him before a magistrate, provided that the use of such unit or facility has been approved by the chief judge of the circuit court serving the jurisdiction where the arrest occurred. Any person transported to such unit or facility shall be issued a summons by the arresting officer for the offense for which he was arrested.

Patron - Hope

[F]HB2039 Discretionary sentencing guideline midpoints; possession of child pornography. Raises the midpoint of the recommended sentencing range for possession of child pornography by (i) 100 percent in cases in which the defendant has no previous conviction of a violent felony offense; (ii) 200 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum punishment of less than 40 years; and (iii) 400 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum punishment of 40 years or more. The bill also requires a court that imposes a sentence that is less than the midpoint of the sentencing guidelines to review all child pornography possessed by the defendant.

Patron - Miller

[F]HB2062 Definition of law-enforcement officer; municipal park rangers. Requires sworn municipal park rangers to be certified through completion of training at an approved criminal justice training academy. The bill authorizes sworn municipal park rangers to access criminal history record information for the purposes of the administration of criminal justice and the screening of an employment application. The bill provides that any sworn municipal park ranger who is a conservator of the peace shall be considered a law-enforcement officer or member of a law-enforcement agency for the purposes of (i) execution and issuance of warrants; (ii) exemption from regulations in certain situations; (iii) obtaining criminal record information; (iv) use of flashing blue warning lights; (v) possession of controlled substances, including marijuana, in the performance of his duties; (vi) penalties for eluding a law-enforcement officer; (vii) penalties for obstruction of justice; (viii) penalties for false reporting; (ix) penalties for escapes from jail; and (x) penalties for resisting arrest.

Patron - Mullin

[F]HB2073 Certain fraud crimes; multi-jurisdiction grand jury; Virginia Consumer Protection Act. Adds the offenses of obtaining money by false pretense, financial exploitation of mentally incapacitated persons, and construction fraud to the criminal violations that a multi-jurisdiction grand jury may investigate and to prohibited practices under the Virginia Consumer Protection Act (§ 59.1-196 et seq.).

Patron - Watts

[F]HB2083 Restitution; modification of terms and conditions of payment plan. Permits the court to modify the terms and conditions of a restitution payment plan or amend the total amount of restitution due for good cause shown and only after a hearing of which the defendant, attorney for the

Commonwealth, and victim have been notified. This bill is a recommendation of the Virginia State Crime Commission.

Patron - Herring

[F]HB2085 Petition for writ of actual innocence. Provides that a person may petition for a writ of actual innocence based on biological evidence regardless of the type of plea he entered at trial. Under current law, a person may petition for a writ based on biological evidence if he (i) entered a plea of not guilty, (ii) is convicted of murder, or (iii) is convicted of a felony for which the maximum punishment is imprisonment for life. The bill also provides that the Supreme Court of Virginia shall grant the writ upon finding that the petitioner has proven the allegations supporting the writ by a preponderance of the evidence. Currently, the Court must make such a finding based on clear and convincing evidence.

Patron - Herring

[F]HB2086 Writ of actual innocence based on nonbiological evidence; untested evidence. Allows a writ of actual innocence based on nonbiological evidence to be granted if scientific testing of previously untested evidence, regardless of whether such evidence was available or known at the time of conviction, proves that no trier of fact would have found proof of guilt of the person petitioning for the writ, provided that the testing procedure was not available at the time of conviction. The bill also eliminates the provision that limits a petitioner to only one writ for any conviction.

Patron - Herring

[F]HB2087 Sentencing guidelines; written explanation. Requires the written explanation that the court shall file with the record of a case when departing from the sentencing guidelines to adequately explain the sentence imposed to promote fair sentencing.

Patron - Herring

[F]HB2330 Inpatient psychiatric hospital admission; defendant found incompetent. Removes the prohibition on inpatient psychiatric hospital admission for defendants who have already been ordered to receive treatment to restore their competency to stand trial.

Patron - Heretick

[F]HB2333 Multi-jurisdiction grand jury; certain fraud crimes. Adds the offenses of obtaining money by false pretense, financial exploitation of mentally incapacitated persons, and construction fraud to the criminal violations that a multi-jurisdiction grand jury may investigate.

Patron - Watts

[F]HB2334 Certain fraud crimes; forfeiture of motor vehicle. Provides that motor vehicles used in connection with an offense of obtaining money by false pretense, financial exploitation of mentally incapacitated persons, or construction fraud are subject to forfeiture to the Commonwealth upon conviction.

Patron - Watts

[F]HB2339 Probation violations; intermediate sanctions. Authorizes a court to delegate the authority to impose an

intermediate sanction on an offender who has violated any term or condition of his probation to a probation officer or a community-based probation officer. The bill authorizes a probation officer to commit such offender to a local or regional jail for a period of no more than five consecutive days, provided that (i) the probation officer's supervisor has approved the commitment of the offender, (ii) the probation officer has issued a noncompliance letter, and (iii) the offender has knowingly executed a written waiver of his right to a probation violation hearing and has consented to the commitment. The bill limits the total of all intermediate sanctions that may be imposed to no more than 30 total days during the offender's probation period.

Patron - Bell, Robert B.

HB2399 Multi-jurisdiction grand jury; hate crimes. Adds the following to the list of crimes that a multi-jurisdiction grand jury may investigate: (i) simple assault or assault and battery where the victim was intentionally selected because of his race, religious conviction, color, or national origin; (ii) entering the property of another for purposes of damaging such property or its contents or interfering with the rights of the owner, user, or occupant where such property was intentionally selected because of the race, religious conviction, color, or national origin of the owner, user, or occupant; and (iii) various offenses that tend to cause violence.

Patron - Bagby

HB2414 Limited immunity when reporting acts of self-defense; penalties. Provides that no statements made by a person in a good faith effort to promptly report an incident involving the threatened or actual use of justifiable physical or deadly physical force may be used against that person in any civil or criminal proceeding. The bill also provides that any documents or reports regarding a statement made by a person in a good faith effort to promptly report an incident involving the threatened or actual use of justifiable physical or deadly physical force, in a good faith effort to obtain emergency medical or law enforcement assistance, shall not be released to the public or news media prior to its use in a trial involving such incident if it is reasonably expected that a trial involving such incident will occur. If it is not reasonably expected that a trial involving such incident will occur, the contents of the report may be released to the public or news media at the discretion of the attorney for the Commonwealth or with the consent of the person who made the statement. The bill also provides that any person who uses any statements made by a person in a good faith effort to promptly report an incident involving the threatened or actual use of justifiable physical or deadly physical force against him in a civil or criminal proceeding, or provides any documents that are not releasable to the public, is guilty of a Class 1 misdemeanor for the first offense, a Class 6 felony for a second offense, and a Class 5 felony for a third or subsequent offense.

Patron - Ware

HB2416 Special conservators of the peace; authority; insurance. Replaces the powers that may be provided in the power of appointment for a special conservator of the peace (SCOP) which may include all powers, functions, responsibilities, and authority of any other conservator of the peace, with only the duties for which the SCOP is qualified as specified on

his application. The bill requires the order of appointment to provide that such duties shall be exercised only in the geographical limitations specified by the court. The bill requires that the order delineate a limit beyond which the SCOP may not effectuate an arrest following a close pursuit. The bill prohibits all SCOPs from using the word "police" and all SCOPs other than those employed by a state agency from using the seal of the Commonwealth on his equipment in the performance of his duties. The bill requires that the mandatory liability insurance for SCOPs be in an amount of not less than \$1 million.

Patron - Fowler

HB2452 Discovery in criminal cases; duty to provide. Provides that the attorney for the Commonwealth, upon written notice by an accused to the court and to the attorney for the Commonwealth, must permit the accused to inspect, copy, or photograph (i) any relevant written or recorded statements or confessions made by the accused and the substance of any oral statements or confessions made by the accused to any law-enforcement officer; (ii) any relevant written reports of autopsies, ballistic tests, fingerprint analyses, handwriting analyses, blood, urine, and breath tests, other scientific reports, and written reports of a physical or mental examination of the accused or the alleged victim; (iii) designated books, papers, documents, tangible objects, buildings, or places, or copies or portions thereof, that are within the possession, custody, or control of the Commonwealth; and (iv) any relevant police reports. The bill provides that the attorney for the Commonwealth may withhold or redact certain information from such disclosures made and that the accused may file a motion to compel disclosure of any information withheld or redacted. The bill also provides that if the accused files a written notice that the accused must permit the Commonwealth to inspect, copy, or photograph any (a) books, papers, documents, photographs, motion pictures, mechanical or electronic recordings, tangible objects, or copies or portions thereof that are within the possession, custody, or control of the accused and that the accused intends to introduce in evidence at the trial and (b) photographic results or reports of physical or mental examinations or of tests, measurements, or experiments made in connection with the case, or copies thereof, within the possession and control of the accused that the accused intends to introduce in evidence at the trial or that were prepared by a witness whom the accused intends to call at the trial, when the results or reports relate to his testimony. The accused's duty to provide discovery shall be in addition to any duty to provide reciprocal discovery pursuant to Rule 3A:11 of the Rules of Supreme Court of Virginia.

Patron - Morris

SB796 Expungement of certain charges and convictions. Allows a person to petition for expungement of convictions and deferred disposition dismissals for marijuana possession, underage alcohol possession, and using a false ID to obtain alcohol when the offense occurred prior to the person's twenty-first birthday, all court costs, fines, and restitution have been paid, and five years have elapsed since the date of completion of all terms of sentencing and probation.

Patron - McDougle

SB797 Competency to stand trial; evaluations. Allows the court on its own motion or that of either party to

request an additional evaluation of the defendant's competency to stand trial after receipt of the first competency evaluation.

Patron - McDougle

SB808 Discretionary sentencing guideline worksheets; use by juries. Requires that the jury be given the applicable discretionary sentencing guideline worksheets during a sentencing proceeding and that the court instruct the jury that the sentencing guideline worksheets are discretionary and not binding on the jury. The bill requires sentencing guideline worksheets to be kept confidential by the jurors and filed under seal by the court.

Patron - Stanley

SB825 New sentencing hearing; abolition of parole. Provides that a person who was sentenced by a jury prior to the date of the Supreme Court of Virginia decision in *Fishback v. Commonwealth*, 260 Va. 104 (June 9, 2000), in which the Court held that a jury should be instructed on the fact that parole has been abolished, for nonviolent felony committed prior to the time that the abolition of parole went into effect (January 1, 1995) is entitled to a new sentencing proceeding if such person is still incarcerated. The bill provides that such person shall file a petition for a new sentencing proceeding with the circuit court in which the order of conviction was originally entered. The circuit court shall empanel a new jury for the purpose of conducting the new sentencing proceeding and notify the appropriate attorney for the Commonwealth. The bill also provides that if the attorney for the Commonwealth and the person filing the petition agree, such person may waive his right to a new sentencing proceeding and allow the court to fix punishment.

Patron - Wexton

SB833 Community work in lieu of payment of fines and court costs. Extends to nonjailed defendants a program allowing community service in lieu of payment of fines and court costs.

Patron - Sturtevant

SB861 Preliminary protective orders; contents of order. Provides that if a preliminary protective order is issued in an ex parte hearing where the petition for the order is supported by sworn testimony and not an affidavit or a completed form submitted with an emergency protective order request, the court issuing the order shall state in the order the basis on which the order was entered, including a summary of the allegations made and the court's findings.

Patron - Surovell

SB883 Expungement of police and court records; costs. Relieves a person who petitions for the expungement of police and court records related to a crime of which the person was acquitted or the charge of which was otherwise dismissed from paying any fees or costs for filing such petition.

Patron - Spruill

SB895 Inpatient psychiatric hospital admission; defendant found incompetent. Removes the prohibition on inpatient psychiatric hospital admission for defendants who have already been ordered to receive treatment to restore their

competency to stand trial. This bill was incorporated into SB935.

Patron - Marsden

SB1066 Petition for writ of actual innocence. Provides that a person may petition for a writ of actual innocence based on biological evidence regardless of the type of plea he entered at trial. Under current law, a person may petition for a writ based on biological evidence if he (i) entered a plea of not guilty, (ii) is convicted of murder, or (iii) is convicted of a felony for which the maximum punishment is imprisonment for life. The bill also provides that the Supreme Court of Virginia shall grant the writ upon finding that the petitioner has proven the allegations supporting the writ by a preponderance of the evidence. Currently, the Court must make such a finding based on clear and convincing evidence.

Patron - Deeds

SB1152 Juvenile offenders; parole. Provides that any person sentenced to a term of life imprisonment for a single or multiple felony offenses committed while that person was a juvenile and who has served at least 25 years of such sentence, or any person who has active sentences that total more than 25 years for a single or multiple felony offenses committed while that person was a juvenile and who has served at least 25 years of such sentences, shall be eligible for parole.

Patron - Marsden

SB1174 Community work in lieu of payment for fines and court costs. Provides that a court may permit an inmate to earn credits against any fines and court costs imposed against him by performing community service. Under current law, credits may be earned only before or after imprisonment.

Patron - Obenshain

SB1278 Discretionary sentencing guideline midpoints; possession of child pornography. Raises the midpoint of the recommended sentencing range for possession of child pornography by (i) 100 percent in cases in which the defendant has no previous conviction of a violent felony offense; (ii) 200 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum punishment of less than 40 years; and (iii) 400 percent in cases in which the defendant has previously been convicted of a violent felony offense punishable by a maximum punishment of 40 years or more. The bill also requires a court that imposes a sentence that is less than the midpoint of the sentencing guidelines to review all child pornography possessed by the defendant.

Patron - McDougle

SB1290 Orders permitting prisoners to work on public works projects; sentencing. Provides that a circuit court or general district court judge may request any local governing body within the judicial circuit or district of such judge to establish prisoner workforces. The bill adds prisoner workforces to the list of authorized workplaces that a circuit court or general district court can order a prisoner to perform work and receive credit toward his sentence.

Patron - Chafin

[F]SB1348 Death penalty; severe mental illness. Provides that a defendant in a capital case who had a severe mental illness, which is defined in the bill, at the time of the offense is not eligible for the death penalty. The bill establishes procedures for determining whether a defendant had a severe mental illness at the time of the offense and provides for the appointment of expert evaluators. When the defendant's severe mental illness is at issue, a determination will be made by the jury, or by the judge in a bench trial, as part of the sentencing proceeding, and the defendant bears the burden of proving his severe mental illness by a preponderance of the evidence.

Patron - Favola

[F]SB1445 Admissibility of prior inconsistent statements in a criminal case. Provides that in all criminal cases, evidence of a prior statement that is inconsistent with testimony at the hearing or trial is admissible if the testifying witness is subject to cross-examination and the prior statement (i) was made by the witness under oath at a trial, hearing, or other proceeding or (ii) narrates, describes, or explains an event or condition of which the witness had personal knowledge and (a) the statement is proved to have been written or signed by the witness; (b) the witness acknowledges under oath the making of the statement in his testimony at the hearing or trial in which the admission into evidence of the prior statement is being sought; or (c) the statement is proved to have been accurately recorded by using an audio recorder, a video/audio recorder, or any other similar electronic means of sound recording.

Patron - Howell

[F]SB1478 Restitution; modification of terms and conditions of payment plan. Permits the court to modify the terms and conditions of a restitution payment plan or amend the total amount of restitution due for good cause shown and only after a hearing of which the defendant, attorney for the Commonwealth, and victim have been notified. This bill is a recommendation of the Virginia State Crime Commission.

Patron - McClellan

[F]SB1502 Multi-jurisdiction grand jury; hate crimes. Adds the following to the list of crimes that a multi-jurisdiction grand jury may investigate: (i) simple assault or assault and battery where the victim was intentionally selected because of his race, religious conviction, color, or national origin; (ii) entering the property of another for purposes of damaging such property or its contents or interfering with the rights of the owner, user, or occupant where such property was intentionally selected because of the race, religious conviction, color, or national origin of the owner, user, or occupant; and (iii) various offenses that tend to cause violence.

Patron - Favola

[F]SB1563 Discovery in criminal cases; duty to provide. Requires the attorney for the Commonwealth, upon written notice by an accused to the court and to the attorney for the Commonwealth, to permit the accused to inspect, copy, or photograph (i) any relevant written or recorded statements or confessions made by the accused or any codefendant, or the substance of any oral statements or confessions made by the accused or any codefendant; (ii) any relevant written reports of autopsies, ballistic tests, fingerprint analyses, handwriting analyses, blood, urine, and breath tests, other written scientific

reports, and written reports of a physical or mental examination of the accused or the alleged victim; (iii) any books, papers, documents, tangible objects, or buildings or places, or copies or portions thereof, that are within the possession, custody, or control of the Commonwealth; (iv) all relevant police reports; and (v) all relevant statements of any non-expert witness whom the Commonwealth is required to designate on a witness list. If the accused provides written notice for discovery, the accused shall provide reciprocal discovery, which shall include (a) any written reports of autopsy examinations, ballistic tests, fingerprint, blood, urine, and breath analyses, and other scientific tests that may be within the accused's possession, custody, or control and that the accused intends to proffer or introduce into evidence at the trial or sentencing; (b) whether he intends to introduce evidence to establish an alibi; (c) if the accused intends to rely upon an insanity defense, any written reports of physical or mental examination of the accused made in connection with the case; and (d) all relevant statements of any non-expert witness whom the defense designated on a witness list. The bill directs that the Commonwealth provide its expert disclosures no later than 14 days before trial and the accused provide his expert disclosures no later than seven days before trial. The bill provides that for good cause a party may withhold or redact certain information and either party may file a motion to compel disclosure of any information withheld or redacted.

Patron - Stanley

Domestic Relations

Passed

[P]HB1456 Custody and visitation orders; parenting time. Provides that the court, in its discretion and as to a parent, may use the phrase "parenting time" to be synonymous with the term "visitation" in a custody or visitation order.

Patron - Albo

[P]HB1492 Child support orders; special needs trust; ABLE savings trust account. Provides that, upon the request of either party, a court may order that support payments be made to a special needs trust or an ABLE savings trust account.

Patron - Hope

[P]HB1586 Court-ordered custody and visitation arrangements; transmission of order to child's school. Provides that, in any custody or visitation case in which an order prohibiting a party from picking a child up from school is entered, the court shall order a party to provide a copy of such order to the child's school within three business days of the receipt of the order. The bill requires that, where a custody determination affects a child's school enrollment, the court order a party to provide a copy of the custody order to the child's new school within three business days of the child's enrollment. The bill further provides that if the court determines that a party is unable to deliver the order to the school, such party shall provide the court with the name of the princi-

pal and address of the school, and the court shall cause the order to be mailed to such principal.

Patron - Campbell

HB1737 Personal jurisdiction over a person; domicile and residential requirements for suits for annulment, affirmance, or divorce; civilian employees and foreign service officers. Extends to all civilian employees of the United States, where current law applies to foreign service officers, certain requirements for a court to exercise personal jurisdiction over a person stationed in a territory or foreign country and establishing domicile in the Commonwealth for the purposes of an annulment, affirmance, or divorce. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Collins

HB2289 Award of life insurance upon divorce or dissolution of marriage. Provides that where an order for spousal support or separate maintenance has been entered by the court, the court may order a party to maintain an existing life insurance policy, designate the other party as beneficiary, allocate the premium cost of life insurance between the parties, and order the insured party to facilitate the provision of certain information from the insurer to the beneficiary. The bill sets out factors to be considered by the court when making such an award and provides that the obligation to maintain a life insurance policy ceases upon the termination of the party's obligation to pay spousal support or separate maintenance. As introduced, this bill was a recommendation of the Boyd-Graves Conference. This bill received Governor's recommendations.

Patron - Leftwich

Failed

HB1395 Same-sex marriages; civil unions. Repeals the statutory prohibitions on same-sex marriages and civil unions or other arrangements between persons of the same sex purporting to bestow the privileges and obligations of marriage. These prohibitions are no longer valid due to the United States Supreme Court decision in *Obergefell v. Hodges*, 576 U.S. (June 26, 2015).

Patron - Sickles

HB1692 Effect of divorce proceedings; transfer of matters to the juvenile and domestic relations district court; concurrent jurisdiction. Provides that, where a circuit court enters a divorce decree and transfers certain matters to the juvenile and domestic relations district court, the circuit court is not deprived of concurrent jurisdiction to hear such matters. The bill requires that any motions in the circuit court filed regarding such matters be heard by the circuit court after such transfer, unless the parties agree otherwise. The bill allows the court to transfer any matters covered by the divorce decree to a more appropriate forum.

Patron - Collins

HB2128 Custody and visitation agreements; best interests of the child. Requires the court to consider any history of abuse of persons other than family members when

determining the best interests of the child for the purposes of custody and visitation arrangements.

Patron - Levine

HB2271 Custodial rights of person who committed sexual assault; clear and convincing standard. Provides that a person who has been found by a clear and convincing evidence standard to have committed rape, carnal knowledge, or incest, which act resulted in the conception of a child who is the subject of the following, is not a party with a legitimate interest for the purposes of (i) the approval of a petition for custody of or rights of visitation with the child, (ii) the approval of an entrustment agreement for the termination of parental rights without the birth father's signature, or (iii) the validity of an adoption of the child without the birth father's consent. Under current law, such person must have been convicted of such crime to lose such custodial rights.

Patron - Krizek

HB2273 Rights of blind parents. Provides that a blind parent's blindness, as defined in the bill, shall not be the sole basis of the denial or restriction of such parent's custody or visitation rights. The bill requires a party who alleges that a parent's blindness should be a factor to be considered to not be in the best interests of the child, or should otherwise be a reason to deny or restrict such a parent's custody or visitation rights, to prove by clear and convincing evidence that the child's best interests would not be met or served due to such parent's blindness. The bill allows a blind parent to demonstrate how supportive parenting services would appropriately address any threats to the child's best interests and further allows that such services be ordered by the court. The bill requires a court to make written findings where the court denies or restricts custody or visitation of a blind parent or where supportive parenting services are not ordered. The same requirements apply to the denial of approval of a blind prospective foster parent, or removal of a child from a blind foster parent's home, and to the denial of a final order of adoption wherein the prospective adoptive parent is blind.

Patron - LaRock

HB2293 Person with a legitimate interest; visitation. Clarifies that a person with a legitimate interest may be awarded visitation if the court finds by clear and convincing evidence that the award of such visitation would be in the child's best interests.

Patron - McQuinn

SB782 Same-sex marriages; civil unions. Repeals the statutory prohibitions on same-sex marriages and civil unions or other arrangements between persons of the same sex purporting to bestow the privileges and obligations of marriage. These prohibitions are no longer valid due to the United States Supreme Court decision in *Obergefell v. Hodges*, 576 U.S. ____ (June 26, 2015).

Patron - Ebbin

SB859 Spousal support; termination upon payor's retirement. Provides that, for spousal support orders filed on or after July 1, 2017, any periodic payments awarded shall terminate upon the payor spouse's attainment of full retirement age. The bill provides that the court may set a later date for ter-

mination of such payments for good cause shown. The bill also requires a court to order the modification of an initial support order filed before July 1, 2017, so that support terminates upon the payor spouse's attainment of full retirement age, unless good cause is shown to deny the petition for modification.

Patron - Hanger

SB1081 Award of life insurance upon divorce or dissolution of marriage. Provides that where an order for spousal support or separate maintenance has been entered by the court, the court may order a party to maintain an existing life insurance policy, renew an existing life insurance policy, designate the other party as beneficiary, allocate the premium cost of life insurance between the parties, and order the insured party to facilitate the provision of certain information from the insurer to the beneficiary. The bill sets out factors to be considered by the court when making such an award and provides that the obligation to maintain a life insurance policy ceases upon the termination of the party's obligation to pay spousal support or separate maintenance. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Wexton

SB1199 Rights of blind parents. Provides that a blind parent's blindness, as defined in the bill, shall not be the sole basis of the denial or restriction of such parent's custody or visitation rights. The bill requires a party who alleges that a parent's blindness should be a factor to be considered to not be in the best interests of the child, or should otherwise be a reason to deny or restrict such a parent's custody or visitation rights, to prove by clear and convincing evidence that the child's best interests would not be met or served due to such parent's blindness. The bill allows a blind parent to demonstrate how supportive parenting services would appropriately address any threats to the child's best interests and further allows that such services be ordered by the court. The bill requires a court to make findings where the court denies or restricts custody or visitation of a blind parent or where supportive parenting services are not ordered, and to provide such findings in an accessible format. The same requirements apply to the denial of approval of a blind prospective foster parent, or removal of a child from a blind foster parent's home, and to the denial of a final order of adoption wherein the prospective adoptive parent is blind.

Patron - Favola

SB1317 Spousal support; military disability benefits not considered income. Prohibits combat-related military disability benefits received by either spouse from being used to calculate spousal support.

Patron - Carrico

SB1344 In camera interviews of child; court's discretion to conduct record or transcript. Provides that the court has the discretion to conduct an in camera interview of a child whose custody or visitation is at issue. The bill requires that any record or transcript of such interview be prepared and made available to the parties. Current law requires that, when such an interview is conducted, a record shall be prepared.

Patron - Surovell

SB1495 Suits to annul marriage. Removes the prohibition against entering an order for annulment when parties have been married for two years or longer.

Patron - Locke

SB1505 Child support orders; placement in temporary custody of or commitment to the Department of Juvenile Justice. Provides that if a child subject to a child support order issued by a court or administrative agency is placed in the temporary custody of or committed to the Department of Juvenile Justice, such child support order shall be stayed as of the date of receipt of the juvenile by the Department and shall resume upon the juvenile's release from the custody of or commitment to Department. The bill requires the Department to notify the court or administrative agency that issued the child support order of such a placement or commitment of the juvenile and of the release of the juvenile from the custody of or commitment to the Department.

Patron - Marsden

Education

Passed

HB1392 School security officers; carrying a firearm in performance of duties. Authorizes a school security officer to carry a firearm in the performance of his duties if (i) within 10 years immediately prior to being hired by the local school board he was an active law-enforcement officer in the Commonwealth; (ii) he retired or resigned from his position as a law-enforcement officer in good standing; (iii) he meets the training and qualifications to carry a concealed handgun as a retired law-enforcement officer; (iv) he has met the additional training and certification requirements of the Department of Criminal Justice Services (DCJS); (v) the local school board solicits input from the chief law-enforcement officer of the locality regarding the qualifications of the school security officer and receives verification from such chief law-enforcement officer that the school security officer is not prohibited by state or federal law from possessing, purchasing, or transporting a firearm; and (vi) the local school board grants him the authority to carry a firearm in the performance of his duties. The bill requires DCJS to establish additional firearms training and certification requirements for school security officers who carry a firearm in the performance of their duties. Existing law requires DCJS to establish minimum training and certification requirements for school security officers.

Patron - Lingamfelter

HB1400 Virginia Virtual School established. Establishes the Board of the Virginia Virtual School (the Board) as a policy agency in the executive branch of state government for the purpose of governing the full-time virtual school programs offered to students enrolled in the Virginia Virtual School (the School). The Secretary of Education is responsible for such agency. The 14-member Board is given operational control of the School and assigned powers and duties. Beginning with the 2019-2020 school year, the bill requires the School to be open to any school-age person in the Commonwealth and to provide

an educational program meeting the Standards of Quality for grades kindergarten through 12, with a maximum enrollment of 5,000 students statewide. The bill requires the average state share of Standards of Quality per pupil funding for each enrolled student to be transferred to the School. This bill is identical to SB 1240. This bill was vetoed by the Governor.

Patron - Bell, Richard P.

HB1408 Student vision screenings. Requires (i) the principal of each public elementary school to cause the vision of students in kindergarten and grade two or grade three to be screened unless certain exceptions apply and (ii) the principal of each public middle school and high school to cause the vision of students in grade seven and grade 10 to be screened unless certain exceptions apply and permits any such screening to be conducted by a qualified nonprofit vision health organization that uses a digital photoscreening method pursuant to a comprehensive vision program or other methods that comply with Department of Education requirements. The bill defines "qualified nonprofit vision health organization" and "comprehensive vision program." Under current law, the frequency of such vision screenings is determined by the Board of Education pursuant to regulations. Current law is silent on the method and provider of such vision screenings.

Patron - Ware

HB1414 Standards of Learning assessments; partial credit. Requires the Department of Education to collaborate with the existing educational advisory committees in the Commonwealth that advise on student assessments to review multipart Standards of Learning assessment questions and determine the feasibility of awarding students partial credit for correct answers on one or more parts of such questions. The bill requires the Department to report its determination to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health by November 1, 2017. The bill prohibits the Department from taking action regarding the awarding of partial credit prior to the 2018 Session of the General Assembly.

Patron - Austin

HB1437 Sight and hearing testing of public school students; exception. Excludes from the requirement that the sight and hearing of public school students be tested any student who has an Individualized Education Program or a Section 504 Plan that documents a defect of vision or hearing or a disease of the eyes or ears when the principal determines that such a test would not identify any previously unknown defect of vision or hearing or disease of the eyes or ears.

Patron - Head

HB1552 Local school boards; student and parent notification; career and technical education programs. Requires each local school board to implement a plan to notify students and their parents of the availability of career and technical education programs and to include annual notice on its website to enrolled high school students and their parents of the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college, or workforce center.

Patron - Bulova

HB1578 Students who receive 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) receives 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 provides that no local school board is required to establish a policy to permit students who receive home instruction to participate in interscholastic programs. The bill permits reasonable fees to be charged to students who receive home instruction to cover the costs of participation in such interscholastic programs, including the costs of additional insurance, uniforms, and equipment. The bill has an expiration date of July 1, 2022. This bill was vetoed by the Governor.

Patron - Bell, Robert B.

HB1605 Parental Choice Education Savings Accounts established. Permits the parent of a public pre-school, elementary, or secondary school student who meets certain criteria to apply to the school division in which the student resides for a one-year, renewable Parental Choice Education Savings Account that consists of an amount that is equivalent to a certain percentage of all applicable annual Standards of Quality per pupil state funds appropriated for public school purposes and apportioned to the resident school division in which the student resides, including the per pupil share of state sales tax funding in basic aid and any state per pupil share of special education funding to which the student is eligible. The bill permits the parent to use the moneys in such account for certain education-related expenses of the student, including tuition, deposits, fees, and required textbooks at a private, sectarian or nonsectarian elementary or secondary school or pre-school that is located in the Commonwealth and does not discriminate on the basis of race, color, or national origin. The bill also contains provisions relating to auditing, rescinding, and reviewing expenses made from such accounts. The bill contains a reenactment clause. This bill was vetoed by the Governor.

Patron - LaRock

HB1708 Board of Education; standards of accreditation; industry certification credentials obtained by high school students. Requires the Board of Education (the Board) to consider for inclusion in the student outcome measures included in the Standards of Accreditation the number of industry certification credentials, as defined by the Board, obtained by high school students. The bill requires the Board to report its conclusion to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health by November 1, 2017. The bill prohibits the Board from including the number of such credentials in the student out-

come measures included in the Standards of Accreditation prior to the 2018 Session of the General Assembly. This bill received Governor's recommendations.

Patron - Filler-Corn

HB1709 School boards; policies and procedures prohibiting bullying; parental notification. Requires the policies and procedures prohibiting bullying that are contained in each school board's code of student conduct to direct the principal to notify the parent of any student involved in an alleged incident of bullying of the status of any investigation within five school days of the allegation of bullying.

Patron - Filler-Corn

HB1770 Teacher licensure; career and technical education; certain local waivers. Permits each local school board or division superintendent to waive certain enumerated licensure requirements for any individual whom it seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education. This bill is identical to SB 1583.

Patron - Freitas

HB1829 Teacher licensure; certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators; hands-on practice. Specifies that the certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators that is required of every person seeking initial licensure or renewal of a license as a teacher shall include hands-on practice of the skills necessary to perform cardiopulmonary resuscitation. This bill received Governor's recommendations.

Patron - Dudenhefer

HB1924 Public schools; suspensions. Directs the Board of Education to establish guidelines for alternatives to short-term and long-term suspension for consideration by local school boards. This bill is identical to SB 829.

Patron - Bagby

HB1981 School Divisions of Innovation. Requires the Board of Education to promulgate regulations for the designation of School Divisions of Innovation in which the local school board in the local school division or any school therein so designated shall, pursuant to a plan of innovation, be exempted from certain regulatory provisions and be permitted to adopt alternative policies for school administrators, teachers, and staff to meet the diverse needs of students and to improve student learning; educational performance; and college, career, and citizenship readiness skills in the local school division or any school therein.

Patron - Greason

HB1982 Graduation requirements; verified units of credit; satisfactory score on the PreACT or PSAT/NMSQT examination. Requires the Board of Education, in establishing graduation requirements, to provide for the award of verified units of credit for a satisfactory score, as determined by the Board, on the Preliminary ACT (PreACT) or the Prelim-

inary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) examination.

Patron - Greason

HB2014 Board of Education; biennial review of the standards of quality; odd-numbered years. Changes from even-numbered years to odd-numbered years the biennial review of the standards of quality that is required of the Board of Education. This bill received Governor's recommendations.

Patron - Keam

HB2140 Teacher turnover; exit questionnaire; pilot program. Requires the Department of Education (the Department) to develop and oversee a pilot program to administer across five geographically and demographically diverse school divisions the model exit questionnaire for teachers developed by the Superintendent of Public Instruction, analyze the results of each such questionnaire, and include such results and analysis in the Superintendent's annual report beginning in 2018. The bill requires the Department to (i) administer such questionnaire to each teacher who ceases to be employed by the relevant school board for any reason and (ii) collect, maintain, and report on the results of each such questionnaire in a manner that ensures the confidentiality of each teacher's name and other personally identifying information. This bill is identical to SB 1523.

Patron - LeMunyon

HB2141 Board of Education; report on the condition and needs of public education; local school division reports. Requires the Board of Education's annual report on the condition and needs of public education in the Commonwealth to include an explanation of the need to retain or maintain the frequency of any report that local school divisions are required to submit to the Board of Education or any other state agency; any recommendation for the elimination, reduction in frequency, or consolidation of such reports when such elimination, reduction in frequency, or consolidation would require an amendment to the laws of the Commonwealth; and a description of any other such report that the Board has eliminated, reduced in frequency, or consolidated.

Patron - LeMunyon

HB2174 School boards; pupil/teacher ratios; public report. Requires each school board to annually report to the public the actual pupil/teacher ratios in middle school and high school by school for the current school year.

Patron - Murphy

HB2191 School boards; procedures; sexually explicit instructional materials or related academic activities. Requires each school board's procedures for handling challenged controversial instructional materials to include procedures for (i) annually notifying the parent of any student enrolled in a course in which the instructional materials or related academic activities may include sexually explicit content of the potential for such sexually explicit content in such course and (ii) providing, as a replacement for instructional materials or related academic activities that include sexually explicit content, nonexplicit instructional materials or related academic activities to any student whose parent so requests. The bill defines "sexually explicit content" as content that

involves any criminal sexual assault defined and punishable as a felony under Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia or any act defined and punishable as a felony under § 18.2-361. This bill was vetoed by the Governor.

Patron - Landes

HB2218 Public charter school applications and charter agreements; findings by the Board of Education. Permits the Board of Education to communicate any Board finding relating to the rationale for the local school board's denial of a public charter school application or revocation of or failure to renew the charter agreement based on documentation submitted by the school board in any school division in which at least half of the schools receive funding pursuant to Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended.

Patron - Miyares

HB2257 High school family life education curriculum; elements of effective and evidence-based programs on consent. Provides that any high school family life education curriculum offered by a local school division may incorporate age-appropriate elements of effective and evidence-based programs on the law and meaning of consent.

Patron - Filler-Corn

HB2282 Board of Education; guidelines for training on the prevention of trafficking of children. Requires the Board of Education to develop guidelines for training school counselors, school nurses, and other relevant school staff on the prevention of trafficking of children.

Patron - Leftwich

HB2290 Driver education programs; instruction concerning traffic stops. Requires each driver education program in the public school system to include instruction concerning traffic stops, including law-enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops, and appropriate interactions with law-enforcement officers who initiate traffic stops. The bill requires the Board of Education to collaborate with the Department of State Police in implementing the changes to its driver education program.

Patron - Ward

HB2306 Arlington County School Board; maximum salary of members. Removes the \$25,000 cap on the salary of certain members of the Arlington County School Board, thereby permitting each member of such school board to be paid a salary in accordance with the general procedures and limits that are applicable to elected school boards in the Commonwealth.

Patron - Hope

HB2332 Teacher compensation; goal. Defines, for the purpose of the stated goal of the Commonwealth for teacher compensation that its public school teachers be compensated at a rate that is competitive, the term "competitive"

as, at a minimum, at or above the national average teacher compensation.

Patron - Tyler

HB2341 Board of Education; membership. Requires at least two of the nine members of the Board of Education to represent business and industry in the private sector in the Commonwealth.

Patron - Landes

HB2342 Public schools; regional charter school divisions. Authorizes the Board of Education (the Board) to establish regional charter school divisions consisting of at least two but not more than three existing school divisions in regions in which each underlying school division has an enrollment of more than 3,000 students and one or more schools that have accreditation denied status for two out of the past three years. The bill requires such regional charter school divisions to be supervised by a school board that consists of eight members appointed by the Board and one member appointed by the localities of each of the underlying divisions. The bill authorizes the school board, after a review by the Board, to review and approve public charter school applications in the regional charter school divisions and to contract with the applicant. The bill requires that the state share of Standards of Quality per pupil funding of the underlying school district in which the student resides be transferred to such school. This bill is identical to SB 1283. This bill was vetoed by the Governor.

Patron - Landes

HB2352 Teacher licensure by reciprocity; professional teacher's assessments. Exempts from any professional teacher's assessment requirements any individual who has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department of Education, subject to the approval of the division superintendent or the school board in the school division in which such individual is employed. The bill requires the Department of Education to analyze the current requirements for teacher licensure by reciprocity in the Commonwealth, including the statutory and regulatory requirements for such licensure, and report its findings, including any recommendations for changes to such requirements, to the House Committee on Education and the Senate Committee on Education and Health no later than November 1, 2017.

Patron - Freitas

HB2355 Students receiving home instruction; participation in Advanced Placement and Preliminary SAT/National Merit Scholarship Qualifying Test examinations. Requires school boards to (i) make Advanced Placement (AP), Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), and PreACT examinations available to students receiving home instruction; (ii) adopt written policies that specify the date by which such students shall register to participate in such examinations; and (iii) notify such students and their parents of such registration deadline and the availability of financial assistance to low-income and needy students to take such examinations. This bill is identical to SB 1414.

Patron - Pogge

HB2395 Public schools; dyslexia advisor. Requires one reading specialist employed by each local school board that employs a reading specialist to have training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and to have an understanding of the definition of dyslexia and a working knowledge of several topics relating to dyslexia. This bill is identical to SB 1516.

Patron - Cline

HB2431 School property; retail fee-based electric vehicle charging stations. Permits any school board to locate and operate retail fee-based electric vehicle charging stations on school property, provided that the use of each such station during the school day is restricted to school board employees, students, and authorized visitors and each such station is accompanied by appropriate signage that provides reasonable notice of such restriction.

Patron - Bulova

HB2432 Licensure of school personnel; investigation of certain complaints; license revocation. Requires the Board of Education to include in its regulations governing the licensure of teachers and other school personnel procedures for the immediate and thorough investigation by the division superintendent or his designee of any complaint alleging that a license holder has engaged in conduct that may form the basis for the revocation of his license, including requirements for (i) the division superintendent to petition for the revocation of the license upon completing such investigation and finding that there is reasonable cause to believe that the license holder has engaged in conduct that forms the basis for revocation of a license; (ii) the school board to proceed to a hearing on such petition for revocation within 90 days of the mailing of a copy of the petition to the license holder, unless the license holder requests the cancellation of his license in accordance with Board regulations; and (iii) the school board to provide a copy of the investigative file and such petition for revocation to the Superintendent of Public Instruction at the time that the hearing is scheduled. The bill clarifies that in the case of a teacher who is or becomes the subject of a founded complaint of child abuse and neglect, such teacher shall be dismissed after all rights to any administrative appeal have been exhausted. Current law does not specify that such appeals are administrative in nature.

Patron - Bulova

SB829 Public schools; suspensions. Directs the Board of Education to establish guidelines for alternatives to short-term and long-term suspension for consideration by local school boards. This bill is identical to HB 1924.

Patron - Wexton

SB951 School service providers; student access to collected personal information. Requires school service providers to provide, either directly to the student or his parent or through the school, access to an electronic copy of such student's personal information in a manner consistent with the functionality of the school service. The bill permits contracts between local school boards and school service providers to

require that such electronic copy be in a machine-readable format.

Patron - Ruff

SB1098 Public schools; standards for accreditation. Requires that the regulations establishing standards for accreditation adopted by the Board of Education ensure that the accreditation process is transparent and based on objective measurements and that any appeal of the accreditation status of a school is heard and decided by the Board.

Patron - Newman

SB1116 Certain public school employees; assistance with student insulin pumps. Authorizes, but does not require, local school board employees who are registered nurses, licensed practical nurses, or certified nurse aides and who have been trained in the administration of insulin and glucagon to assist a student who is diagnosed with diabetes and who carries an insulin pump with the insertion or reinsertion of the pump or any of its parts, provided that assistance has been authorized by the prescriber and consented to by the student's parent. This bill received Governor's recommendations.

Patron - McPike

SB1117 School counselors; licensure. Requires every person seeking initial licensure or renewal of a license with an endorsement as a school counselor to complete training in the recognition of mental health disorder and behavioral distress, including depression, trauma, violence, youth suicide, and substance abuse.

Patron - McPike

SB1159 Public schools; career and technical education credential. Provides that the career and technical education credential, when required for high school graduation, adult education, or an alternative education plan, may be satisfied with the successful completion of the Armed Services Vocational Aptitude Battery. Under current law, the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment satisfies such credential.

Patron - Reeves

SB1160 Advisory Board on Teacher Education and Licensure; membership. Adds three legislative members, two of whom shall be members of the House of Delegates appointed by the Speaker of the House of Delegates and one of whom shall be a member of the Senate appointed by the Senate Committee on Rules, to the Advisory Board on Teacher Education and Licensure. The bill provides an exception to the prohibition against service by legislators on boards within the executive branch for the Advisory Board.

Patron - Reeves

SB1240 Virginia Virtual School established. Establishes the Board of the Virginia Virtual School (the Board) as a policy agency in the executive branch of state government for the purpose of governing the full-time virtual school programs offered to students enrolled in the Virginia Virtual School (the School). The Secretary of Education is responsible for such

agency. The 14-member Board is given operational control of the School and assigned powers and duties. Beginning with the 2019-2020 school year, the bill requires the School to be open to any school-age person in the Commonwealth and to provide an educational program meeting the Standards of Quality for grades kindergarten through 12, with a maximum enrollment of 5,000 students statewide. The bill requires the average state share of Standards of Quality per pupil funding for each enrolled student to be transferred to the School. This bill is identical to HB 1400. This bill was vetoed by the Governor.

Patron - Dunnivant

SB1245 Public education; economics education and financial literacy. Requires the Board of Education to include evaluating the economic value of postsecondary studies, including the net cost of attendance, potential student loan debt, and potential earnings, in the Board's objectives for economics education and financial literacy. The bill requires the Board to amend such objectives by July 1, 2018.

Patron - Dunnivant

SB1283 Public schools; regional charter school divisions. Authorizes the Board of Education (the Board) to establish regional charter school divisions consisting of at least two but not more than three existing school divisions in regions in which each underlying school division has an enrollment of more than 3,000 students and one or more schools that have accreditation denied status for two out of the past three years. The bill requires such regional charter school divisions to be supervised by a school board that consists of eight members appointed by the Board and one member appointed by the localities of each of the underlying divisions. The bill authorizes the school board, after a review by the Board, to review and approve public charter school applications in the regional charter school divisions and to contract with the applicant. The bill requires that the state share of Standards of Quality per pupil funding of the underlying school district in which the student resides be transferred to such school. This bill is identical to HB 2342. This bill was vetoed by the Governor.

Patron - Obenshain

SB1359 Local school boards; school buildings; potable water; lead testing. Requires each local school board to develop and implement a plan to test for lead and, if necessary, remediate potable water from sources identified by the U.S. Environmental Protection Agency as high priority for testing, giving priority in such testing plan to schools whose school building was constructed, in whole or in part, before 1986.

Patron - McPike

SB1414 Students receiving home instruction; participation in Advanced Placement and Preliminary SAT/National Merit Scholarship Qualifying Test examinations. Requires school boards to (i) make Advanced Placement (AP), Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), and PreACT examinations available to students receiving home instruction; (ii) adopt written policies that specify the date by which such students shall register to participate in such examinations; and (iii) notify such students and their parents of such registration deadline and the availability of financial assistance to low-income and needy stu-

dents to take such examinations. This bill is identical to HB 2355.

Patron - Newman

SB1475 Family life education; curriculum guidelines and curricula. Makes changes to family life education curriculum guidelines and curricula, including requiring family life education curriculum guidelines to include instruction as appropriate for the age of the student in the value of family relationships and permitting the age-appropriate elements of effective and evidence-based programs on the prevention of sexual violence that are required to be incorporated into any high school family life education curriculum offered by a local school division to include instruction that increases student awareness of the fact that consent is required before sexual activity.

Patron - McClellan

SB1516 Public schools; dyslexia advisor. Requires one reading specialist employed by each local school board that employs a reading specialist to have training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and to have an understanding of the definition of dyslexia and a working knowledge of several topics relating to dyslexia. This bill is identical to HB 2395.

Patron - Black

SB1523 Teacher turnover; exit questionnaire; pilot program. Requires the Department of Education to develop and oversee a pilot program to administer across five geographically and demographically diverse school divisions the model exit questionnaire for teachers developed by the Superintendent of Public Instruction, analyze the results of each such questionnaire, and include such results and analysis in the Superintendent's annual report beginning in 2018. The bill requires the Department to (i) administer such questionnaire to each teacher who ceases to be employed by the relevant school board for any reason and (ii) collect, maintain, and report on the results of each such questionnaire in a manner that ensures the confidentiality of each teacher's name and other personally identifying information. This bill is identical to HB 2140.

Patron - Mason

SB1583 Teacher licensure; career and technical education; certain local waivers. Permits each local school board or division superintendent to waive certain enumerated licensure requirements for any individual whom it seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education. This bill is identical to HB 1770.

Patron - Suetterlein

Failed

HB1421 High school graduation; standard diploma; career and technical education credential; exception. Relieves each high school student in the graduating classes of 2018 through 2021 who pursues a standard diploma

of the requirement to earn a career and technical education credential when such student earns a score of 4 or better on an Advanced Placement examination. Beginning with the graduating class of 2022, each high school student has the option of completing an Advanced Placement, honors, or International Baccalaureate course or earning a career and technical education credential to satisfy a specific graduation requirement.

Patron - Farrell

HB1469 Authorization and training for persons designated to carry concealed handguns on school property. Permits a school board or an administrator of a private school to designate one or more employees of the school who may carry a concealed handgun on school property. Any person designated to carry a concealed handgun must be certified and trained by the Virginia Center for School and Campus 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 to be established by the Department of Criminal Justice Services.

Patron - Marshall, R.G.

HB1498 School boards; assignment of teachers; class size limits. Reduces from 29 to 28 the maximum class size in kindergarten; from 30 to 28 the maximum class size in grades one, two, and three; and from 35 to 29 the maximum class size in grades four, five, and six.

Patron - LeMunyon

HB1534 Student discipline; long-term suspension. Reduces the maximum length of a long-term suspension from 364 calendar days to 90 school days. The bill prohibits a long-term suspension from extending beyond any 45 school day period unless the school principal or division superintendent finds that aggravating circumstances exist, as defined by the local school board. The bill requires that the length of any long-term suspension that extends beyond any 45 school day period shall be reviewed at the end of each such period.

Patron - Bell, Richard P.

HB1535 Public schools; student discipline. Provides that no student shall receive a long-term suspension or expulsion for disruptive behavior unless such behavior involves intentional physical injury or credible threat of physical injury to another person.

Patron - Bell, Richard P.

HB1536 Public schools; student discipline. Prohibits students in preschool through grade three from being suspended for more than five school days or expelled except for drug offenses, firearm offenses, or certain criminal acts.

Patron - Bell, Richard P.

HB1561 Public school buses; seat belts. Requires the Board of Education to make regulations to require each new public school bus purchased for the transportation of students to be equipped with a seat belt in every seat. The bill requires each school board to ensure that no later than July 1, 2027, each school bus that it uses for the transportation of students is equipped with a seat belt in every seat.

Patron - Krizek

HB1607 High school graduation requirements; verified credit; locally selected, nationally recognized high school academic assessments. Requires the Board of Education, in establishing high school graduation requirements, to provide for the award of verified units of credit for satisfactory scores on locally selected, nationally recognized high school academic assessments approved by the Board in lieu of the correlated Standards of Learning assessments.

Patron - Habeeb

HB1660 Study of documents relating to Virginia history and the United States Constitution; Federalist Papers. Adds the Federalist Papers to a list of documents relating to Virginia history and the United States Constitution that are required to be explained and taught to students in public elementary, middle, and high schools. The bill requires the study of each such document to be incorporated into the appropriate Standards of Learning. The bill also requires the Department of Education to report biennially to the House Committee on Education and the Senate Committee on Education and Health on how such documents have been incorporated into the appropriate Standards of Learning and into curricula.

Patron - Greason

HB1690 Virginia Preschool Initiative; local matching funds. Removes the requirement for local governing bodies to commit to providing the required matching funds in order to qualify for grants under the Virginia Preschool Initiative.

Patron - Dudenhefer

HB1757 School personnel; staffing ratios; school nurses. Requires each local school board to employ at least one full-time equivalent school nurse position in each elementary school, middle school, and high school in the local school division and at least one full-time equivalent school nurse position per 1,000 students in grades kindergarten through 12.

Patron - Dudenhefer

HB1764 Regional school boards; full-time virtual school programs. Requires the establishment of eight regional school boards composed of one member of each local school board that governs each local school division in each of the eight superintendent's regions in the Commonwealth and requires each such regional school board to enter into a contract with at least one approved multidivision online provider to operate a full-time virtual school program for students enrolled in each local school division in such region. The bill contains provisions relating to student eligibility, educational standards, and funding for such full-time virtual school programs. The bill requires each local school board to make the option to participate in a full-time online learning program or full-time virtual school program available to at least two percent of students enrolled in the local school division and permits school boards to satisfy such requirement by providing the option to participate in the full-time virtual school program offered by the relevant regional school board.

Patron - Bulova

HB1805 Certain school divisions; plan to fund and phase in full-day kindergarten. Requires each local school board that does not offer a full-day kindergarten program for

each kindergarten student in the school division to develop a plan to fund and phase in a full-day kindergarten program for each kindergarten student in the school division and submit the plan to the General Assembly in advance of the 2018 Regular Session of the General Assembly.

Patron - Bell, John J.

[F]HB1807 Teacher grievance procedures; hearing; three-member fact-finding panel. Permits a school board to conduct a teacher grievance hearing before a three-member fact-finding panel consisting of one member selected by the teacher, one member selected by the division superintendent, and an impartial hearing officer, selected by the other two panel members, to serve as the chairman of the panel. Under current law, the school board has the option of appointing a hearing officer or conducting such hearing itself. The bill also removes the requirement that a teacher grievance hearing be set within 15 days of the request for such hearing and extends from five days to 10 days the minimum period of advanced written notice to the teacher of the time and place of such hearing.

Patron - Bell, John J.

[F]HB1828 School attendance officer; powers and duties. Authorizes a school attendance officer or local school division superintendent or his designee acting as an attendance officer to complete, sign, and file petitions and motions for the enforcement of certain orders entered by a juvenile and domestic relations district court. The bill also provides that a nonattorney attendance officer or local school division superintendent or his designee acting as an attendance officer performing the powers and duties of an attendance officer is not considered the practice of law.

Patron - Dudenhefer

[F]HB1839 School principals; incident reports. Provides that school principals are not required to report criminal misdemeanors or status offenses to law enforcement if in the principal's discretion, based on a totality of the circumstances and consistent with Board of Education guidelines, such report is not warranted. The bill requires the Board of Education, in consultation with the Department of Juvenile Justice, the Office of the Attorney General, and any interested stakeholders, to update its Student Conduct Policy Guidelines to provide guidance for principals in exercising such discretion.

Patron - LaRock

[F]HB1843 Principals; student discipline; alternatives to referring incidents of assault and assault and battery, without bodily injury, to local law enforcement. Permits principals to refer to the local law-enforcement agency student incidents of assault and assault and battery, without bodily injury, only after such principal takes appropriate alternative disciplinary action or determines that no such appropriate alternative disciplinary action exists.

Patron - Mullin

[F]HB1873 Children from birth to age five who are deaf, deaf-blind, or hard-of-hearing; parent resource; tools or assessments for educators; report. Requires the Division of Special Education and Student Services of the Department of Education to (i) select, with input from an advisory commit-

tee that it establishes, language development milestones and include such milestones in a resource for use by parents of a child from birth to age five who is identified as deaf, deaf-blind, or hard-of-hearing to monitor and track their child's expressive and receptive language acquisition and developmental stages toward English literacy; (ii) disseminate such resource to such parents; (iii) select existing tools or assessments for educators for use in assessing the language and literacy development of children from birth to age five who are deaf, deaf-blind, or hard-of-hearing; (iv) disseminate such tools or assessments to local educational agencies and provide materials and training on their use; and (v) annually produce a report, using existing data reported in compliance with the federally required state performance plan on students with disabilities, that compares the language and literacy development of children from birth to age five who are deaf, deaf-blind, or hard-of-hearing with the language and literacy development of their peers who are not deaf, deaf-blind, or hard-of-hearing and make such report available to the public on its website. The bill is a recommendation of the Disability Commission.

Patron - Pogge

[F]HB1907 School security officers; carrying a firearm. Authorizes a school security officer to carry a firearm in the performance of his duties if he (i) is a retired law-enforcement officer; (ii) was an active law-enforcement officer in the Commonwealth of Virginia within the 10 years immediately prior to being hired by the local school board; (iii) annually participates in the same firearms training and testing and meets the training and qualification standards to carry firearms as is required of an active law-enforcement officer in the Commonwealth; (iv) is granted the authority to carry a firearm in the performance of his duties by the local school board; and (v) is not otherwise prohibited by state or federal law from possessing a firearm.

Patron - Heretick

[F]HB1914 Elected and appointed school board members; criminal history record information and child abuse and neglect data. Requires each individual who is elected or appointed to a school board to (i) submit to fingerprinting and provide personal descriptive information to be forwarded along with his fingerprints by the school board through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information and (ii) provide written consent and the necessary personal information for the school board to obtain a search of the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services and to take reasonable steps to obtain information from each state in which the individual has resided within the prior five years to determine whether such individual is the subject of a founded complaint of child abuse and neglect in any such state. The bill precludes any individual who is found to have been (a) convicted of a felony or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child in the Commonwealth or an equivalent offense in another state or (b) the subject of a founded complaint of child abuse and neglect in the Commonwealth or another state from serving on any school board. The bill requires each entity that administers the school board election or appointment process for each local

school division to notify each prospective school board member of the foregoing requirements.

Patron - Head

HB1923 Virtual Virginia; availability. Requires that the Virtual Virginia program, established by the Department of Education, be made available to all public middle and high schools. The bill provides that such program may be made available to all public elementary schools. Under current law, Virtual Virginia is required to be made available to public high schools only. The bill also replaces the term "statewide electronic classroom" with "online learning program" to more accurately reflect the Virtual Virginia program.

Patron - Bagby

HB1949 Initial licensure fee waiver for certain teachers. Requires the Board of Education to waive any fee charged for initial licensure as a teacher for any (i) individual who served in the Armed Forces of the United States, Reserves of the Armed Forces of the United States, Virginia National Guard, or Virginia Defense Force and who was discharged or released from such service under conditions other than dishonorable; (ii) member of the Armed Forces of the United States, Reserves of the Armed Forces of the United States, Virginia National Guard, or Virginia Defense Force; or (iii) spouse of any member of the Armed Forces of the United States, Reserves of the Armed Forces of the United States, Virginia National Guard, or Virginia Defense Force.

Patron - Peace

HB1983 School calendar; opening day of the school year. 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

HB1991 Local composite index; supplemental basic aid payments. Repeals a provision that caps the sum of basic aid payments and supplemental basic aid payments received by certain eligible school divisions at a certain historical level of basic aid payments received by the relevant locality.

Patron - Webert

HB2007 Students who receive home instruction; dual enrollment courses. Requires each school board to permit any student who receives home instruction and resides in the local school division to apply for enrollment as a part-time student, as defined in the general appropriation act, of the local school division in any dual enrollment course offered pursuant to an agreement for postsecondary degree attainment at a public high school in the local school division or at the comprehensive community college. The bill specifies that no such student shall be required to pay more in tuition or fees than the tuition or fees paid by public school students or the school division of residence on behalf of such students to enroll in such course.

Patron - Bell, Robert B.

HB2031 School calendar; opening day of the school year. 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 - Adams

HB2052 School boards; instructional and support personnel; additional funding. Declares it the policy of the Commonwealth that school boards that struggle to attract and retain qualified instructional and support personnel in the school division shall receive, to the extent practicable, funds for instructional and support personnel in addition to those state funds that the school board otherwise receives for public school purposes.

Patron - Adams

HB2054 High school graduation and dropout data; formula; on-time graduation. Requires the formula that the Board of Education uses to collect, analyze, report, and make available to the public high school graduation and dropout data to exclude any student who fails to graduate on time because of an extenuating circumstance. The bill requires the Board of Education to enumerate qualifying extenuating circumstances by regulation.

Patron - Kory

HB2082 Board of Education; biennial review of the standards of quality; odd-numbered years. Changes from even-numbered years to odd-numbered years the biennial review of the standards of quality that is required of the Board of Education.

Patron - Bulova

HB2089 Local school boards; school buildings; potable water; lead testing. Requires each local school board to develop and implement a plan to test potable water from sources identified by the U.S. Environmental Protection Agency as high priority as often as is required of the supplying public water system by the Virginia Department of Health's Office of Drinking Water, giving priority in such testing plan to schools whose school building was constructed, in whole or in part, before 1986. The bill requires such plan and the results of each such test to be posted on the local school board's website and transmitted to and archived by the Virginia Department of Health's Office of Drinking Water. The bill stipulates that if the result of any such test indicates a level of lead in the potable water that is at or above 20 parts per billion, the school board shall develop, implement, and post on its website a plan to remediate the level of lead in the potable water to below 20 parts per billion and confirm such remediation by retesting the water at two consecutive six-month intervals.

Patron - Kory

HB2142 Redesigned high school graduation requirements; implementation; one-year delay. Delays by one year the implementation of the redesigned high school graduation requirements established pursuant to Chapter 750 of the Acts of Assembly of 2016.

Patron - LeMunyon

HB2173 Class size limits; grades six through 12; science laboratory classes. Establishes a maximum class size of 24 students in science laboratory classes in grades six through 12.

Patron - Murphy

HB2195 School attendance officer; powers and duties. Authorizes a school attendance officer or local school division superintendent or his designee acting as an attendance officer to complete, sign, and file petitions and motions for the enforcement of certain orders entered by a juvenile and domestic relations district court. The bill also provides that a nonattorney attendance officer or local school division superintendent or his designee acting as an attendance officer performing the powers and duties of an attendance officer is not considered the practice of law.

Patron - Torian

HB2205 Students with blindness or visual impairments. Makes several changes to provisions relating to students with blindness or visual impairments, including (i) requiring a learning media assessment (LMA) to be administered as part of the initial evaluation and each reevaluation of each student with blindness or visual impairments or more frequently, if such student's Individualized Education Program (IEP) team so determines and requiring instruction in Braille reading and writing and accommodations for materials in Braille to be included in the IEP of a student with blindness or visual impairments commensurate with his IEP team's determination of his needs based upon the results of such LMA and (ii) requiring the Virginia Department for the Blind and Vision Impaired to assist the Board of Education and each local school board with ongoing professional development for teachers of students with blindness or visual impairments, including knowledge of and instruction in Braille and the administration and evaluation of LMAs.

Patron - Stolle

HB2345 Instructional positions; students identified as having limited English proficiency. Requires state funding to be provided pursuant to the general appropriation act to support 20 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency. Current law requires state funding to support 17 such positions for each 1,000 such students.

Patron - Kory

HB2363 Teacher compensation; goal. Adds to the stated goal of the Commonwealth for teacher compensation that its public school teachers be compensated at a rate that is competitive with the national average teacher salary.

Patron - Tyler

HB2378 High school graduation requirements; substitution of computer coding credit for foreign language credit. Requires the Board, in establishing high school graduation requirements, to provide for the substitution of computer coding course credit for any foreign language course credit required to graduate, except in cases in which such foreign language course credit is required to earn an advanced diploma

offered by a nationally recognized provider of college-level courses.

Patron - Davis

HB2406 Family life education curricula; personal privacy and personal boundaries. Requires any family life education curriculum offered in any elementary school, middle school, or high school to include instruction on the importance of the personal privacy and personal boundaries of other individuals and tools for a student to use to ensure that he respects the personal privacy and personal boundaries of other individuals.

Patron - Filler-Corn

HB2434 Department of Education; community schools. Requires the Department of Education to establish an interagency taskforce composed of state and local agencies and entities in the areas of early childhood development, health, social services, community engagement, family engagement, higher education, and workforce development for the purpose of developing a pilot program for the establishment of community schools whereby public elementary and secondary schools serve as centers for the provision of such community programs and services to students and their families as may be necessary based on the unique needs of the student population to be served. The bill requires such pilot program to include a process by which school boards and community partnerships may apply to the Department of Education to designate an elementary or secondary school in the local school division as a community school. The bill also establishes a special nonreverting fund in the state treasury for the purpose of providing planning grants for school boards who seek to apply to the Department of Education through such pilot program for community school designation.

Patron - Rasoul

HJ679 Study; Joint Committee to Study the Future of Public Elementary and Secondary Education in the Commonwealth; experiential learning and workforce development opportunities in high-demand fields; report. Directs the Joint Committee to Study the Future of Public Elementary and Secondary Education in the Commonwealth to study experiential learning and workforce development opportunities for high school students in high-demand fields.

Patron - Filler-Corn

SB828 Family life education; child sexual abuse. Requires the Board of Education to include in its standards of learning for family life education standards for age-appropriate instruction in the prevention, recognition, and awareness of child abduction, child abuse, child sexual exploitation, and child sexual abuse. The bill also requires such standards to be taught in grades K through 12.

Patron - Wexton

SB983 Children from birth to age five who are deaf, deaf-blind, or hard-of-hearing; parent resource; tools or assessments for educators; report. Requires the Division of Special Education and Student Services of the Department of Education to (i) select, with input from an advisory committee that it establishes, language development milestones and include such milestones in a resource for use by parents of a

child from birth to age five who is identified as deaf, deaf-blind, or hard-of-hearing to monitor and track their child's expressive and receptive language acquisition and developmental stages toward English literacy; (ii) disseminate such resource to such parents; (iii) select existing tools or assessments for educators for use in assessing the language and literacy development of children from birth to age five who are deaf, deaf-blind, or hard-of-hearing; (iv) disseminate such tools or assessments to local educational agencies and provide materials and training on their use; and (v) annually produce a report, using existing data reported in compliance with the federally required state performance plan on students with disabilities, that compares the language and literacy development of children from birth to age five who are deaf, deaf-blind, or hard-of-hearing with the language and literacy development of their peers who are not deaf, deaf-blind, or hard-of-hearing and make such report available to the public on its website. The bill is a recommendation of the Disability Commission.

Patron - Favola

[F]SB995 Student discipline; long-term suspension.

Prohibits a long-term suspension from extending beyond 60 school days unless the school board or the superintendent finds that the student's behavior could constitute an offense of an enumerated crime if the offense occurred at school, on school property, or at a school-sponsored event. The bill requires the school board or the superintendent to conduct a review of any suspension that exceeds 60 days at the end of each grading period to determine if the student can return to school early.

Patron - Stanley

[F]SB996 Public schools; student discipline. Provides that no student shall receive a long-term suspension or expulsion for disruptive behavior unless such behavior involves intentional physical injury or credible threat of physical injury to another person.

Patron - Stanley

[F]SB997 Public schools; student discipline. Prohibits students in preschool through grade three from being suspended for more than 10 days or expelled except for drug offenses, firearm offenses, certain criminal acts, or if the underlying conduct involves other weapons, inappropriate sexual behavior, or serious bodily injury.

Patron - Stanley

[F]SB1015 Public schools; kindergarten instructional time. Increases from 540 hours to 990 hours the minimum instructional hours in a school year for students in kindergarten. The bill directs the Board of Education to promulgate regulations by July 1, 2019, establishing standards for accreditation that include a requirement that the standard school day for students in kindergarten average at least 5.5 instructional hours in order to qualify for full accreditation. The bill has a delayed effective date of July 1, 2019.

Patron - Barker

[F]SB1017 School attendance officer; powers and duties. Authorizes a school attendance officer or local school division superintendent or his designee acting as an attendance officer to complete, sign, and file petitions and motions for the enforcement of certain orders entered by a juvenile and domes-

tic relations district court. The bill also provides that a nonattorney attendance officer or local school division superintendent or his designee acting as an attendance officer performing the powers and duties of an attendance officer is not considered the practice of law.

Patron - Barker

[F]SB1028 School immunization reports; posting on website. Requires a copy of the report schools are required to provide to local health departments regarding student immunizations to be posted on the individual school's website. If a school does not have a website, then a hard copy of such report shall be made available to parents.

Patron - Dunnivant

[F]SB1082 School principals; incident reports. Eliminates the requirement that school principals report certain enumerated acts that may constitute a misdemeanor offense to law enforcement.

Patron - Wexton

[F]SB1089 Public schools; Standards of Learning assessments. Reduces the total number and type of required Standards of Learning assessments to the minimum requirements established by the federal Elementary and Secondary Education Act of 1965, P.L. 89-10, as amended.

Patron - Sturtevant

[F]SB1099 Standards of Quality; assessments; terms. Changes the term used to refer to certain assessments to "locally developed assessments" from "alternative assessments." Under current law, two distinct assessments are referred to as "alternative assessments." To provide further clarity, the bill also requires local school boards, when administering the locally developed assessments, to distinguish between locally developed assessments and Standards of Learning assessments.

Patron - Newman

[F]SB1111 School calendar. Adds to the "good cause" circumstances for which school divisions may be granted a waiver from the regular post-Labor Day school opening schedule a school division that has entered into a dual enrollment agreement with a comprehensive community college and, in the school year for which the waiver is sought, participating students are required to attend college credit courses that begin prior to Labor Day.

Patron - Edwards

[F]SB1162 Teacher licensure; industry certification credential; local waiver. Permits the division superintendent or the local school board to waive the requirement that prospective teachers in the school division seeking an initial license with an endorsement in the area of career and technical education have an industry certification credential in the area in which the teacher seeks endorsement.

Patron - Reeves

[F]SB1163 School principals; incident reports. Provides that school principals are not required to report criminal misdemeanors or status offenses to law enforcement if in the

principal's discretion, based on a totality of the circumstances and consistent with Board of Education guidelines, such report is not warranted. The bill requires the Board of Education, in consultation with the Department of Juvenile Justice, the Office of the Attorney General, and any interested stakeholders, to update its Student Conduct Policy Guidelines to provide guidance for principals in exercising such discretion.

Patron - Reeves

[F]SB1214 School health services; insulin pump training. Requires school employees who are required to have training in the administration of insulin and glucagon to also have training in the use and insertion of insulin pumps.

Patron - Stuart

[F]SB1215 Public schools; possession of glucagon. Requires local school boards to adopt and implement policies for the possession and administration of glucagon in every school that one or more students with diabetes attend and requires the Board of Education to adopt and implement policies for the possession and administration of glucagon in every school for students with disabilities that one or more students with diabetes attend. The bill allows a school nurse, an employee of the school board, an employee of a local governing body, an employee of a local health department, or an employee of the school for students with disabilities who is authorized by a prescriber and trained in the administration of glucagon to any student diagnosed with diabetes believed to be suffering from or about to suffer from life-threatening hypoglycemia.

Patron - Stuart

[F]SB1235 Family life education; required. Requires each local school board to implement the Standards of Learning for the family life education program developed by the Board of Education or a family life education program consistent with the guidelines developed by the Board.

Patron - Ebbin

[F]SB1243 Parental Choice Education Savings Accounts established. Permits the parent of a public pre-school, elementary, or secondary school student who meets certain criteria to apply to the school division in which the student resides for a one-year, renewable Parental Choice Education Savings Account that consists of an amount that is equivalent to a certain percentage of all applicable annual Standards of Quality per pupil state funds appropriated for public school purposes and apportioned to the resident school division in which the student resides, including the per pupil share of state sales tax funding in basic aid and any state per pupil share of special education funding to which the student is eligible. The bill permits the parent to use the moneys in such account for certain education-related expenses of the student, including tuition, deposits, fees, and required textbooks at a private, sectarian or nonsectarian elementary or secondary school or pre-school that is located in the Commonwealth and does not discriminate on the basis of race, color, or national origin. The bill also contains provisions relating to auditing, rescinding, and reviewing expenses made from such accounts. The bill contains a reenactment clause.

Patron - Dunnivant

[F]SB1335 Access to electronic textbooks and adequate connectivity. Prohibits local school boards from requiring the use of any electronic textbook in any course in grades six through 12 unless the school board adopts a plan to ensure that by July 1, 2019, (i) each student enrolled in such course will have access to a personal computing device capable of supporting such textbooks and (ii) the relevant school has adequate connectivity, which the bill defines as bandwidth of at least one megabit per second per student.

Patron - Surovell

[F]SB1380 Regional school boards; full-time virtual school programs. Requires the establishment of eight regional school boards composed of one member of each local school board that governs each local school division in each of the eight superintendent's regions in the Commonwealth and requires each such regional school board to enter into a contract with at least one approved multidivision online provider to operate a full-time virtual school program for students enrolled in each local school division in such region. The bill contains provisions relating to student eligibility, educational standards, and funding for such full-time virtual school programs. The bill requires each local school board to make the option to participate in a full-time online learning program or full-time virtual school program available to at least two percent of students enrolled in the local school division and permits school boards to satisfy such requirement by providing the option to participate in the full-time virtual school program offered by the relevant regional school board.

Patron - Petersen

[F]SB1476 Department of Education; training for hearing officers in teacher dismissal hearings; list of trained hearing officers. Requires the Department of Education to (i) develop and make available to each local school board a program of training for hearing officers who preside over teacher dismissal hearings that includes information on the statutory procedure for teacher dismissal hearings and (ii) develop, maintain, and make available to each local school board a list of hearing officers who have completed such program of training.

Patron - McClellan

[F]SB1477 Students with blindness or visual impairments. Makes several changes to provisions relating to students with blindness or visual impairments, including (i) requiring a learning media assessment (LMA) to be administered as part of the initial evaluation and each reevaluation of each student with blindness or visual impairments or more frequently, if such student's Individualized Education Program (IEP) team so determines and requiring instruction in Braille reading and writing and accommodations for materials in Braille to be included in the IEP of a student with blindness or visual impairments commensurate with his IEP team's determination of his needs based upon the results of such LMA and (ii) requiring the Virginia Department for the Blind and Vision Impaired to assist the Board of Education and each local school board with ongoing professional development for teachers of students with blindness or visual impairments, including knowledge of and instruction in Braille and the administration and evaluation of LMAs.

Patron - McClellan

[F]SB1500 School Health Advisory Board. Establishes the School Health Advisory Board in the executive branch to advise the General Assembly on pending legislation concerning health policy that affects elementary and secondary schools.

Patron - Favola

[F]SB1517 School transportation; fees. Authorizes a school board to charge a reasonable fee, when it provides transportation to pupils who attend school outside the school division, to each pupil utilizing such transportation. The bill requires that the school board waive such fee for any pupil who receives special education services or whose parent is financially unable to pay it, including any pupil who is eligible for free and reduced lunch. The bill contains technical amendments.

Patron - Black

[F]SB1537 Certain school board employees; training program on bullying. Requires each school board to require each school board employee in the local school division, including student support positions but excluding all other support services positions, to participate in a three-hour in-person or online training program on identifying, preventing, and responding to incidents of bullying. The bill requires each such training program to include information on bullying that is provided by the National Council for Behavioral Health. The bill has a delayed effective date of July 1, 2018.

Patron - McPike

[F]SB1556 Board of Education; graduation requirements. Requires the Board of Education's graduation requirements to require a student to earn at least one verified credit in each of the following subjects: mathematics, reading, writing, science, and history and social science. The bill requires a student to achieve a passing score on the associated end-of-course Standards of Learning assessment to earn a verified credit. The bill prohibits the associated end-of course Standards of Learning assessment from being diluted or replaced by another assessment.

Patron - Newman

[F]SB1570 Virtual Virginia; availability. Requires that the Virtual Virginia program, established by the Department of Education, be made available to all public middle and high schools. The bill provides that such program may be made available to all public elementary schools. Under current law, Virtual Virginia is required to be made available to public high schools only. The bill also replaces the term "statewide electronic classroom" with "online learning program" to more accurately reflect the Virtual Virginia program.

Patron - Peake

[F]SB1584 High school graduation requirements; verified credit; locally selected, nationally recognized high school academic assessments. Requires the Board of Education, in establishing high school graduation requirements, to provide for the award of verified units of credit for satisfactory scores on locally selected, nationally recognized high school academic assessments approved by the Board in lieu of the correlated Standards of Learning assessments.

Patron - Suetterlein

Elections

Passed

[P]HB1428 Absentee voting; photo identification required with application. Requires any voter submitting an application for an absentee ballot by mail or by electronic or telephonic transmission to a facsimile device to submit with his application a copy of one of the forms of identification acceptable under current law. The bill exempts military and overseas voters and persons with a disability from this requirement. This bill is identical to SB 872. This bill was vetoed by the Governor.

Patron - Fowler

[P]HB1431 Voter registration drives; compensation prohibition. Prohibits any individual or group conducting a voter registration drive from compensating its volunteers or employees on the basis of the number of completed voter registration applications the volunteer or employee collects. The bill also prohibits volunteers and employees from accepting compensation based on the number of completed voter registration applications he collects.

Patron - Cole

[P]HB1730 Description of duties and responsibilities of local electoral boards; Department of Elections to provide annually to certain entities. Requires the State Board of Elections, with the cooperation of the local electoral boards and general registrars, to develop a description of the duties and responsibilities of the local electoral boards. The Department of Elections is required to provide this description to the clerks of the circuit courts, the chairmen of the state and district political party committees, the general registrars, and the local electoral boards.

Patron - Ransone

[P]HB1912 Absentee voting; eligibility of persons granted protective order. Entitles a person to vote absentee if the person has been granted a protective order issued by or under the authority of any court of competent jurisdiction.

Patron - Yost

[P]HB1933 Candidate withdrawal; notice of withdrawal; information to voters. Provides that a candidate who has qualified to have his name printed on the ballot for an election is not deemed to have withdrawn from such election until he has submitted a signed written notice declaring his intent to withdraw and that notice has been received by the general registrar. The Department of Elections is required to include in its candidate guidance documents the requirements and process for candidate withdrawal. The bill also provides that when ballots are not corrected to delete a candidate's name, the general registrar shall provide a list of candidates who have withdrawn to be posted in each polling place and made available to the public.

Patron - Carr

HB2179 Form of ballot; order of independent candidates. Provides that when there is more than one independent candidate for an office, their names shall appear on the ballot in an order determined by the priority of time of filing all required paperwork for the office. In the event that two or more candidates file simultaneously, the order of filing is determined by lot by the electoral board. Currently, this order applies only to the names of candidates for school board, and the names of all other independent candidates appear alphabetically. This bill is identical to SB 1104.

Patron - Sickles

HB2343 Voter registration list maintenance; voters identified as having duplicate registrations. Requires the Department of Elections to provide to the general registrars a list of registered voters who have been found through list comparisons and data-matching exchanges with other states to be registered in another state. This bill was vetoed by the Governor.

Patron - Bell, Robert B.

HB2364 Public officers; automatic suspension upon conviction of felony. Provides that any officer who is convicted of a felony under the laws of any state or the United States shall be automatically suspended upon such conviction, regardless of any appeals, pleadings, delays, or motions. The bill contains an emergency clause. This bill is identical to SB 1487.

Patron - Heretick

HB2397 Candidate petitions; signature requirements for candidates in certain towns. Requires petitions for candidates for the governing body or elected school board of towns to contain a minimum of (i) 125 signatures of qualified voters in towns with more than 3,500 registered voters and (ii) 50 signatures of qualified voters in towns with at least 1,500 but not more than 3,500 registered voters. No candidate petition is required for local offices in towns with fewer than 1,500 registered voters.

Patron - Pillion

HB2415 Ballots; number ordered to be printed. Requires the general registrars to consider the number of active registered voters and historical election data, including voter turnout, when determining the number of ballots to order to be printed for an election. This bill is identical to SB 1552.

Patron - Garrett

SB864 Electoral board appointments; chief judge of the judicial circuit or his designee to make appointment. Provides that appointments to the electoral board of each county and city are to be made by the chief judge of the judicial circuit for the county or city or that judge's designee, who shall be any other judge sitting in that judicial circuit. Currently, such appointments are made by a majority of the circuit judges and if a majority of the judges cannot agree, the senior judge makes the appointment. The bill also contains technical amendments. This bill received Governor's recommendations.

Patron - Stuart

SB872 Absentee voting; photo identification required with application. Requires any voter submitting an application for an absentee ballot by mail or by electronic or telephonic transmission to a facsimile device to submit with his application a copy of one of the forms of identification acceptable under current law. The bill exempts military and overseas voters and persons with a disability from this requirement. This bill is identical to HB 1428. This bill was vetoed by the Governor.

Patron - Chase

SB960 Absentee ballots; expediting the counting of absentee ballots returned by mail prior to election day. Provides that if a general registrar has opted to expedite the counting of absentee ballots returned by mail by opening the sealed ballot envelopes in accordance with law, the requirement that the absentee ballot return envelope and unopened ballot envelope be deposited into an appropriate container does not apply. Current law contains a contradiction that absentee ballot return envelopes and unopened ballot envelopes are to be deposited into an appropriate container while also allowing the sealed ballot envelopes to be opened so that they may be inserted into a ballot scanner machine or other secure ballot container.

Patron - Spruill

SB961 Absentee voting; processing of rejected absentee ballots. Provides that when an absentee ballot is rejected, at least two officers of election, one representing each political party, are required to write and sign a statement for the cause of the ballot's rejection. Currently, the law requires that a majority of the officers write and sign such statement.

Patron - Spruill

SB1104 Form of ballot; order of independent candidates. Provides that when there is more than one independent candidate for an office, their names shall appear on the ballot in an order determined by the priority of time of filing all required paperwork for the office. In the event that two or more candidates file simultaneously, the order of filing is determined by lot by the electoral board. Currently, this order applies only to the names of candidates for school board, and the names of all other independent candidates appear alphabetically. This bill is identical to HB 2179.

Patron - Surovell

SB1105 Reports of registered voters and persons voting at elections. Requires the local electoral boards to direct the general registrars to investigate the list of registered voters whenever the number of registered voters in a county or city exceeds the population of persons age 18 years or older, based on the most recent population estimate of the Weldon Cooper Center for Public Service of the University of Virginia. The bill also requires the local electoral boards to direct the general registrars to investigate the list of persons voting at an election whenever the number of persons voting at any election in a county or city exceeds the number of persons registered to vote in that county or city. The Department of Elections is required to provide certain data to any general registrar conducting such an investigation for the registrar's use during the investigation. The local electoral boards are required to make

reports of the findings to the State Board. These reports are public documents. This bill was vetoed by the Governor.

Patron - Obenshain

SB1253 Voter identification; photograph contained in electronic pollbook. Requires electronic pollbooks to contain the photographs of registered voters that are obtained by the general registrars in the production of voter photo identification cards or contained in a voter's Department of Motor Vehicles record. The bill also provides that if the electronic pollbook contains the voter's photograph, the officer of election is required to access that photograph and the voter is not required to present one of the statutorily required forms of identification. The bill prohibits lists of voters furnished pursuant to current law from containing any voter's photograph. The bill has a delayed effective date of July 1, 2018. This bill was vetoed by the Governor.

Patron - Obenshain

SB1254 Department of Elections; annual audit of ballot scanner machines. Requires the Department of Elections to coordinate a post-election risk-limiting audit annually of ballot scanner machines in use in the Commonwealth. The localities selected for the audit are to be chosen at random with every locality participating in the Department's annual audit at least once during a five-year period. The audits are required to be conducted by the local electoral boards and general registrars in accordance with procedures prescribed by the Department. The local electoral boards report the results of the audit to the Department and the Department shall submit a report on the audits to the State Board of Elections. The bill has a delayed effective date of July 1, 2018.

Patron - Obenshain

SB1303 Voter registration; deadline for registration by electronic means. Requires that voter registration applications made by electronic means be made by 5:00 p.m. on the final day for registration before an election and that the principal office of each general registrar close for voter registration purposes at 5:00 p.m. on the final day of registration; the same deadline applies to the receipt of certain mail voter registration applications. This bill received Governor's recommendations.

Patron - Vogel

SB1304 Local option for timing of municipal elections; effective date. Provides that the statutory authority allowing a city or town to move its local elections to the November general election date by ordinance notwithstanding a charter provision to the contrary shall be retroactively effective beginning on July 1, 2000, in keeping with the intent of the General Assembly when first granting such authority.

Patron - Vogel

SB1455 Payments for registering to vote; penalties. Provides that any person who gives, offers, or promises any monetary payment to another in exchange for that person registering to vote is guilty of a Class 1 misdemeanor. A person who solicits or accepts any monetary payment from another in exchange for his registering to vote is guilty of a Class 1 misdemeanor. This bill was vetoed by the Governor.

Patron - Black

SB1467 Central absentee voter precincts; expedited counting of absentee ballots. Allows the officers of election at a central absentee voter precinct to begin tallying the absentee ballots that are counted by hand at any time after 3:00 p.m. on the day of the election. Currently, absentee ballots may be processed at the central absentee voter precinct prior to the closing of the polls but shall not be counted until after the polls have closed. The bill prohibits any counts of tallies to be determined or transmitted outside of the central absentee voter precinct until after the closing of the polls. It also prohibits the use of cell phones and other communication devices during such tallying and until the close of polls. Any persons present in the central absentee voter precinct during this time is required to sign a statement under oath that he will not transmit any counts prior to the closing of the polls. Any person who transmits any counts in violation of the provisions of the bill is guilty of a Class 1 misdemeanor.

Patron - Marsden

SB1487 Public officers; automatic suspension upon conviction of felony. Provides that any officer who is convicted of a felony under the laws of any state or the United States shall be automatically suspended upon such conviction, regardless of any appeals, pleadings, delays, or motions. The bill contains an emergency clause. This bill is identical to HB 2364.

Patron - Lewis

SB1552 Ballots; number ordered to be printed. Requires the general registrars to consider the number of active registered voters and historical election data, including voter turnout, when determining the number of ballots to order to be printed for an election. This bill is identical to HB 2415.

Patron - Newman

SB1581 Voter registration; verification of social security numbers. Requires the general registrars to verify that the name, date of birth, and social security number provided by an applicant on the voter registration application match the information on file with the Social Security Administration or other database approved by the State Board before registering such applicant. The bill also requires the general registrars to verify annually that the name, date of birth, and social security number in the registration record of each registered voter in the registrar's jurisdiction match the information on file with the Social Security Administration or other database approved by the State Board. The State Board is authorized to approve the use of any government database to the extent required to enable each general registrar to carry out the provisions of this section and to promulgate rules for the use of such database. The Department of Elections is required to provide access to the general registrars to the Social Security Administration database and any other database approved by the State Board. The Department of Elections is further required to enter into any agreement with any federal or state agency in order to facilitate such access. This bill was vetoed by the Governor.

Patron - Peake

Failed

[F]HB1399 State Board of Elections and local electoral boards; appointments; proportion of political party representation. Provides that in the appointment of members to the State Board of Elections and to the local electoral boards, one member shall be of the political party having the highest number of members in the House of Delegates, one member shall be of the political party having the highest number of members in the Senate of Virginia, and one member shall be of the political party of the Governor. If all three members are of the same political party, one member shall be of the political party having cast the next highest number of votes in the Commonwealth for Governor at the last preceding gubernatorial election. Representation on both the State Board of Elections and each local electoral board is to be given to each of the political parties having the highest and next highest number of votes in the Commonwealth for Governor at the last preceding gubernatorial election.

Patron - Cole

[F]HB1407 Qualified voters; definition of violent felony. Defines the term "violent felony" to be used in determining a person's eligibility for restoration of his civil rights. The bill has an effective date of January 1, 2019, contingent upon voter approval of amendments to Article II, Section 1 and Article V, Section 12 of the Constitution of Virginia at the November 2018 general election.

Patron - Habeeb

[F]HB1409 House of Delegates and Senate district boundaries. Authorizes the General Assembly to make technical adjustments to legislative districts subsequent to the decennial redistricting solely for the purpose of causing legislative district boundaries to coincide with local voting precincts. Any adjustment shall change districts only to the extent necessary to accomplish this purpose and shall be consistent with the criteria for districts established for the preceding decennial redistricting.

Patron - Cole

[F]HB1425 Electors for President and Vice President; allocation of electoral votes by congressional district. Revises the process by which the Commonwealth's electoral votes are allocated among the slates of presidential electors. The bill provides that a voter will vote for two electors for the Commonwealth at large and one elector for the congressional district in which he is qualified to vote. The candidates for President and Vice President receiving the highest number of votes cast statewide are allocated the two electoral votes for the Commonwealth at large, and the candidates for President and Vice President receiving the highest number of votes cast in each congressional district are allocated the one electoral vote for that congressional district. Currently, the candidates for President and Vice President receiving the highest number of votes cast statewide are allocated the total number of the Commonwealth's electoral votes.

Patron - Cole

[F]HB1430 Third-party registration groups; registration, disclosure, and recordkeeping requirements; compen-

sation prohibition. Requires any individual or organization that will be distributing and collecting voter registration applications to register as a third-party registration group with the Department of Elections (the Department) prior to engaging in any voter registration activities. The bill requires volunteers and employees of third-party registration groups to register with the Department. The Department is required to issue a unique identification number to each third-party registration group, and each group shall assign its volunteers and employees a separate identification number. The bill requires these identification numbers to be included on voter registration applications collected by the third-party registration group. The bill also requires third-party registration groups to maintain a record containing information about all volunteers and employees engaging in voter registration activities on behalf of the group, each of whom is required to receive training and to maintain a log of his registration activities to be submitted with all completed applications collected. The bill prohibits the compensation of volunteers and employees on a per-application basis.

Patron - Fowler

[F]HB1446 Campaign finance; permitted use of excess funds. Provides that contributions received by a candidate or his campaign committee that are in excess of the amount necessary to defray his campaign expenditures may be disposed of only by transferring for use in a succeeding election, returning to a contributor, donating to a charitable organization, contributing to another candidate, political committee, or political party committee, or defraying ordinary, nonreimbursed expenses related to the elective office. The bill also prohibits the conversion of any contributed moneys, securities, or like intangible personal property to personal use. Under current law, the same provisions governing the use of excess contributed funds apply only in the context of filing a final campaign finance report.

Patron - Simon

[F]HB1459 Campaign finance; prohibited personal use; penalty. Prohibits the conversion of any contributed moneys, securities, or like intangible personal property by any person to the personal use of a candidate or a member of the candidate's immediate family, if such use is for a strictly personal purpose with no reasonable or foreseeable benefit to the candidate's campaign or public office. Complaints of alleged violations may be made by any person who contributes to the candidate or candidate's campaign committee to the State Board of Elections. The subject of the complaint has 30 days to provide to the State Board documentation or other evidence that the use of the campaign funds had a reasonable or foreseeable benefit to the campaign or the candidate's public office. The State Board shall call a hearing if it determines, after reviewing any response made by the subject of the complaint, that the use of campaign funds had no reasonable or foreseeable benefit to the campaign or the candidate's public office. If the complaining party declines to participate in the hearing, the complaint shall be dismissed. A person found by the State Board to have willfully and knowingly violated this section shall repay to the campaign committee the amount unlawfully converted to the personal use of the candidate or a member of the candidate's immediate family and shall return to the complaining party the full amount of the complaining party's con-

tribution to the campaign. The State Board may also assess an additional civil penalty, in an amount not to exceed \$100.

Patron - Cole

HB1462 Voter identification; accepted forms of identification. Adds to the list of acceptable forms of voter identification a valid student photo identification card issued by any institution of higher education located in any other state or territory of the United States. Current law allows students from any institution of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.

Patron - Sullivan

HB1482 Presidential electors; National Popular Vote Compact. Enters Virginia into an interstate compact known as the Agreement Among the States to Elect the President by National Popular Vote. Article II of the United States Constitution gives the states exclusive and plenary authority to decide the manner of awarding their electoral votes. Under the compact, Virginia agrees to award its electoral votes to the presidential ticket that receives the most popular votes in all 50 states and the District of Columbia. The compact goes into effect when states cumulatively possessing a majority of the electoral votes have joined the compact. A state may withdraw from the compact; however, a withdrawal occurring within six months of the end of a President's term shall not become effective until a President or Vice President has qualified to serve the next term.

Patron - Simon

HB1594 Local election districts and precincts. Provides that any property line or subdivision boundary shown on an official local property map will constitute a "clearly observable boundary" for the purpose of constituting a district or precinct boundary. Current law provides that only property lines and subdivision boundaries that appear on VDOT maps, United States Geological Survey topographical maps, or the TIGER/line files of the United States Bureau of the Census may be used.

Patron - Boysko

HB1598 Voter registration; proof of citizenship required to register to vote in certain elections. Requires persons applying to register to vote to provide proof of United States citizenship in a form enumerated in the bill. An applicant who does not provide such proof of citizenship shall be registered to vote in federal elections only. An applicant who does provide such proof of citizenship shall be registered to vote in federal, state, and local elections. The bill provides that any person who is registered in the Commonwealth on January 1, 2018, will be deemed to have provided proof of citizenship. The bill directs the general registrars to indicate on each registered voter's registration record whether such voter is registered to vote in federal, state, and local elections or in federal elections only.

Patron - Cole

HB1601 Electors for President and Vice President; allocation of electoral votes by congressional district. Revises the process by which the Commonwealth's electoral votes are allocated among the slates of presidential electors.

The bill provides that a voter will vote for two electors for the Commonwealth at large and one elector for the congressional district in which he is qualified to vote. The candidates for President and Vice President receiving the highest number of votes cast statewide are allocated the two electoral votes for the Commonwealth at large, and the candidates for President and Vice President receiving the highest number of votes cast in each congressional district are allocated the one electoral vote for that congressional district. Currently, the candidates for President and Vice President receiving the highest number of votes cast statewide are allocated the total number of the Commonwealth's electoral votes.

Patron - Fariss

HB1603 Absentee voting; eligibility of certain caregivers. Entitles a person to vote absentee if the person is unable to go in person to the polls on the day of the election because he is primarily and personally responsible for the care of an ill or disabled individual who is confined at home. Currently, such caregivers are entitled to vote absentee only if the ill or disabled individual who is confined at home is a family member of the caregiver.

Patron - Sullivan

HB1631 Elections; early voting. Allows any registered voter to vote early in any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill requires that early voting be available beginning the twenty-first day prior to any general election, the seventh day prior to any special election held on a date other than the date of a general election, and the seventh day prior to any primary election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill further requires early voting to be available during regular business hours each weekday during the applicable period, from 9:00 a.m. to 5:00 p.m. on each Saturday during the applicable period, and from 12:00 p.m. to 4:00 p.m. on each Sunday during the applicable period. The bill removes the current provisions for voting absentee in person but retains those provisions for voting an absentee ballot by mail, including the application requirement and the list of statutory reasons that allow a registered voter to vote absentee by mail.

Patron - Sullivan

HB1696 Filling vacancies in the United States Senate. Removes the language limiting the date at which a special election can be held to fill a vacancy occurring in the representation of the Commonwealth in the United States Senate. The bill also removes the authority of the Governor to make a temporary appointment to fill such a vacancy. The bill allows the Governor to immediately issue a writ to call an election upon receipt of written notification by a Senator or Senator-elect of his resignation and makes such resignation irrevocable after the date stated by him for his resignation or after the forty-fifth day before the date set for the special election.

Patron - Marshall, D.W.

HB1698 Polling places; memorandum of understanding. Directs the Attorney General to develop and make available a template memorandum of understanding to be used by the general registrars when establishing polling places. The bill requires the general registrar to enter into a memorandum

of understanding with the entity or person authorized to grant the use of the facility as a polling place. Using the template prescribed by the Attorney General, the parties will specify the terms for use of the facility, including the hours and dates the facility is to be used, the availability of parking at the facility, and the defined space where the elections are to be conducted. Such memorandum of understanding shall be entered into for a period of five years, with the option to renew at the end of the fourth year. Upon the mutual agreement of the two parties, such memorandum of understanding shall be made void.

Patron - Marshall, D.W.

HB1733 Removal of public officers from office; recall elections for certain elected and appointed officers. Provides a process by which elected officers and officers appointed to an elected office may be recalled and removed from office. The recall process is initiated by a petition signed by a number of registered voters residing within the jurisdiction of the officer equal to 20 percent of the total number of votes cast at the last election for the office the officer holds. The bill requires the timing and conduct of the recall election to comply with the provisions governing special elections. Any registered voter qualified to vote for the officer subject to the recall may vote in the recall election. If a majority of the votes are for removal of the officer, the officer is removed from office and the vacancy is filled in accordance with law. The bill retains the statutory reasons for removal. The bill retains the process for removal by the courts for officers appointed for a term certain.

Patron - Anderson

HB1818 Absentee voting; eligibility of persons age 65 or older. Entitles a person who will be age 65 or older on the date of the election for which an absentee ballot is requested to vote absentee.

Patron - Hayes

HB1819 Elections; absentee voting; no-excuse, in-person. Allows qualified voters to vote absentee in person without providing an excuse for not being able to vote in person on election day. The bill retains the statutory list of specific reasons allowing a voter to cast an absentee ballot by mail.

Patron - Hayes

HB1904 Voter identification requirements; repeal of photo identification requirements. Repeals the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the

voter. The bill adds language regarding requirements for certain voters pursuant to the Help America Vote Act of 2002.

Patron - Heretick

HB1935 Absentee voting; no-excuse, in-person available 21 days prior to election. Allows any registered voter to vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason or making a prior application for an absentee ballot. Absentee voting in person will be available in the office of the general registrar or the secretary of the electoral board and may be available at additional locations if approved by the local electoral board. The period for absentee voting in person will begin on the twenty-first day prior to any election and will end at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting absentee by mail, including the application process and list of eligibility reasons.

Patron - Carr

HB1953 Voter identification; accepted forms of identification. Adds to the list of accepted forms of identification for purposes of voting a valid identification card that contains a photograph of the voter and is issued by any private entity that is licensed or certified, in whole or in part, by the State Department of Health, the Department of Social Services, the Department of Medical Assistance Services, or the Department of Behavioral Health and Developmental Services. An employee of any such private entity is currently permitted to use his employee identification card, provided that the card contains a photograph of the voter, for purposes of voting; the bill allows a resident or other person who receives services from such private entity to use a valid identification card issued by the private entity, provided that the card contains a photograph of the voter.

Patron - Carr

HB1955 Voter registration records; deadline extension. Provides for the extension of the date for the closing of the registration records in the event that a failure of the Virginia voter registration system occurs prior to the close of the registration records. The bill requires that the period of such extension equal the amount of time during which the registration system was unavailable for registration activities.

Patron - Kory

HB2068 Absentee voting; eligibility of persons with disabilities and persons age 65 or older. Entitles (i) persons with disabilities who are not reasonably able to go in person to the polls on election day and (ii) persons who will be age 65 or older on the date of the election to vote absentee. Current law allows persons with disabilities who are *unable* to go in person to the polls on election day to vote absentee. The bill does not change current law that entitles persons age 65 or older and persons with disabilities to vote outside of the polling place upon request.

Patron - Watts

HB2069 Adjustment of local election district boundaries subsequent to decennial redistricting. Limits changes in election district boundaries in order to conform them to state legislative or congressional district boundaries to

changes that affect no more than one percent of the district population or 250 persons, whichever is greater. The current limit is the lesser of five percent of the district population or 250 persons.

Patron - Watts

HB2088 Voter registration at the Department of Motor Vehicles; opt-out voter registration. Provides for the electronic transmission by the Department of Motor Vehicles to the Department of Elections of certain information for any person coming into an office of the Department of Motor Vehicles or accessing its website in order to (i) apply for, replace, or renew a driver's license, (ii) apply for, replace, or renew a special identification card, or (iii) change an address on an existing driver's license or special identification card if the Department of Motor Vehicles records indicate that he (a) is a United States citizen, (b) is 18 years of age or older, and (c) at the time of the transaction does not decline to have his information transmitted to the Department of Elections for voter registration purposes. The option to decline to have his information so transmitted shall be presented at the time of one of the specified transactions with the Department of Motor Vehicles and shall be accompanied by a warning that intentionally making a materially false statement during the transaction and that voting more than once in any election in the same or different jurisdictions are both punishable under Virginia law as a felony. The information required to be transferred includes the person's full name, date of birth, gender, residence address, citizenship status, driver's license and social security number, and digital signature and an affirmation by the person that he meets all voter eligibility requirements. Upon receipt of the information, the Department of Elections is required to determine whether the person is already registered to vote. If the person is already registered to vote, the Department of Elections is required to take certain steps to update the voter's registration records. If the person is not already registered to vote, the Department of Elections is required to verify that the person meets all voter eligibility requirements and, if so finding, is required to transmit the information to the appropriate general registrar. The bill repeals the requirement that the Department of Motor Vehicles offer, accept, receive, and send voter registration applications.

Patron - Herring

HB2091 Elections; early voting. Allows any registered voter to vote early in any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill requires that early voting be available beginning the twenty-first day prior to any general election, the seventh day prior to any special election held on a date other than the date of a general election, and the seventh day prior to any primary election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill further requires early voting to be available during regular business hours each weekday during the applicable period, from 9:00 a.m. to 5:00 p.m. on each Saturday during the applicable period, and from 12:00 p.m. to 4:00 p.m. on each Sunday during the applicable period. The bill removes the current provisions for voting absentee in person but retains those provisions for voting an absentee ballot by mail, including the

application requirement and the list of statutory reasons that allow a registered voter to vote absentee by mail.

Patron - Kory

HB2133 Recount procedures; initial audit of ballot scanner machines. Requires an initial audit of the ballot scanner machines to be conducted prior to beginning the redetermination of the vote during a recount. The bill requires recount officials to collect a sample of the machine-readable ballots cast at each precinct in the election district equal to at least one percent of all machine-readable ballots cast at that precinct. Each precinct's sample is then run through a scanner used at that precinct on the night of the election, run through a scanner being used for the recount, and hand counted. If the results calculated by the scanner used at that precinct on the night of the election, the results calculated by the scanner being used for the recount, and the results determined by the hand count are not identical, any party to the recount may request all ballots cast on ballot scanner machines in the election district to be counted by hand. If the results are identical, the redetermination of the vote shall be conducted in accordance with current law.

Patron - Levine

HB2160 Virginia Interim Redistricting Commission; criteria for remedial redistricting plans. Provides for the establishment of the Virginia Interim Redistricting Commission (Commission) when any congressional or state legislative district drawn as required by Article II, Section 6 of the Constitution of Virginia is declared unlawful or unconstitutional, in whole or in part, by order of any state or federal court. The Commission is tasked with determining and submitting to the General Assembly and the Governor a redistricting plan remedying such unlawful or unconstitutional district. The bill also provides criteria by which the Commission is to draw remedial districts.

Patron - Rasoul

HB2180 Absentee voting; eligibility of certain persons. Entitles a person to vote absentee if he is unable to go in person to the polls on the day of the election because he is primarily and personally responsible for a child or for an ill or disabled individual who is confined at home. The bill also entitles a person to vote absentee if he lacks access to reliable personal transportation.

Patron - Sickles

HB2182 Voter registration at the Department of Motor Vehicles; opt-out voter registration. Provides for the electronic transmission by the Department of Motor Vehicles to the Department of Elections of certain information for any person coming into an office of the Department of Motor Vehicles or accessing its website in order to (i) apply for, replace, or renew a driver's license, (ii) apply for, replace, or renew a special identification card, or (iii) change an address on an existing driver's license or special identification card if the Department of Motor Vehicles records indicate that he (a) is a United States citizen, (b) is 18 years of age or older, and (c) at the time of the transaction does not decline to have his information transmitted to the Department of Elections for voter registration purposes. The option to decline to have his information so transmitted shall be presented at the time of one of

the specified transactions with the Department of Motor Vehicles and shall be accompanied by a warning that intentionally making a materially false statement during the transaction and that voting more than once in any election in the same or different jurisdictions are both punishable under Virginia law as a felony. The information required to be transferred includes the person's full name, date of birth, gender, residence address, citizenship status, driver's license and social security number, and digital signature and an affirmation by the person that he meets all voter eligibility requirements. Upon receipt of the information, the Department of Elections is required to determine whether the person is already registered to vote. If the person is already registered to vote, the Department of Elections is required to take certain steps to update the voter's registration records. If the person is not already registered to vote, the Department of Elections is required to verify that the person meets all voter eligibility requirements and, if so finding, is required to transmit the information to the appropriate general registrar. The bill repeals the requirement that the Department of Motor Vehicles offer, accept, receive, and send voter registration applications.

Patron - Sickles

HB2252 Illegal voter registration; penalties. Provides that any person who intentionally (i) procures, assists, or induces another to register to vote or (ii) submits a voter registration application on behalf of another, knowing such applicant does not have the qualifications required by the Constitution of Virginia and the election laws, is guilty of a Class 6 felony.

Patron - Lingamfelter

HB2275 Absentee voting; eligibility of persons age 65 or older. Entitles a person who will be age 65 or older on the date of the election for which an absentee ballot is requested to vote absentee.

Patron - Krizek

HB2280 Voter referendum; independent redistricting commission. Provides for a statewide referendum on the question of whether the General Assembly should adopt a resolution to propose an amendment to the Constitution of Virginia that would establish an independent redistricting commission to create and propose redistricting plans for House of Delegates, Senate of Virginia, and congressional districts. The results would be advisory only and are intended only to demonstrate the preference of the citizens of the Commonwealth on the manner in which electoral districts are created. The referendum would be held at the November 2017 general election.

Patron - Ward

HB2315 Instant runoff voting. Provides for instant runoff voting in elections for statewide offices, the United States Senate, the United States House of Representatives, and the General Assembly. With instant runoff voting, voters rank the candidates for each office in order of choice, and only the candidate receiving a majority of the votes for such office is declared the winner. Ballots are initially counted as one vote for the first-choice candidate on the ballot; if no candidate receives a majority of the first-choice votes, additional rounds of ballot counting are required. In subsequent rounds of count-

ing, each ballot is counted as one vote for that ballot's highest-ranked advancing candidate and the candidate receiving the fewest votes is eliminated, until one candidate receives a majority of the valid votes in a round.

Patron - Freitas

HB2365 Registration records; deadline extension. Allows the State Board of Elections, by a majority vote, to extend the date of the closing of the registration records for a period not to exceed seven days in the event of an emergency.

Patron - Toscano

HB2405 Voter registration; extended time for new citizens to register to vote. Provides that any person who becomes a citizen during the period immediately following the close of registration records pursuant to § 24.2-416 and the day of the election and is otherwise qualified to vote shall be entitled to register to vote up to and including the day of the election. The bill requires the Department of Elections to prescribe procedures for the addition to the lists of registered voters of persons registered under the provisions of the bill.

Patron - Filler-Corn

HB2421 Central absentee voter precincts; expedited counting of absentee ballots. Allows the officers of election at a central absentee voter precinct to begin counting those absentee ballots that are counted by hand at any time after 6:00 a.m. on the day of the election. The bill prohibits ballot count totals to be announced or transmitted outside of the central absentee voter precinct until after the closing of the polls. Currently, absentee ballots may be processed at the central absentee voter precinct prior to the closing of the polls, but shall not be counted until after the polls have closed.

Patron - Sickles

HB2443 Electoral fusion; form of ballot; candidate's name appearing more than once for same office. Removes the provision prohibiting a candidate's name from appearing on the ballot more than once for the same office.

Patron - Rasoul

HB2444 Presidential candidates; required statement regarding disclosure of federal tax returns and foreign payments and remuneration. Requires any person seeking the nomination for the office of President of the United States to submit a statement, signed under penalty of perjury by the person seeking the nomination, that he has disclosed (i) his federal tax returns from each year of the 10-year period immediately preceding the general election and (ii) any payments or remuneration exceeding \$1,000 received from any foreign source during the 10-year period immediately preceding the general election. Any person who does not submit this statement shall not have his name printed on the ballot for a presidential primary election or the official ballot for the presidential election. The bill also requires a candidate nominated by a method other than a primary to submit such a statement by the seventy-fifth day before the presidential election in order to be eligible to have his name printed on the official ballot for the presidential election.

Patron - Levine

SB792 Absentee voting; eligibility of persons age 65 or older. Entitles a person who will be age 65 or older on the date of the election for which an absentee ballot is requested to vote absentee.

Patron - Ebbin

SB821 Voter registration by political party affiliation; primary elections. Adds party affiliation, beginning January 1, 2018, to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2018, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the rules adopted by the duly constituted authorities of the state political party governing who may participate in the party's primaries held from April 1 of that year through March 31 of the following year.

Patron - Cosgrove

SB826 Voter identification; accepted forms of identification. Adds to the list of accepted forms of identification for purposes of voting a valid identification card that contains a photograph of the voter and is issued by any private entity that is licensed or certified, in whole or in part, by the State Department of Health, the Department of Social Services, the Department of Medical Assistance Services, or the Department of Behavioral Health and Developmental Services. An employee of any such private entity is currently permitted to use his employee identification card, provided that the card contains a photograph of the voter, for purposes of voting; the bill allows a resident or other person who receives services from such private entity to use a valid identification card issued by the private entity, provided that the card contains a photograph of the voter.

Patron - Wexton

SB827 Absentee voting; eligibility of persons age 70 or older. Entitles a person who will be age 70 or older on the date of the election for which an absentee ballot is requested to vote absentee.

Patron - Wexton

SB837 Electors for President and Vice President; allocation of electoral votes by congressional district. Revises the process by which the Commonwealth's electoral votes are allocated among the slates of presidential electors. The bill provides that a voter will vote for two electors for the Commonwealth at large and one elector for the congressional district in which he is qualified to vote. The candidates for President and Vice President receiving the highest number of votes cast statewide are allocated the two electoral votes for the Commonwealth at large, and the candidates for President and Vice President receiving the highest number of votes cast in each congressional district are allocated the one electoral vote for that congressional district. Currently, the candidates for President and Vice President receiving the highest number of

votes cast statewide are allocated the total number of the Commonwealth's electoral votes.

Patron - Chase

SB844 Absentee voting; no-excuse in-person available 21 days prior to election. Allows for any registered voter to vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning the twenty-first day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail, including the application requirement and the list of statutory reasons.

Patron - Howell

SB845 Absentee voting; eligibility of certain caregivers. Entitles a person to vote absentee if the person is unable to go in person to the polls on the day of the election because he is primarily and personally responsible for the care of an ill or disabled individual who is confined at home. Currently, such caregivers are entitled to vote absentee only if the ill or disabled individual who is confined at home is a family member of the caregiver.

Patron - Howell

SB846 Virginia Interim Redistricting Commission; criteria for remedial redistricting plans. Provides for the establishment of the Virginia Interim Redistricting Commission (Commission) when any congressional or state legislative district drawn as required by Article II, Section 6 of the Constitution of Virginia is declared unlawful or unconstitutional, in whole or in part, by order of any state or federal court. The Commission is tasked with determining and submitting to the General Assembly and the Governor a redistricting plan remedying such unlawful or unconstitutional district. The bill also provides criteria by which the Commission is to draw remedial districts.

Patron - Lucas

SB871 Third-party registration groups; registration, disclosure, and recordkeeping requirements; compensation prohibition. Requires any individual or organization that will be distributing and collecting voter registration applications to register as a third-party registration group with the Department of Elections (the Department) prior to engaging in any voter registration activities. The bill requires volunteers and employees of third-party registration groups to register with the Department. The Department is required to issue a unique identification number to each third-party registration group, and each group shall assign its volunteers and employees a separate identification number. The bill requires these identification numbers to be included on voter registration applications collected by the third-party registration group. The bill also requires third-party registration groups to maintain a record containing information about all volunteers and employees engaging in voter registration activities on behalf of the group, each of whom is required to receive training and to maintain a log of his registration activities to be submitted with all completed applications collected. The bill prohibits the

compensation of volunteers and employees on a per-application basis.

Patron - Chase

SB878 Congressional and state legislative districts. Provides criteria for the General Assembly to observe in drawing districts, including respect for political boundaries, equal population, racial and ethnic fairness, contiguity, compactness, and communities of interest. The bill prohibits use of political data or election results unless necessary to determine if racial or ethnic minorities can elect candidates of their choice.

Patron - Howell

SB882 Absentee voting; eligibility of any registered voter. Allows any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons for which a person may be entitled to vote by absentee ballot but retains the requirement to apply to vote absentee. The bill contains numerous technical amendments that consolidate existing provisions relating to absentee voting by uniformed and overseas voters and absentee voting by persons with a disability.

Patron - Spruill

SB892 Absentee voting; deadline for requesting absentee ballot by means other than in person. Requires an application for an absentee ballot that is submitted by means other than in person in the office of the general registrar to be done so by 5:00 p.m. on the eleventh day prior to the election. Current law requires such application be made no later than 5:00 p.m. on the seventh day prior to the election. The bill amends other related deadlines accordingly.

Patron - Wexton

SB902 Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. The bill requires the State Board of Elections (State Board), in September 2017, to notify all registered voters of the new party registration law and send them a return card to indicate their party affiliation or independent status. Any voter who does not state a party affiliation shall be designated as independent in the registration records. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed in advance of an election. The bill (i) requires the state party chairman to notify the State Board by January 31 of each year whether the party will close or open its primaries, (ii) requires that primary candidate petitions be signed and witnessed by voters registered as affiliated with the party conducting the primary, (iii) sets the required number of petition signatures at one percent of the number of voters registered as affiliated with the party in the election district where the primary is being held, and (iv) allows an official political party to retain that status as long as at least 15 percent of the Commonwealth's registered voters are registered as affiliated with that party. The provisions of the bill are applicable to primaries conducted after January 1, 2018.

Patron - Obenshain

SB979 Elections; absentee voting; no-excuse, in-person. Allows qualified voters to vote absentee in person

without providing an excuse for not being able to vote in person on election day. The bill retains the statutory list of specific reasons allowing a voter to cast an absentee ballot by mail.

Patron - Dance

SB1002 Absentee voting; no-excuse, in-person available 21 days prior to election. Allows any registered voter to vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason or making a prior application for an absentee ballot. Absentee voting in person will be available in the office of the general registrar or the secretary of the electoral board and may be available at additional locations if approved by the local electoral board. The period for absentee voting in person will begin on the twenty-first day prior to any election and will end at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting absentee by mail, including the application process and list of eligibility reasons.

Patron - Ebbin

SB1016 Absentee voting; eligibility of persons age 65 or older. Entitles a person who will be age 65 or older on the date of the election for which an absentee ballot is requested to vote absentee.

Patron - Barker

SB1051 Voter registration at the Department of Motor Vehicles; opt-out voter registration. Provides for the electronic transmission by the Department of Motor Vehicles to the Department of Elections of certain information for any person coming into an office of the Department of Motor Vehicles or accessing its website in order to (i) apply for, replace, or renew a driver's license, (ii) apply for, replace, or renew a special identification card, or (iii) change an address on an existing driver's license or special identification card if the Department of Motor Vehicles records indicate that he (a) is a United States citizen, (b) is 18 years of age or older, and (c) at the time of the transaction does not decline to have his information transmitted to the Department of Elections for voter registration purposes. The option to decline to have his information so transmitted shall be presented at the time of one of the specified transactions with the Department of Motor Vehicles and shall be accompanied by a warning that intentionally making a materially false statement during the transaction and that voting more than once in any election in the same or different jurisdictions are both punishable under Virginia law as a felony. The information required to be transferred includes the person's full name, date of birth, gender, residence address, citizenship status, driver's license and social security number, and digital signature and an affirmation by the person that he meets all voter eligibility requirements. Upon receipt of the information, the Department of Elections is required to determine whether the person is already registered to vote. If the person is already registered to vote, the Department of Elections is required to take certain steps to update the voter's registration records. If the person is not already registered to vote, the Department of Elections is required to verify that the person meets all voter eligibility requirements and, if so finding, is required to transmit the information to the appropriate general registrar. The bill repeals the requirement that the Department

of Motor Vehicles offer, accept, receive, and send voter registration applications.

Patron - Ebbin

SB1059 Election day voter registration; pilot program. Provides that the State Board of Elections shall develop a pilot program for election day voter registration, by which a person who (i) offers to vote on election day but is not a registered voter, (ii) provides one of the forms of identification specified in subsection B of § 24.2-643, and (iii) provides proof of his residency, in a form specified by the State Board for this purpose, in the precinct in which he offers to vote, shall be permitted to register to vote and to cast a ballot. The bill requires participating localities to provide information on the implementation of the pilot program in its locality to the State Board by December 1 of each year in which it participates. The bill requires the State Board to submit a report to the Governor, the General Assembly, and the House and Senate Committees on Privileges and Elections on the pilot program, including a recommendation as to whether there should be statewide election day voter registration. The bill has an expiration date of December 31, 2019.

Patron - Deeds

SB1093 Campaign contribution limits; civil penalty. Prohibits a person, other than a political party committee or political action committee, from making any single contribution, or any combination of contributions, that exceeds \$10,000 to any one candidate for Governor, Lieutenant Governor, Attorney General, or the General Assembly in any one election cycle, of which no more than \$5,000 may be contributed for the primary election or other nominating process. Political action committees are prohibited from making any single contribution or any combination of contributions that exceeds \$20,000 to any one candidate for Governor, Lieutenant Governor, Attorney General, or the General Assembly in any one election cycle, of which no more than \$10,000 may be contributed for the primary election or other nominating process. No limits are placed on contributions made by political party committees, the candidate, or the candidate's family to the candidate's campaign. Civil penalties for violations of the limits may equal up to two times the excess contribution amounts.

Patron - Petersen

SB1131 Absentee voting; eligibility of certain persons. Entitles a person to vote absentee if he is unable to go in person to the polls on the day of the election because he is primarily and personally responsible for a child or for an ill or disabled individual who is confined at home. The bill also entitles a person to vote absentee if he lacks access to reliable personal transportation.

Patron - Mason

SB1132 Absentee voting; eligibility of persons age 65 or older. Entitles a person who will be age 65 or older on the date of the election for which an absentee ballot is requested to vote absentee.

Patron - Mason

SB1133 Voter referendum; independent redistricting commission. Provides for a statewide referendum on the question of whether the General Assembly should adopt a reso-

lution to propose an amendment to the Constitution of Virginia that would establish an independent redistricting commission to create and propose redistricting plans for House of Delegates, Senate of Virginia, and congressional districts. The results would be advisory only and are intended only to demonstrate the preference of the citizens of the Commonwealth on the manner in which electoral districts are created. The referendum would be held at the November 2017 general election.

Patron - Mason

SB1142 Campaign finance; filing and reporting requirements applicable to certain tax-exempt organizations. Removes the exemption of organizations holding tax-exempt status under § 501(c)(4) of the United States Internal Revenue Code from the filing and reporting requirements of the Campaign Finance Disclosure Act of 2006.

Patron - DeSteph

SB1200 Voter identification requirements; repeal of photo identification requirements. Repeals the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. The bill adds language regarding requirements for certain voters pursuant to the Help America Vote Act of 2002.

Patron - Lewis

SB1206 Redistricting process. Provides a new method for the preparation of state legislative and congressional redistricting plans. The bill spells out standards for developing plans, including population equality, compactness, maintenance of cores of existing districts, and respect for locality boundaries; precludes consideration of incumbency and political data in developing plans; assigns responsibility to the Division of Legislative Services (the Division) to prepare plans for submission to the General Assembly; and establishes a temporary redistricting advisory commission to advise the Division, disseminate information on plans, and hold hearings for public reaction to plans. The bill provides that the General Assembly may reject the Division's plans and may ultimately amend the plans. This bill is patterned after the Iowa redistricting process.

Patron - Lewis

SB1236 Candidate petitions; number of signatures required for statewide candidates. Reduces the number of signatures that an independent candidate or a candidate for nomination by primary is required to gather on the candidate petition when seeking to qualify as a candidate for the United States Senate, Governor, Lieutenant Governor, or Attorney

General from 10,000 signatures, including at least 400 from each congressional district, to 5,000 signatures, including at least 200 from each congressional district.

Patron - Ebbin

SB1252 Absentee voting; signature verification. Requires the officers of election to compare the signature on an absentee ballot envelope with the signature on that voter's voter registration application. Three officers, including one representative of each political party, are required to agree that the signatures match in order for the absentee ballot to be accepted. If less than three agree, the ballot and application are later reviewed by the electoral board at its meeting held on the day after election day. If the electoral board determines that the signature on the ballot envelope and the voter's voter registration application match, the ballot is counted. However, if the electoral board determines that the signatures do not match, the ballot is not counted. The bill requires that, when the electoral board determines the signatures do not match, copies of the ballot envelope and the voter registration application are to be provided to the appropriate attorney for the Commonwealth. The voter is required to be notified in writing of the decision of and actions taken by the electoral board.

Patron - Obenshain

SB1256 Third-party registration groups; registration and disclosure requirements. Requires any individual or organization that will be distributing and collecting voter registration applications to register as a third-party registration group with the Department of Elections (the Department) prior to engaging in any voter registration activities. The Department is required to issue a unique identification number to each third-party registration group, and each group shall assign its volunteers and employees a separate identification number. The bill requires these identification numbers to be included on voter registration applications collected by the third-party registration group. The bill also requires third-party registration groups to maintain a record containing information about all volunteers and employees engaging in voter registration activities on behalf of the group.

Patron - Ebbin

SB1295 Elections; early voting. Allows any registered voter to vote early in any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill requires that early voting be available beginning the twenty-first day prior to any general election, the seventh day prior to any special election held on a date other than the date of a general election, and the seventh day prior to any primary election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill further requires early voting to be available during regular business hours each weekday during the applicable period, from 9:00 a.m. to 5:00 p.m. on each Saturday during the applicable period, and from 12:00 p.m. to 4:00 p.m. on each Sunday during the applicable period. The bill removes the current provisions for voting absentee in person but retains those provisions for voting an absentee ballot by mail, including the application requirement and the list of statutory reasons that allow a registered voter to vote absentee by mail.

Patron - Vogel

SB1302 Write-in votes; duties of local electoral boards. Provides that when no person is elected to an office by write-in votes and the difference between the total number of votes cast for the candidate elected or the candidate elected with the fewest number of votes and the total number of write-in votes cast for that office is more than five percent of the total number of write-in votes and the number of votes cast for such candidate elected, the electoral board is required only to ascertain and the abstract of votes is required only to contain the total number of write-in votes cast for that office.

Patron - Vogel

SB1410 Congressional and state legislative districts; compactness standard. Requires congressional and state legislative districts to be composed of compact territory, meaning districts are not to be oddly shaped or have irregular or contorted boundaries, unless justified because the district adheres to political subdivision lines. Fingers or tendrils extending from a district core are to be avoided, as are thin and elongated districts and districts with multiple core populations connected by thin strips of land or water. The bill requires the General Assembly to employ one or more standard numerical measures of individual and average district compactness to provide an objective assessment of a districting plan's compactness, both statewide and district by district.

Patron - Suetterlein

SB1441 Absentee voting; eligibility of persons whose polling place prohibits firearms. Entitles any person who may otherwise lawfully carry a firearm to vote absentee if his polling place is located in a building or on property where such possession is prohibited by law or is prohibited by the owner of private property.

Patron - Sturtevant

SB1454 Illegal voter registration; penalties. Provides that any person who intentionally (i) procures, assists, or induces another to register to vote or (ii) submits a voter registration application on behalf of another, knowing such applicant is not a citizen of the United States, is guilty of a Class 6 felony.

Patron - Black

SB1490 Uniform Military and Overseas Voters Act; applying for and casting military-overseas ballots. Requires the Commissioner of Elections to establish and supervise a pilot program to permit an active duty member of a uniformed service who has been called to duty for deployment without access to the United States mail and who is applying for or casting a military-overseas ballot to sign the military-overseas ballot application, the statement of voter accompanying the military-overseas ballot, and any other related documents using his digital signature associated with his Common Access Card issued by the U.S. Department of Defense or any replacement to the Common Access Card issued by the U.S. Department of Defense. The bill also requires the system through which a covered voter may apply for and receive voter registration materials, military-overseas ballots, and other information to be capable of accepting the submission of voted military-overseas ballots cast by any active duty member of a uniformed service who has been called to duty for deployment without access to the United States mail. The bill does not become

effective unless an appropriation effectuating the purposes of the bill is included in an appropriation act passed in 2017 by the General Assembly that becomes law. The bill has an expiration date of July 1, 2019.

Patron - DeSteph

SB1503 Central absentee voter precincts; expedited counting of absentee ballots. Allows the officers of election at a central absentee voter precinct to begin counting those absentee ballots that are counted by hand at any time after 6:00 a.m. on the day of the election. The bill prohibits ballot count totals to be announced or transmitted outside of the central absentee voter precinct until after the closing of the polls. Currently, absentee ballots may be processed at the central absentee voter precinct prior to the closing of the polls, but shall not be counted until after the polls have closed.

Patron - Favola

SB1543 Presidential candidates; federal tax and state income tax returns required. Requires any person seeking the nomination for the office of President of the United States to submit his federal tax returns and income tax returns filed in any state from each year of the five-year period immediately preceding the general election. Any person who does not submit this statement shall not have his name printed on the ballot for a presidential primary election or the official ballot for the presidential election. The bill also requires a candidate nominated by a method other than a primary to submit such federal and state tax returns by the seventy-fifth day before the presidential election in order to be eligible to have his name printed on the official ballot for the presidential election.

Patron - McPike

SB1547 Campaign finance; prohibited personal use; penalty. Prohibits the conversion of any contributed moneys, securities, or like intangible personal property by any person to the personal use of a candidate or member of the candidate's immediate family or an intimate partner of the candidate or a member of the candidate's immediate family, if (i) such use yields a grossly disproportionate and unreasonable benefit to the recipient or candidate relative to the benefit realized by the candidate's campaign or public office, (ii) the fair market value of converted property grossly exceeds the benefit realized by the candidate's campaign or public office, (iii) a reasonable and prudent person would not ordinarily authorize such expenditure as beneficial to the campaign, and (iv) such use is made with a knowing, willing, reckless, or negligent disregard for the financial interests of the campaign. Complaints of alleged violations may be made by any person to the State Board of Elections. The subject of the complaint has 30 days to provide to the State Board documentation or other evidence that the use of the campaign funds was permissible. The State Board shall call a hearing if it determines, after reviewing any response made by the subject of the complaint, that the use of campaign funds was impermissible. A person found by the State Board to have willfully and knowingly violated this section shall repay to the campaign committee the amount unlawfully converted. The State Board may also assess an additional civil penalty, in an amount not to exceed the amount unlawfully converted. Complaints may be declared factually meritless by the State Board when, viewing the facts in the light most favorable to the complaining party, it finds there is no

credible allegation of a violation and such complaints shall be exempt from public disclosure for a period of time immediately preceding an election.

Patron - Vogel

SB1567 Absentee voting; eligibility of persons age 65 or older; photo identification requirement for certain absentee voters. Entitles a person who will be age 65 or older on the date of the election for which an absentee ballot is requested to vote absentee. Such person is required to submit with his application for an absentee ballot a copy of one of the forms of photo identification required for in-person voting. Students attending a school or institution of learning who are entitled to vote absentee are also required to submit with their application a copy of one of the forms of photo identification required for in-person voting.

Patron - Peake

SB1571 Special elections; provisional ballots; determination of results. Provides that in the case of a special election, the local electoral boards shall ascertain the results of the election, make out the abstract of votes, and make out the certificate of election regardless of any provisional ballots whose validity is yet to be determined, unless the number of outstanding provisional ballots is sufficient to change the outcome of the election. The bill requires the State Board of Elections to ascertain the results of the special election in the same manner. The bill also provides that in the case of special elections, the local electoral boards shall meet to process the provisional ballots regardless of any state or federal holiday.

Patron - Peake

SB1585 Form of ballot; party identification of candidates. Provides that any candidate nominated by a political party or at a primary election shall be identified on the ballot by the name of his political party. Currently, only candidates for federal, statewide, and General Assembly offices are so identified.

Patron - Suetterlein

SB1593 Prohibited contributions to candidates. Prohibits any candidate to the General Assembly or statewide office from soliciting or accepting campaign contributions from a public service corporation.

Patron - Petersen

Eminent Domain

Passed

HB2024 Condemnation powers and proceedings; notice to owner or tenant. Requires an authorized condemnor or the Commissioner of Highways to give notice to the owner or tenant of freehold property subject to condemnation between 30 and 45 days prior to the filing or recordation of a certificate in any "quick take" condemnation proceeding. Current law requires notice but does not provide a time frame within which such notice must be given. The bill also requires such condemnor to notify the owner or tenant within four busi-

ness days of the filing or recording by providing a copy of the certificate by certified or registered mail.

Patron - Freitas

[P]SB927 Eminent domain; timing for initiation of "quick-take" condemnation procedure and petition for determination of just compensation. Provides that an authorized condemnor in a "quick-take" condemnation proceeding shall institute such proceedings within 180 days of the recordation of a certificate terminating the interest of the owner of the property. Under current law, such proceedings must be instituted within 60 days after the completion of the construction of the improvements upon the property. The bill further provides that the owner of such property has 180 days after the authorized condemnor has entered upon and taken possession of the property or after the recordation of a certificate to petition the court for a determination of just compensation for the property taken or damaged by the authorized condemnor.

Patron - Petersen

[P]SB1153 Inverse condemnation proceeding; reimbursement of owner's costs. Directs the court to reimburse a plaintiff for the costs of an inverse condemnation proceeding for "damaging" property if a judgment is entered for the plaintiff. Under current law, the court is directed to award costs only for the "taking" of property. The amendment in this bill corresponds with the language of amendments to Article I, Section 11 of the Constitution of Virginia, which became effective on January 1, 2013, and applies to declaratory judgment proceedings filed on or after July 1, 2017.

Patron - Obenshain

[P]SB1421 Interest on the amount of award; condemnation proceeding. Provides that the interest on an award in a condemnation proceeding that is greater than the amount that the condemnor deposited with the court shall accrue at the judgment rate of interest.

Patron - Mason

Failed

[F]HB2124 Eminent domain; just compensation for entry onto property. Provides that a condemnor or a natural gas company with the right of entry without the permission of the landowner must provide just compensation to the landowner for such entry. The bill provides that the presumptive amount of such just compensation is \$100, which shall be paid to the landowner in advance of the entry onto the property.

Patron - Minchew

Financial Institutions and Services

Passed

[P]SB1136 Money transmitters; investments. Permits the aggregate dollar amount of the outstanding stored value

products of a licensed money transmitter to be calculated in accordance with generally accepted accounting principles. Such licensees are required to maintain permissible investments that have a market value of not less than the aggregate dollar amount of all of their outstanding money transmission transactions, which by definition includes selling or issuing stored value.

Patron - Mason

Failed

[F]HB1442 Open-end credit plans; loan origination fee. Caps the amount of the origination fee that may be charged under an open-end credit plan to five percent of the initial maximum amount that may be borrowed under the credit plan.

Patron - Farrell

[F]HB1443 Consumer finance lending; Internet loans. Provides that the provisions of Chapter 15 (Consumer Finance Companies) of Title 6.2 apply to persons making consumer loans over the Internet to Virginia residents or any individual in Virginia, whether or not the person making the loan maintains a physical presence in the Commonwealth.

Patron - Farrell

[F]HB1620 Open-end credit plans. Prohibits any person licensed to make motor vehicle title loans from engaging in the extension of credit under an open-end credit plan. The measure also prohibits a third party from engaging in the extension of credit under an open-end credit plan at any office, suite, room, or place of business where a person licensed to make payday loans or motor vehicle title loans conducts the business of making payday loans or motor vehicle title loans. Currently, licensed payday lenders are prohibited from extending credit under an open-end credit plan, and a third party is prohibited from extending credit under an open-end credit plan at a location where a licensed payday lender makes payday loans.

Patron - Bulova

[F]HB1817 Consumer finance loans; rate of interest. Increases, from \$2,500 to \$4,000, the threshold under which consumer finance loans are subject to a maximum interest rate of 36 percent per year. Under this measure, a licensed consumer finance lender may charge interest (i) of not more than 36 percent on loans of \$4,000 or less and (ii) at such rate as is stated in the loan contract on loans of more than \$4,000.

Patron - Hayes

[F]HB1915 Student loan servicers; student loan ombudsman. Prohibits any person from acting as a student loan servicer without first obtaining a license from the State Corporation Commission (SCC) and establishes procedures pertaining to such licenses. Banks and credit unions are exempt from the licensing provisions. The servicing of a student loan encompasses (i) receiving any scheduled periodic payments from a student loan borrower pursuant to the terms of a student education loan; (ii) applying the payments of principal and interest and such other payments with respect to the amounts received from a student loan borrower, as may be required pursuant to the terms of a student education loan; and (iii) per-

forming other administrative services with respect to a student education loan. Student loan servicers are prohibited from, among other things, (a) misrepresenting the amount, nature, or terms of any fee or payment due or claimed to be due on a student loan, the terms and conditions of the loan agreement, or the borrower's obligations under the loan; (b) knowingly misapplying or recklessly applying student loan payments to the outstanding balance of a student loan; and (c) failing to report both the favorable and unfavorable payment history of the borrower to a nationally recognized consumer credit bureau at least annually if the loan servicer regularly reports information to such a credit bureau. The measure also establishes the Office of the Student Loan Ombudsman within the SCC's Bureau of Financial Institutions. The Office of the Student Loan Ombudsman is required to provide timely assistance to any student loan borrower of any student education loan in the Commonwealth. The Office of the Student Loan Ombudsman is further required to establish and maintain a student loan borrower education course, which shall cover key loan terms, documentation requirements, monthly payment obligations, income-based repayment options, loan forgiveness, and disclosure requirements. Violations are subject to a civil penalty not exceeding \$2,500. The bill has a delayed effective date of January 1, 2019.

Patron - Simon

HB2310 Consumer finance companies located in other states. Authorizes the State Corporation Commission to license out-of-state consumer finance companies, including lenders that operate via the Internet. Existing law does not provide for the licensing of a consumer finance lender that does not operate from a location within Virginia.

Patron - Kilgore

HB2412 Financial institutions; scanning information from driver's license. Prohibits any bank, trust company, savings institution, industrial loan association, consumer finance company, or credit union operating in the Commonwealth from scanning the machine-readable zone of an individual's state-issued driver's license or identification card except when required to comply with a requirement imposed on the financial institution by state or federal law. Similar restrictions are imposed on a financial institution's ability to retain or sell information obtained from such a scan. A person aggrieved by a violation may bring an action to recover damages of \$100 per violation, reasonable attorney fees, and court costs.

Patron - Hugo

HB2445 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.

Patron - Levine

HB2465 Virginia Consumer Protection Act; open-end credit plans. Makes a violation of the requirements applicable to open-end credit plan lending a prohibited practice under the Virginia Consumer Protection Act.

Patron - Yancey

SB1035 Student loan servicers; student loan ombudsman. Prohibits any person from acting as a student loan servicer without first obtaining a license from the State Corporation Commission (SCC) and establishes procedures pertaining to such licenses. Banks and credit unions are exempt from the licensing provisions. The servicing of a student loan encompasses (i) receiving any scheduled periodic payments from a student loan borrower pursuant to the terms of a student education loan; (ii) applying the payments of principal and interest and such other payments with respect to the amounts received from a student loan borrower, as may be required pursuant to the terms of a student education loan; and (iii) performing other administrative services with respect to a student education loan. Student loan servicers are prohibited from, among other things, (a) misrepresenting the amount, nature, or terms of any fee or payment due or claimed to be due on a student loan, the terms and conditions of the loan agreement, or the borrower's obligations under the loan; (b) knowingly misapplying or recklessly applying student loan payments to the outstanding balance of a student loan; and (c) failing to report both the favorable and unfavorable payment history of the borrower to a nationally recognized consumer credit bureau at least annually if the loan servicer regularly reports information to such a credit bureau. The measure also establishes the Office of the Student Loan Ombudsman within the State Council of Higher Education for Virginia. The Office of the Student Loan Ombudsman is required to provide timely assistance to any student loan borrower of any student education loan in the Commonwealth. The Office of the Student Loan Ombudsman is further required to establish and maintain a student loan borrower education course, which shall cover key loan terms, documentation requirements, monthly payment obligations, income-based repayment options, loan forgiveness, and disclosure requirements. The bill has a delayed effective date of October 1, 2017.

Patron - Howell

SB1038 Open-end credit plans. Prohibits any person licensed to make motor vehicle title loans from engaging in the extension of credit under an open-end credit plan. The measure also prohibits a third party from engaging in the extension of credit under an open-end credit plan at any office, suite, room, or place of business where a person licensed to make payday loans or motor vehicle title loans conducts the business of making payday loans or motor vehicle title loans. Currently, licensed payday lenders are prohibited from extending credit under an open-end credit plan, and a third party is prohibited from extending credit under an open-end credit plan at a location where a licensed payday lender makes payday loans.

Patron - Locke

[F]SB1053 Qualified education loan servicers. Prohibits any person from acting as a qualified education loan servicer without first obtaining a license from the State Corporation Commission and establishes procedures pertaining to such licenses. Banks and credit unions are exempt from the licensing provisions. The servicing of a qualified education loan encompasses (i) receiving any scheduled periodic payments from a qualified education loan borrower pursuant to the terms of a qualified education loan; (ii) applying the payments of principal and interest and such other payments with respect to the amounts received from a qualified education loan borrower, as may be required pursuant to the terms of a qualified education loan; and (iii) performing other administrative services with respect to a qualified education loan. Qualified education loan servicers are prohibited from, among other things, (a) misrepresenting the amount, nature, or terms of any fee or payment due or claimed to be due on a qualified education loan, the terms and conditions of the loan agreement, or the borrower's obligations under the loan; (b) knowingly misapplying or recklessly applying qualified education loan payments to the outstanding balance of a qualified education loan; and (c) failing to report both the favorable and unfavorable payment history of the borrower to a nationally recognized consumer credit bureau at least annually if the loan servicer regularly reports information to such a credit bureau. Violations are subject to a civil penalty not exceeding \$2,500. The bill has a delayed effective date of July 1, 2018.

Patron - Howell

[F]SB1126 Consumer finance companies; Internet loans. Provides that the laws regulating consumer finance companies apply to persons making loans to individuals for personal, family, household, or other nonbusiness purposes over the Internet to Virginia residents or any individuals in Virginia, whether or not the person making the loans maintains a physical presence in the Commonwealth. The measure has a reenactment clause and directs the Bureau of Financial Institutions to conduct an analysis of the legal, administrative, and other relevant issues relating to the feasibility of regulating Internet lending activities by consumer finance companies.

Patron - Surovell

[F]SB1372 Consumer finance loans; rate of interest. Increases, from \$2,500 to \$4,000, the threshold under which consumer finance loans are subject to a maximum interest rate of 36 percent per year. Under this measure, a licensed consumer finance lender may charge interest (i) of not more than 36 percent on loans of \$4,000 or less and (ii) at such rate as is stated in the loan contract on loans of more than \$4,000.

Patron - Saslaw

[F]SB1541 Financial institutions; confidentiality of information. Provides that the scope of the prohibition on the State Corporation Commission's disclosure of personal information does not encompass any information pertaining to an individual's ownership interest in a person regulated under Title 6.2. The measure excludes from the prohibition any information pertaining to the business of a sole proprietorship or mortgage loan originator regulated under Title 6.2. The measure also provides that an annual report or other periodic written report filed with the Bureau of Financial Institutions by a licensed nondepository institution is not confidential and shall

be available for public inspection, subject to the same limitation regarding the disclosure of an individual's personal information.

Patron - Deeds

Fire Protection

Passed

[P]SB873 Authority of fire chief over immediate airspace at a fire, explosion, or uncontrolled release of hazardous materials. Includes immediate airspace under the current authority of the fire chief or other officer in charge of maintaining order where there is imminent danger or the actual occurrence of fire or explosion or the uncontrolled release of hazardous materials that threaten life or property.

Patron - Marsden

Failed

[F]HB1481 Ordinances relating to fire departments and fire companies; operators of emergency vehicles; Emergency Vehicle Operator's Course. Requires that ordinances relating to the powers and duties of fire departments and fire companies contain the requirement that a member of a fire department or fire company who operates an emergency vehicle possess a valid motor vehicle operator's permit and complete an approved Emergency Vehicle Operator's Course or equivalent training course recognized by the Department of Fire Programs or the Office of Emergency Medical Services. The bill requires operators of emergency vehicles prior to July 1, 2017, to successfully complete such a course no later than July 1, 2020.

Patron - Helsel

[F]SB980 Statewide Fire Prevention Code; State Fire Marshal; consumer fireworks; penalties. Authorizes the use of consumer fireworks in the Commonwealth and distinguishes by definition consumer fireworks from display fireworks and permissible fireworks. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as the storage and transportation of 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks; (b) any person using, igniting, or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property; or (c) such permissible or consumer fireworks when they are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissible fireworks or the use of such fireworks on private property. The bill

also creates a 12 percent tax on the purchase of all consumer fireworks to be paid to the locality in which the tax was collected for the support of fire and rescue services. The bill has a delayed effective date of January 1, 2018. The bill contains technical amendments.

Patron - Stanley

SB1198 Operators of emergency vehicles; Emergency Vehicle Operator's Course. Requires that ordinances relating to the powers and duties of fire departments and fire companies and regulations made by fire companies contain the requirement that a member of a fire department or fire company who operates an emergency vehicle possess a valid motor vehicle operator's permit and complete an approved Emergency Vehicle Operator's Course or equivalent training course recognized by the Department of Fire Programs or the Office of Emergency Medical Services. The bill requires such operators of emergency vehicles prior to July 1, 2017, to successfully complete such a course no later than July 1, 2020.

Patron - DeSteph

SB1365 Statewide Fire Prevention Code; authority of the Virginia Fire Services Board; fees for school inspections. Transfers primary authority for the adoption of the Statewide Fire Prevention Code from the Board of Housing and Community Development to the Virginia Fire Services Board. The bill also removes the prohibition against the State Fire Marshal's charging fees for school inspections. The bill contains technical amendments.

Patron - Edwards

SB1411 Statewide Fire Prevention Code; State Fire Marshal; consumer fireworks; penalties. Authorizes the use of consumer fireworks in the Commonwealth and distinguishes by definition consumer fireworks from display fireworks and permissible fireworks. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as the storage and transportation of 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks; (b) any person using, igniting, or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property; or (c) such permissible or consumer fireworks when they are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissible fireworks or the use of such fireworks on private property. The bill has a delayed effective date of January 1, 2018. The bill contains technical amendments.

Patron - Suetterlein

SB1433 Regulation of the sale of consumer fireworks; Board of Housing and Community Development; criminal and civil penalties. Authorizes a person to sell consumer fireworks if he possesses a federal permit to sell fire-

works, a permit issued by the Board of Housing and Community Development, and a local permit, if and as required by the locality where the sales facility is located. The measure directs the Board to establish requirements and establish a process for the issuance and renewal of permits for the sale of consumer fireworks. A permittee is required to carry, with respect to each permitted facility, public liability and product liability insurance with minimum limits of \$5 million to cover the losses, damages, or injuries that might ensue to persons or property as a result of the sales of consumer fireworks. The measure specifies certain requirements for facilities at which consumer fireworks are permitted to be sold, including prohibitions on an individual under 18 years of age (i) being admitted into any consumer fireworks retail sales facility unless accompanied by a parent, guardian, or responsible adult or (ii) working in any consumer fireworks retail sales facility. The measure prohibits a person from, among other acts, (a) selling consumer fireworks within the Commonwealth unless he is a permittee or an employee or agent of a permittee; (b) selling consumer fireworks from a place other than a permanent consumer fireworks retail sales facility; (c) selling consumer fireworks to an individual who appears to be under the influence of alcohol or drugs; (d) knowingly selling or otherwise furnishing consumer fireworks to an individual under 18 years of age; (e) purchasing, using, or possessing consumer fireworks if the individual is under 18 years of age; or (f) selling or storing fireworks that are not consumer fireworks as defined in a standard established by the American Pyrotechnics Association. Certain violations are punishable as a Class 1 misdemeanor. A person violating restrictions on the hours during which, or places where, consumer fireworks may be used is subject to a civil penalty not to exceed \$150 per violation.

Patron - Reeves

Fisheries and Habitat of the Tidal Waters

Passed

HB1517 General permit for sand management. Authorizes the Virginia Beach Wetlands Board to adopt a General Permit for Sand Management and Placement Profiles for properties in the Sandbridge Beach Subdivision of Virginia Beach and authorizes the Norfolk Wetlands Board to adopt such a permit for properties in the City of Norfolk. The bill requires the General Permit and Placement Profiles to include the permissible cost-effective sand management practices that property owners shall implement to protect and enhance the value of their property and to protect coastal primary sand dunes and public beaches. Any sand that is to be removed by the owner from his property must be judged to be "clean beach" sand prior to being transferred and placed in a spreading zone location.

Patron - Knight

HB1572 Marine Resources Commission; registration as commercial fisherman; family member or employee. Directs the Marine Resources Commission to grant a preference for an exception to the two-year delay in the effec-

tive date of a registration as a commercial fisherman. The bill requires the preference to benefit a license applicant who is a member of the immediate family or is a documented employee of the commercial fisherman who is retiring.

Patron - Helsel

[P]HB1573 Marine Resources Commission; licenses; revocation. Provides that when the Marine Resources Commission (the Commission) revokes a fishing license for a violation of the tidal fisheries law, it shall revoke only the particular type of license that is applicable to the fishery in which the violation occurred. The Commission may revoke other licenses upon a second violation within five years. The bill authorizes the Commission to revoke a person's underlying privileges when certain criteria are met. Under current law, the Commission is authorized to revoke all of the fishing licenses a person has been granted upon a first violation, irrespective of the location and type of fish described in the license. The bill also requires the Commission to accept credit card payment of any civil penalty it assesses for fishing under a revoked license or privileges.

Patron - Helsel

[P]HB1574 Marine Resources Commission; oysters; culling. Provides that when a person charged with violating an oyster culling regulation is required to scatter the entire cargo of oysters on the public rocks, no portion of the cargo shall be scattered anywhere else. The bill also requires the Marine Resources Commission to accept cash, check, or credit card payment of a bond paid in lieu of throwing the cargo overboard. Current law allows only payments in cash.

Patron - Helsel

[P]HB1796 Oyster ground lease; certain dredging projects. Provides that certain oyster ground leaseholders in the Lynnhaven River are subject to the conduct of approved municipal dredging projects to restore existing navigation channels. The bill limits such projects to oyster grounds that are condemned, restricted, or otherwise nonproductive, and it requires the locality to compensate the lessee for the use of the ground. The bill directs that if the parties cannot agree on a compensation amount, a court of competent jurisdiction shall determine the value of the ground. The bill has an expiration date of July 1, 2019. This bill is identical to SB 1143.

Patron - Stolle

[P]HB2297 Marine Resources Commission; oyster planting grounds; notice of application for lease. Requires the Marine Resources Commission (the Commission) to post notice of an application to lease oyster planting grounds for 30 days on its website and to notify by mail any current holders of adjoining leases, and riparian owners within 200 feet of the selected grounds. Current law requires posting of notice at the local courthouse for 60 days. The bill (i) reduces from four weeks to two weeks the period during which the Commission is required to publish weekly notice of the application in a newspaper and (ii) requires all forms of notice to invite written comments. The bill also provides that the applicant shall bear the cost of notice. This bill received Governor's recommendations.

Patron - Miyares

[P]SB909 Menhaden; total allowable landings. Raises the annual total of allowable landings for menhaden from 158,700.12 metric tons to 168,937.75 metric tons.

Patron - Stuart

[P]SB1143 Oyster ground lease; certain dredging projects. Provides that certain oyster ground leaseholders in the Lynnhaven River are subject to the conduct of approved municipal dredging projects to restore existing navigation channels. The bill limits such projects to oyster grounds that are condemned, restricted, or otherwise nonproductive, and it requires the locality to compensate the lessee for the use of the ground. The bill directs that if the parties cannot agree on a compensation amount, a court of competent jurisdiction shall determine the value of the ground. The bill has an expiration date of July 1, 2019. This bill is identical to HB 1796.

Patron - DeSteph

[P]SB1144 Marine Resources Commission; oyster planting grounds; notice of application for lease. Requires the Marine Resources Commission (the Commission) to post notice of an application to lease oyster planting grounds for 30 days on its website and to notify by mail any current holders of adjoining leases, and riparian owners within 200 feet of the selected grounds. Current law requires posting of notice at the local courthouse for 60 days. The bill (i) reduces from four weeks to two weeks the period during which the Commission is required to publish weekly notice of the application in a newspaper and (ii) requires all forms of notice to invite written comments. The bill also provides that the applicant shall bear the cost of notice.

Patron - DeSteph

Failed

[F]HB1496 Marine Resources Commission; oyster planting grounds; notice of application for lease. Requires the Marine Resources Commission (the Commission) to post notice of an application to lease oyster planting grounds for 30 days on its website and to notify by mail the county or city in which the grounds are located, any current holders of adjoining leases, and riparian owners within 200 feet of the selected grounds. Current law requires posting of notice at the local courthouse for 60 days. The bill (i) reduces from four weeks to two weeks the period during which the Commission is required to publish weekly notice of the application in a newspaper and (ii) requires all forms of notice to invite written comments. The bill also provides that the applicant shall bear the cost of notice.

Patron - Helsel

[F]HB1575 Marine Resources Commission; oyster dredge; sanctuary area. Provides that the prohibition against carrying an oyster dredge except when traveling to or from (i) the licensed oyster ground or (ii) maintenance docks does not bar the carrying of a dredge through an oyster sanctuary area when the boat is traveling to or from either place.

Patron - Helsel

FHB1576 Purse net fishing prohibited. Prohibits fishing for menhaden with purse nets (i) in the Chesapeake Bay and its tributaries within one-half mile of mean low water and (ii) within three miles of the shoreline of Virginia Beach extending to the North Carolina border.

Patron - Knight

FHB1577 Management of menhaden. Requires the Virginia Marine Resources Commission to adopt regulations to implement the Atlantic States Marine Fisheries Commission Fishery Management Plan for Atlantic Menhaden and authorizes the Commission to adopt regulations for managing the Commonwealth's menhaden fishery. The bill also requires that any moratorium on the fishery be subject to legislative review. The bill repeals several Code sections relating to quotas, allocation of allowable landings, and administrative procedures that will be included in a regulatory framework for managing the fishery.

Patron - Knight

FHB1680 Marine Resources Commission; advisory committees. Establishes four advisory committees to make recommendations to the Marine Resources Commission on issues relating to the management of, respectively, crab, finfish, shellfish, and habitat. The bill also alters two existing advisory boards that deal with commercial fishing and recreational fishing, respectively, one existing advisory committee that deals with the Virginia Saltwater Sport Fishing Tournament, and one existing board that advises on the awarding of fishery resource grants. The bill provides that once appointed, no member of any of the seven committees and boards shall be removed except for malfeasance, misfeasance, incompetence, or gross neglect of duty. The provisions of the bill establishing the four new committees expire on July 1, 2020.

Patron - Bloxom

FHB2298 Riparian planting grounds lease; eligibility. Reduces from 205 feet to 105 feet the minimum low-water shore front that makes the landowner eligible to apply for riparian planting grounds assignment by the Commissioner of the Marine Resources Commission.

Patron - Miyares

FSB820 Management of menhaden. Requires the Virginia Marine Resources Commission to adopt regulations to implement the Interstate Fishery Management Plan for Atlantic Menhaden and authorizes the Commission to adopt regulations for managing the Commonwealth's menhaden fishery. The bill also requires that any moratorium on the fishery be subject to legislative review. Several existing codified provisions relating to quotas, allocation of allowable landings, and administrative procedures are repealed and will be included in a regulatory framework for managing the fishery.

Patron - Cosgrove

FSB1145 Riparian planting grounds lease; eligibility. Reduces from 205 feet to 105 feet the minimum low-water shore front that makes the landowner eligible to apply for riparian planting grounds assignment by the Commissioner of the Marine Resources Commission. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - DeSteph

FSB1355 Riparian owner; dredging; oyster or clam grounds. Provides that the existing ability of a landowner to open a channel although he is not a lessee or riparian holder of suitable bottoms includes the actions of marking a channel, dredging a navigable channel for access to his property, and participating with a locality to dredge a channel outside his riparian area. The bill requires the Marine Resources Commission to consider a variety of factors when determining whether to grant or deny a lease for the use of state-owned bottomlands. Current law requires such consideration only for the granting or denial of a permit for such use. The bill also includes the use of state waters for navigation among the factors to be considered. Finally, the bill expands the area of state-owned submerged beds that are potentially off limits for oyster planting by including navigation projects that are authorized by the Commonwealth or by a locality among the areas where no lease shall be granted. Current law exempts navigation projects from leasing only when they are authorized by Congress. The bill contains technical amendments.

Patron - DeSteph

FSB1402 Marine Resources Commission; lease of oyster-planting ground; ground use plan. Directs the Marine Resources Commission to determine whether, for certain oyster-planting grounds, an application for assignment, transfer, or renewal of a lease also requires the submission of a ground use plan that the Commission deems acceptable. The bill removes a provision allowing renewal of a lease in spite of the absence of production where good cause is shown.

Patron - DeSteph

Game, Inland Fisheries and Boating

Passed

PHB1938 Slingbow hunting; license. Authorizes the use of a slingbow to hunt deer and small game when a hunter is licensed to hunt with a bow and arrow.

Patron - Edmunds

PHB1939 Hunting apparel; blaze pink. Allows hunters to wear blaze pink instead of blaze orange hunting apparel when required during firearms deer hunting season or the special season for hunting deer with a muzzle-loading rifle.

Patron - Edmunds

PHB2255 State junior bear hunting license; fee. Creates a junior bear hunting license, separate from the combined big game hunting and junior hunting licenses, for any resident under the age of 16. The fee for such license is \$5.50.

Patron - Edmunds

PSB866 Boating safety course; database listing operators who have passed course. Directs the Department of Game and Inland Fisheries, by July 1, 2018, to create a database listing the name and date of birth and course passage date of every person who has passed an approved boating safety

course prior to July 1, 2018. Any person who passes the course after that date may add his information to the database. The bill prohibits a law-enforcement officer from issuing a citation for failure to pass the required boating safety course until he has checked the database for the identity of the motorboat operator and provides that the listing of the operator in the database constitutes satisfactory evidence of having passed the required course.

Patron - Stuart

[P]SB953 Muzzleloader firearms; definition. Incorporates the Virginia criminal law definition of a muzzleloader into the current statutory definitions of muzzleloading pistol, muzzleloading rifle, and muzzleloading shotgun located in Title 29.1 (Game, Inland Fisheries and Boating).

Patron - Ruff

[P]SB968 Hunting license; bear, deer, or turkey; electronic carry. Removes the requirement that a license to hunt bear, deer, or turkey be carried in paper form, allowing it to be carried by electronic or computerized means.

Patron - Chafin

[P]SB1224 Landowner liability; recreational access. Provides that a landowner who has entered into an agreement with a public entity or nonprofit organization concerning the use of his land for public recreation shall be immune from liability to a member of the public arising out of the recreational use of the land.

Patron - Stuart

Failed

[F]HB1588 Baiting of deer. Allows a hunter, during deer season, to occupy a baited place or to put out bait or salt for deer for the purpose of taking or killing deer.

Patron - Campbell

[F]HB1875 Waterfowl blinds; distance of floating blinds from stationary blinds. Reduces from 500 yards to 250 yards the minimum distance a hunter, while hunting, is required to maintain between his licensed floating waterfowl blind and a licensed stationary blind.

Patron - Pogge

[F]HB2450 Hunting license; own property. Requires a landowner to obtain a free hunting license to hunt on land that he owns. The bill directs the Board of Game and Inland Fisheries to adopt regulations to provide for the free license for landowners as well as for other groups that are currently exempt from the license requirement, including the landowner's family members or residential tenants and certain majority shareholders who hunt on land owned by a corporation.

Patron - Edmunds

General Assembly

Passed

[P]HB1718 Commission on Civics Education; sunset; name. Renames the Commission on Civics Education as the Commission on Civic Education and extends from July 1, 2017, to July 1, 2019, the expiration of such commission. This bill is identical SB 840.

Patron - Anderson

[P]HB1736 Joint Commission on Health Care; sunset. Extends the expiration of the Joint Commission on Health Care from July 1, 2018, to July 1, 2022. This bill is identical to SB 1043.

Patron - Hope

[P]HB1932 Virginia Freedom of Information (FOIA) Advisory Council; terms of nonlegislative citizen members. Clarifies that at the end of the appointed term of a nonlegislative citizen member of the FOIA Advisory Council, the nonlegislative citizen member shall continue to serve until a successor is appointed. This bill is a recommendation of the Virginia Freedom of Information Advisory Council.

Patron - Carr

[P]HB2107 Health Insurance Reform Commission; Bureau of Insurance assessment. Provides that the Chairman of the standing committee requesting the Health Insurance Reform Commission (the Commission) to assess a proposed mandated health insurance benefit or provider shall send a copy of such request to the Bureau of Insurance of the State Corporation Commission (the Bureau). The bill requires the Bureau to prepare an analysis of the proposed mandate upon receipt of the copy of the request. Current law requires the Commission to request the Bureau to prepare such assessment. The bill repeals the July 1, 2017, sunset provision for the Health Insurance Reform Commission.

Patron - Byron

[P]HB2296 Virginia Foundation for the Humanities; identification of the history of formerly enslaved African Americans in Virginia. Directs the Virginia Foundation for the Humanities to identify the history of formerly enslaved African Americans in Virginia and determine ways to preserve the history for educational and cultural purposes. Among other things, the Foundation would promote the identification, preservation, and conservation of historic sites significant to the history, presence, and contributions of formerly enslaved African Americans in Virginia; identify the contributions of African Americans to Virginia, the nation, and the world; identify historical sites significant to African American history in Virginia; and recommend ways to increase tourism and revenues associated with such sites. The bill creates a task force consisting of legislative and nonlegislative members to assist the Foundation in its work.

Patron - McQuinn

HB2348 Commission for the Commemoration of the Centennial of Women's Right to Vote. Provides that the Virginia Historical Society shall plan and lead the commemoration of the centennial anniversary of women's right to vote in 2020. The bill creates a 12-member task force to assist the Virginia Historical Society, in collaboration with the Library of Virginia, the Department of Education, the Virginia Foundation for the Humanities and Public Policy, the VCU Libraries Special Collections and Archives, and interested civic and community organizations, in planning, developing, and performing programs and activities appropriate to commemorate the 100th anniversary of women's right to vote and the passage of the Nineteenth Amendment to the United States Constitution. The provisions of the bill expire on January 1, 2021.

Patron - Byron

HB2436 Auditor of Public Accounts; online database; register of funds expended. Requires the Commonwealth Data Point website administered by the Auditor of Public Accounts to include information for major categories of spending for each state agency and institution, including each independent agency. Currently, the Commonwealth Data Point website includes such information for only secretariats and major state agencies. In addition, the bill provides that the database shall include the name, phone number, and email address for a contact at each agency or institution. This bill is identical to SB 1307.

Patron - Davis

SB840 Commission on Civics Education; sunset; name. Renames the Commission on Civics Education as the Commission on Civic Education and extends from July 1, 2017, to July 1, 2019, the expiration of such commission. This bill is identical to HB 1718.

Patron - Marsden

SB969 Legislative drafting requests. Provides that legislative drafting files related to laws enacted beginning with the 1989 Session of the General Assembly are the property of the requester. This is consistent with the treatment of laws enacted prior to 1989 and consistent with legislative privilege accorded to members of the General Assembly. The Division of Legislative Services would release legislative drafting files upon obtaining consent of the requester.

Patron - Chafin

SB1043 Joint Commission on Health Care; sunset. Extends the expiration of the Joint Commission on Health Care from July 1, 2018, to July 1, 2022. This bill is identical to HB 1736.

Patron - Dance

SB1307 Auditor of Public Accounts; online database; register of funds expended. Requires the Commonwealth Data Point website administered by the Auditor of Public Accounts to include information for major categories of spending for each state agency and institution, including each independent agency. Currently, the Commonwealth Data Point website includes such information for only secretariats and major state agencies. In addition, the bill provides that the database shall include the name, phone number, and email address

for a contact at each agency or institution. This bill is identical to HB 2436.

Patron - Vogel

SB1387 Joint Legislative Audit and Review Commission; operational and programmatic efficiency and effectiveness reviews; report. Authorizes the Joint Legislative Audit and Review Commission to establish an operational and programmatic efficiency and effectiveness review and assessment of state agencies, under a contract with a United States-based private management consulting firm. The purpose of the review and assessment is to provide an objective and independent cost-savings assessment of the Commonwealth's organizational structure and its programs in order to provide information to the Governor and the General Assembly to effect savings in expenditures, a reduction in duplication of effort, and programmatic efficiencies in the operation of state government. The bill also (i) provides certain required terms for the contract with the private entity and (ii) requires the Commission to submit a report to the General Assembly on the results of any review and assessment by December 1 of the year in which the review is conducted.

Patron - Sturtevant

SB1588 Sale of surplus property from the General Assembly Building replacement project; emergency. Requires the Department of General Services to conduct public sales or auctions of the surplus property, as defined in the bill, from the General Assembly Building replacement project. No provision of law shall be construed to restrict the purchase by any person of the surplus property at a public sale or auction. The bill contains an emergency clause.

Patron - McDougale

Failed

HB1653 Virginia Code Commission; duties. Limits the duties of the Virginia Code Commission relating to the codification of laws enacted by the General Assembly to codifying only those laws for which the General Assembly has expressed its intent for such laws to be codified through the title of the bills relating to such laws. The bill also prohibits the Commission from excluding from the Code of Virginia a law for which the General Assembly has expressed its intent for the same to be codified through the title of the bill. In addition, beginning with the 2017 Regular Session of the General Assembly, the Commission will be required to arrange for the printing and publication of all enactments appearing in bills that become law. Such enactments will be printed and published as they appear in such bills. Currently, the Commission is charged with maintaining a Code of the general and permanent statutes of the Commonwealth. In carrying out this charge, the Commission may codify laws for which the title of the related bill did not provide for any change to the Code (Section 1 bills) and may exclude from the Code laws for which the title of the related bill actually provided for changes to the Code.

Patron - Habeeb

HB1677 General Assembly; introduction of legislation; recorded vote. Requires all legislation introduced by a member of the House of Delegates or the Senate to be consid-

ered by the committee of purview or a subcommittee thereof and receive a recorded vote. All legislation reported from the house of introduction shall be considered by the committee of purview or a subcommittee thereof in the other chamber and receive a recorded vote.

Patron - Cline

[F]HB2340 Commission for the Commemoration of the Centennial of Women's Right to Vote. Establishes the Commission for the Commemoration of the Centennial of Women's Right to Vote in the legislative branch of state government. The Commission is charged with planning and leading the commemoration throughout Virginia in 2020 and educating citizens concerning the importance and significance of the right to vote by all citizens in a democracy. The provisions of the bill will expire on July 1, 2020.

Patron - Carr

[F]HB2380 Virginia Conflict of Interest and Ethics Advisory Council; investigative authority. Authorizes the Virginia Conflict of Interest and Ethics Advisory Council to investigate alleged violations of the State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act (the Acts). The Council may initiate an investigation upon its own motion or in response to a citizen complaint. Before beginning an investigation in response to a citizen complaint, the Council is required to conduct a preliminary inquiry to determine whether the facts stated in the complaint, when taken as true, are sufficient to show that a violation of the Acts warrants an investigation. The bill details (i) the authority of the Council to issue subpoenas and the rights of the subject of an investigation; (ii) prerequisites for a finding of a violation of the Acts, including the conduct of a public hearing; and (iii) the requirements for referral of a violation of the Acts to appropriate authorities.

Patron - Simon

[F]HB2438 General Assembly Conflicts of Interests Act; contracts by legislators. Clarifies that a legislator may have a personal interest in a contract with an executive or judicial branch agency or a local government agency when the Virginia Public Procurement Act allows the award of such contract without competition.

Patron - Gilbert

[F]SB952 False statements to members of the General Assembly; state employees and appointees. Provides that any state employee or person serving in an appointed position who knowingly and willfully makes any materially false statement or representation to a member of the General Assembly who is in the course of conducting an inquiry or investigation in his official capacity or on behalf of any committee or subcommittee of the Senate or House of Delegates is guilty of a Class 1 misdemeanor. The bill defines "state employee" and "appointed position."

Patron - DeSteph

[F]SB1294 State and Local Government Conflict of Interests Act; General Assembly Conflicts of Interests Act; certain gifts prohibited. Replaces the \$100 annual cap on gifts to (i) members of and candidates for the General Assembly and their immediate family members from a lobbyist or

lobbyist's principal and (ii) state and local officers and employees required to file a statement of economic interests and their immediate family members from a lobbyist or lobbyist's principal or a person, organization, or business who is or is seeking to become a party to a contract with the officer or employee's agency with an absolute ban on gifts from such individuals. The only exceptions to this gift ban are (a) gifts from foreign dignitaries received on behalf of the Commonwealth or a locality and (b) travel approved by the Virginia Conflict of Interest and Ethics Advisory Council.

Patron - Vogel

[F]SB1550 Commission for the Commemoration of the Centennial of Women's Right to Vote. Establishes the Commission for the Commemoration of the Centennial of Women's Right to Vote in the legislative branch of state government. The Commission is charged with planning and leading the centennial anniversary of women's right to vote in 2020. The provisions of the bill will expire on September 30, 2020, and the Commission shall submit its report to the Governor and 2021 Session of the General Assembly. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Ebbin

General Provisions

Passed

[P]HB1927 Official emblems and designations; "Song of the Mountains"; state television series. Designates "Song of the Mountains" as the state television series. This bill is identical to SB 1332.

Patron - Campbell

[P]SB1261 Official emblems and designations; George Washington's rye whiskey; state spirit. Designates George Washington's rye whiskey produced at Mount Vernon, Virginia, as the state spirit.

Patron - Ebbin

[P]SB1332 Official emblems and designations; "Song of the Mountains"; state television series. Designates "Song of the Mountains" as the state television series. This bill is identical to HB 1927.

Patron - Carrico

Health

Passed

[P]HB1467 Board of Health to adopt regulations to include neonatal abstinence syndrome on the list of reportable diseases. Requires the Board of Health to adopt regulations to include neonatal abstinence syndrome on the list of

diseases that shall be required to be reported. This bill is identical to SB 1323.

Patron - Greason

HB1544 Certificates of public need; alternative plans of compliance. Provides that in cases in which a certificate holder holds more than one certificate of public need with conditions, and the certificate holder is unable to satisfy the conditions of one certificate, the Department of Health may provide for satisfaction of the conditions on that certificate by the provision of care at a reduced rate to indigent individuals in excess of the amount required by another certificate issued to the same holder, in an amount approved by the Department as part of an alternative plan of compliance.

Patron - Collins

HB1567 Medicaid applications; information about advance directives. Requires all entities approved by the Board of Medical Assistance Services to receive applications and to determine eligibility for medical assistance to provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive.

Patron - Orrock

HB1615 Chief Medical Examiner; appointment, terms, and authority of medical examiners. Provides that the Chief Medical Examiner may appoint a medical examiner for each county or city in the Commonwealth. Under current law, the Chief Medical Examiner is required to do so. The bill authorizes appointed medical examiners to assist the Office of the Chief Medical Examiner with cases requiring medicolegal death investigations. Finally, the bill clarifies that the appointment of a medical examiner to fill a vacancy is not required to start on October 1 of the year of appointment, and the term length of such appointment is for the unexpired term.

Patron - Tyler

HB1625 Mobile food units; licenses. Directs the Department of Health to issue a license in the form of a sticker to a restaurant that is a mobile food unit that meets the requirements for licensure and requires the licensee to prominently display the license on the mobile food unit.

Patron - Robinson

HB1675 Palliative care information and resources. Requires the Department of Health to make information about and resources on palliative care available to the public, health care providers, and health care facilities on its website. This bill is identical to SB 974.

Patron - Bulova

HB1728 Department of Health; review rules governing dispatch and use of air transportation services providers in emergency medical situations. Directs the Department of Health to convene a work group to review the rules governing use of air transportation services, also known as air ambulances, in emergency medical situations and protocols for the dispatch of air transportation services in response

to emergency medical situations and to provide recommendations for changes to such rules or protocols. The Department shall report its findings and recommendations to the Governor and the General Assembly by December 1, 2017.

Patron - Ransone

HB1751 Virginia Foundation for Healthy Youth; mission. Expands the mission of the Virginia Foundation for Healthy Youth to include the reduction and prevention of substance use by youth in the Commonwealth. This bill is identical to SB 1050.

Patron - O'Bannon

HB1777 Hospitals providing psychiatric services; denials of admission. Requires the Board of Health to promulgate regulations that require each hospital that provides inpatient psychiatric services to establish a protocol that (i) requires, for any refusal to admit a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by the referring physician, and (ii) prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician.

Patron - Stolle

HB1798 Donation of organs by persons infected with human immunodeficiency virus. Allows for the donation or acquisition of organs by persons infected with human immunodeficiency virus when (i) the recipient of such organ is informed that such organ is infected with human immunodeficiency virus and, following such notice, consents to the receipt of such organ and (ii) acquisition and transplantation of such organ is in compliance with the provisions of the HIV Organ Policy Equity Act, 42 U.S.C. § 274f-5.

Patron - O'Bannon

HB1840 Confidentiality of tests for human immunodeficiency virus; release of information. Clarifies that information about the results of tests to determine infection with human immunodeficiency virus shall be released only to persons or entities permitted or authorized to obtain protected health information under any applicable federal or state law.

Patron - Stolle

HB1846 Death certificates; filing. Provides that a non-electronically filed death certificate may be filed in any registration district in the Commonwealth. Under current law, death certificates are required to be filed in the district in which the death occurs. This bill received Governor's recommendations.

Patron - Cox

HB2072 Nursing home family councils; rights of family members. Provides that no family member of a resident of a nursing home or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility.

Patron - Watts

HB2101 Health care providers; data collection. Defines "charity care" and "bad debt" as used in the context of certificate of public need, establishes a uniform framework for determining the value of charity care provided, and requires health care providers to report data on (i) the total amount of charity care that the facility provides to indigent persons; (ii) the number of patients to whom charity care is provided; (iii) the specific services delivered to patients that are reported as charity care; and (iv) the portion of the total amount of charity care provided that each service represents. The bill also requires health care providers to report data and information for any parent or subsidiary company of the health care provider that operates in the Commonwealth and requires every hospital that receives a disproportionate share hospital adjustment to report the number of inpatient days attributed to patients eligible for Medicaid but not Medicare Part A and the total amount of the disproportionate share hospital adjustment received. Finally, the bill requires the Commissioner of Health to report to the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Education and Health, by November 1, 2018, a data analysis comparing the value of certain charity care services under various methods of valuation. The bill has a partial delayed effective date. This bill received Governor's recommendations.

Patron - Byron

HB2161 Secretary of Health and Human Resources; workgroup to establish educational guidelines for training health care providers in the safe prescribing and appropriate use of opioids. Requires the Secretary of Health and Human Resources to convene a workgroup that shall include representatives of the Departments of Behavioral Health and Developmental Services, Health, and Health Professions as well as representatives of the State Council of Higher Education for Virginia and each of the Commonwealth's medical schools, dental schools, schools of pharmacy, physician assistant education programs, and nursing education programs to develop educational standards and curricula for training health care providers, including physicians, dentists, optometrists, pharmacists, physician assistants, and nurses, in the safe and appropriate use of opioids to treat pain while minimizing the risk of addiction and substance abuse. The workgroup shall report its progress and the outcomes of its activities to the Governor and the General Assembly by December 1, 2017. The bill contains an emergency clause. This bill is identical to SB 1179.

Patron - Pillion

HB2162 Secretary of Health and Human Resources to convene work group to study barriers to treatment of substance-exposed infants in the Commonwealth. Directs the Secretary of Health and Human Resources (the Secretary) to convene a work group to study barriers to treatment of substance-exposed infants in the Commonwealth. Such work group shall include representatives of the Departments of Behavioral Health and Developmental Services and Health and Social Services and such other stakeholders as the Secretary may deem appropriate and shall (i) review current policies and practices governing the identification and treatment of substance-exposed infants in the Commonwealth; (ii) identify barriers to treatment of substance-exposed infants in

the Commonwealth, including barriers related to identification and reporting of such infants, data collection, interagency coordination and collaboration, service planning, service availability, and funding; and (iii) develop legislative, budgetary, and policy recommendations for the elimination of barriers to treatment of substance-exposed infants in the Commonwealth. The Secretary shall report his findings to the Governor and the General Assembly by December 1, 2017. The bill contains an emergency clause.

Patron - Pillion

HB2183 Medicaid; eligibility of incarcerated individuals. Directs the Department of Medical Assistance Services to convene a work group to identify and develop processes for streamlining the application and enrollment process for the Commonwealth's program of medical assistance services and the Family Access to Medical Insurance Security (FAMIS) program for eligible incarcerated individuals so that applicable services shall be available to such individuals immediately upon release from the correctional facility and to report its findings and recommendations by November 30, 2017.

Patron - Yost

HB2209 Emergency Department Care Coordination Program established. Establishes the Emergency Department Care Coordination Program in the Department of Health to provide a single, statewide technology solution that connects all hospital emergency departments in the Commonwealth to facilitate real-time communication and collaboration between physicians, other health care providers, and other clinical and care management personnel for patients receiving services in hospital emergency departments, for the purpose of improving the quality of patient care services. The bill does not become effective unless and until the Commonwealth receives federal Health Information Technology for Economic and Clinical Health (HITECH) Act funds to implement its provisions. This bill is identical to SB 1561.

Patron - O'Bannon

HB2264 Department of Health; restrictions on expenditure of funds related to abortions and family planning services. Prohibits the Department of Health from spending any funds on an abortion that is not qualified for matching funds under the Medicaid program or providing any grants or other funds to any entity that performs such abortions. The bill also prioritizes the types of entities that the Department of Health contracts with or provides grants to for family planning services. This bill was vetoed by the Governor.

Patron - Cline

HB2276 Death certificate; amendments. Establishes a process for amending death certificates to change the name of the deceased, the deceased's parent or spouse, or the informant; the marital status of the deceased; or the place of residence of the deceased when the place of residence is outside the Commonwealth. This bill is identical to SB 1048.

Patron - Wilt

HB2300 Department of Health; frequency of inspections. Provides that in cases in which inspections of emergency medical services agencies and vehicles, hospitals,

hospices, home care organizations, restaurants, summer camps, campgrounds, and hotels are required, no licensee shall receive additional inspections until every other licensee in that category has been inspected, unless the additional inspection is (i) necessary to follow up on a preoperational inspection or one or more violations, (ii) required by a uniformly applied risk-based schedule established by the Department of Health, (iii) necessary to investigate a complaint, or (iv) otherwise deemed necessary to protect the public health and safety.

Patron - O'Bannon

HB2304 Department of Medical Assistance Services; requirements related to long-term care. Provides that the Department of Medical Assistance Services shall require all individuals who administer preadmission screenings for long-term care services to receive training on and be certified in the use of the Uniform Assessment Instrument; requires the Department to develop a program for the training and certification of preadmission screeners, develop guidelines for a standardized preadmission screening process, and strengthen oversight of the preadmission screening process to ensure that problems are identified and addressed promptly. The bill requires the Department to make a number of changes to contracts for long-term care services provided by managed care organizations; directs the Department to impose additional requirements related to submission of data and information by managed care organizations; and requires the Department to implement a number of spending and utilization control measures in conjunction with managed care organizations.

Patron - Orrock

HB2317 Comprehensive harm reduction program; public health emergency. Authorizes the Commissioner of Health (the Commissioner) to establish and operate local or regional comprehensive harm reduction programs during a declared public health emergency that include the provision of sterile and disposal of used hypodermic needles and syringes. The objectives of the programs are to reduce the spread of HIV, viral hepatitis, and other blood-borne diseases in Virginia, to reduce the transmission of blood-borne diseases through needlestick injuries to law-enforcement and other emergency personnel, and to provide information to individuals who inject drugs regarding addiction recovery treatment services. The programs will be located in at-risk communities, in accordance with criteria established by the Department of Health. The bill requires the Commissioner to establish standards and protocols for the comprehensive harm reduction programs and requires the Secretary of Health and Human Services and the Secretary of Public Safety to approve such standards and protocols.

The bill also provides that the Commissioner may authorize persons who are not otherwise authorized by law to dispense or distribute hypodermic needles and syringes to do so as part of a comprehensive harm reduction program during a declared public health emergency.

The bill requires the Department of Health to submit, to the Governor and to the General Assembly, a progress report concerning any such program established under this bill by October 1, 2018, and a report evaluating the effectiveness of any such program by October 1, 2019. The bill has an expiration date of July 1, 2020.

Patron - O'Bannon

HB2404 Advisory Council on Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections (PANDAS) and Pediatric Acute-onset Neuropsychiatric Syndrome (PANS). Creates the Advisory Council on Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome to advise the Commissioner of Health on research, diagnosis, treatment, and education relating to these identified disorders and syndrome referred to by the National Institute of Mental Health as PANDAS and PANS. The bill provides for a three-year sunset for the Advisory Council.

Patron - Filler-Corn

HB2417 Department of Medical Assistance Services; fraud prevention; prepayment analytics. Directs the Department of Medical Assistance Services to establish a program to mitigate, through the use of prepayment analytics, the risk of improper payments to providers of services that are paid through the Department's fee-for-service delivery system who commit fraud, abuse, or errors.

Patron - Landes

HB2477 Department of Health to take steps to begin eliminating site evaluation and design services for onsite sewage systems and private wells. Directs the Department of Health to take certain steps to begin eliminating site evaluation and design services for onsite sewage systems and private wells provided by the Department.

Patron - Orrock

SB974 Palliative care information and resources. Requires the Department of Health to make information about and resources on palliative care available to the public, health care providers, and health care facilities on its website. This bill is identical to HB 1675.

Patron - Lucas

SB1048 Death certificate; amendments. Establishes a process for amending death certificates to change the name of the deceased, the deceased's parent or spouse, or the informant; the marital status of the deceased; or the place of residence of the deceased when the place of residence is outside the Commonwealth. This bill is identical to HB 2276.

Patron - Hanger

SB1050 Virginia Foundation for Healthy Youth; mission. Expands the mission of the Virginia Foundation for Healthy Youth to include the reduction and prevention of substance use by youth in the Commonwealth. This bill is identical to HB 1751.

Patron - Edwards

SB1179 Secretary of Health and Human Resources; workgroup to establish educational guidelines for training health care providers in the safe prescribing and appropriate use of opioids. Requires the Secretary of Health and Human Resources to convene a workgroup that shall include representatives of the Departments of Behavioral Health and Developmental Services, Health, and Health Professions as well as representatives of the State Council of Higher Educa-

tion for Virginia and each of the Commonwealth's medical schools, dental schools, schools of pharmacy, physician assistant education programs, and nursing education programs to develop educational standards and curricula for training health care providers, including physicians, dentists, optometrists, pharmacists, physician assistants, and nurses, in the safe and appropriate use of opioids to treat pain while minimizing the risk of addiction and substance abuse. The workgroup shall report its progress and the outcomes of its activities to the Governor and the General Assembly by December 1, 2017. The bill contains an emergency clause. This bill is identical to HB 2161.

Patron - Chafin

[P]SB1323 Board of Health to adopt regulations to include neonatal abstinence syndrome on the list of reportable diseases. Requires the Board of Health to adopt regulations to include neonatal abstinence syndrome on the list of diseases that shall be required to be reported. This bill is identical to HB 1467.

Patron - Carrico

[P]SB1561 Emergency Department Care Coordination Program established. Establishes the Emergency Department Care Coordination Program in the Department of Health to provide a single, statewide technology solution that connects all hospital emergency departments in the Commonwealth to facilitate real-time communication and collaboration between physicians, other health care providers, and other clinical and care management personnel for patients receiving services in hospital emergency departments, for the purpose of improving the quality of patient care services. The bill does not become effective unless and until the Commonwealth receives federal Health Information Technology for Economic and Clinical Health (HITECH) Act funds to implement its provisions. This bill is identical to HB 2209.

Patron - Dunnavant

[P]SB1577 Alternative onsite sewage systems; sampling. Provides that the Department of Health shall evaluate the need for 180-day biochemical oxygen demand sampling of small alternative onsite sewage systems that serve no more than three attached or detached single-family residences with a combined average flow of less than or equal to 1,000 gallons per day of residential strength sewage, or a structure with an average daily sewage flow of less than or equal to 1,000 gallons per day of residential strength sewage, and shall report its findings to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2017.

Patron - Peake

Failed

[F]HB1420 Certificate of public need; psychiatric beds and services. Repeals the requirement for a certificate of public need for certain projects involving mental hospitals or psychiatric hospitals and intermediate care facilities established primarily for the medical, psychiatric, or psychological treatment and rehabilitation of individuals with substance abuse. The bill creates a new permitting process for such proj-

ects, exempted from the certificate of public need process, that requires the Commissioner of Health to issue a permit upon the agreement of the applicant to certain charity care conditions and quality of care standards.

Patron - Farrell

[F]HB1460 Regulation of private wells. Adds Stafford County to the list of counties and cities authorized to establish standards for the construction and abandonment of private wells that are more stringent than those standards adopted by the Board of Health.

Patron - Cole

[F]HB1533 Required immunizations; meningococcal conjugate. Requires the Board of Health to include in regulations governing the immunization of school children a requirement for one dose of meningococcal conjugate (MCV4) administered before the child enters the sixth grade. The bill has a delayed effective date of July 1, 2018.

Patron - Hope

[F]HB1563 Regulations governing hospitals; facilities performing abortions. Removes language classifying facilities that perform five or more first trimester abortions per month as hospitals for the purpose of complying with regulations establishing minimum standards for hospitals.

Patron - Kory

[F]HB2097 Testing for infection with human immunodeficiency virus or hepatitis B or C virus; order of magistrate. Allows a magistrate to issue an order requiring a person to provide a blood specimen for testing for human immunodeficiency virus or the hepatitis B or C virus when exposure to bodily fluids occurs between a person and a health care provider, person employed by or under the direction and control of a health care provider, law-enforcement officer or other person employed by a law-enforcement agency, firefighter, emergency medical services personnel, or school board employee and the person whose blood specimen is sought refuses to consent to providing such specimen. Currently, only the general district court may issue such order.

Patron - Price

[F]HB2225 Hospital data reporting; charity care and other activities. Defines "charity care" as care provided in accordance with a provider's policy of providing health care services free of charge or at a reduced rate because of the indigence or medical indigence of the patient. The bill requires all hospitals, doctors of medicine and osteopathy, and dentists licensed to practice as oral and maxillofacial surgeons to whom a certificate of public need has been issued to establish charity care policies and post information about such policies in a public place; requires health care providers to submit to the Commissioner of Health data on the amount of charity care provided; provides that the value of charity care shall be determined in accordance with fee schedules for Medicare services established by Centers for Medicare and Medicaid Services (CMS); provides that in the case of a health care provider providing services at more than one facility, charity care shall be reported for each facility at which services are provided and shall not be aggregated by the provider; and requires not-for-profit hospitals to (i) conduct community needs assessments

and develop strategies to meet the needs identified, (ii) establish financial assistance policies for patients, (iii) establish limits on charges for emergency and other medically necessary care for individuals eligible for assistance under the financial assistance policy, and (iv) ensure that the hospital does not engage in extraordinary actions to collect amounts owed before determining whether the person is eligible for financial assistance. The bill also requires not-for-profit hospitals to report annually to the Commissioner of Health on (a) the outcomes of the community needs assessment and the implementation of the strategy developed to meet the community health needs identified through such assessment; (b) the financial assistance policy and the utilization thereof; and (c) the steps the hospital has undertaken to determine whether a person to whom services have been delivered is eligible for assistance under the hospital's financial assistance policy and efforts of the hospital to ensure that any collections activities undertaken by the hospital to collect amounts owed by such persons are not extraordinary action. Such report shall also include (1) a statement disclosing any for-profit subsidiaries owned by the not-for-profit hospital and (2) a statement of the amount of compensation paid by the not-for-profit hospital to executive staff of the hospital.

Patron - Head

HB2227 Certificate of public need; denial of certain certificates. Prohibits the Commissioner of Health from denying an application for a certificate of public need for the addition of a new neonatal special care service at a medical care facility located in a planning district with a population of 275,000 or more in which there is only a single existing provider of such service or a new open heart surgery service at a medical care facility located in a planning district with a population of 2,000,000 or more in which there are two or more existing providers of such service solely because of the expected economic impact of the proposed project on an existing service in the planning district or the expected impact of the proposed project on the utilization of or volume of services delivered by an existing service in the planning district.

Patron - Head

HB2305 Secretary of Health and Human Resources; certain waivers under the Supplemental Nutrition Assistance Program. Prohibits the Secretary of Health and Human Resources from applying for, accepting, or renewing any statewide or local waivers of the eligibility requirements for participation in the Supplemental Nutrition Assistance Program.

Patron - Orrock

HB2337 Certificates of public need. Creates a two-phase process to sunset certificate of public need (COPN) requirements for many categories of medical care facilities and projects, with the requirement for a certificate of public need (i) for all medical care facilities other than nursing homes, rehabilitation hospitals and beds, imaging centers, organ or tissue transplant services, certain open heart surgery services, certain neonatal services, and certain medical care facilities located in a locality with a population density of at least 200 people per square mile as reported by the United States Bureau of the Census in the 2010 census report that is contiguous with at least one other locality with such population density, or has a

population of at least 75,000 people repealed effective July 1, 2017, and (ii) imaging centers repealed effective January 1, 2018. The bill also creates a new permitting process for categories of facilities and projects exempted from the certificate of public need process that requires the Commissioner of Health to issue a permit but requires the Commissioner to condition a permit (a) on the agreement of the applicant to provide a specified level of care at a reduced rate to indigents, accept patients requiring specialized care, or facilitate the development and operation of primary medical care services in designated medically underserved areas of the applicant's service area and (b) on compliance of the applicant with quality of care standards. The bill also eliminates regional health planning agencies and makes numerous changes to the COPN process for facilities and projects that will still be subject to the requirement of a certificate. The bill contains technical amendments.

Patron - O'Bannon

HB2384 Drinking water; lead levels. Directs the State Board of Health to adopt regulations establishing the action level for lead in drinking water as 10 parts per billion beginning January 1, 2018, and as five parts per billion beginning January 1, 2022. The bill authorizes the Board to establish lower action levels for lead in drinking water.

Patron - Lopez

HB2454 Onsite treatment works; effluent quality standards and maintenance requirements. Provides that effluent quality standards and maintenance requirements for onsite treatment works designed by individuals licensed as professional engineers shall not exceed those established in the Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day for fresh water discharge.

Patron - Hodges

HB2458 Certificate of public need; reports. Makes changes to the Medical Care Facilities Certificate of Public Need Program. The bill (i) removes specialized centers or clinics or that portion of a physician's office developed for the provision of lithotripsy, magnetic source imaging (MSI), or nuclear medicine imaging from the list of reviewable medical care facilities; (ii) provides that establishment of a medical care facility to replace an existing medical care facility with the same primary service area does not constitute a project; (iii) removes introduction into an existing medical care facility of any new lithotripsy, magnetic source imaging, or obstetrical service that the facility has never provided or has not provided in the previous 12 months and addition by an existing medical care facility of any medical equipment for the provision of lithotripsy and MSI from the definition of project; (iv) creates a new process for registration of projects exempted from the definition of project by the bill; (v) establishes an expedited 45-day review process for applicants for projects determined to be uncontested or to present limited health planning impacts; (vi) renames the State Medical Facilities Plan as the State Health Services Plan and establishes a State Health Services Plan Advisory Council to provide recommendations related to the content of the State Health Services Plan; (vii) clarifies the content of the application for a certificate; and (viii) reduces the timeline for a person to be made party to the case for good cause from 80 calendar days to four days following completion

of the review and submission of recommendations related to an application.

The bill also (a) directs the Secretary of Health and Human Resources to review charity care services delivered throughout the Commonwealth and recommend changes to the definition of charity and to the types of charity care requirements imposed on various health care services and report to the Governor and the General Assembly by December 1, 2017; (b) directs the Secretary of Health and Human Resources to implement a system to ensure that data needed to evaluate whether an application for a certificate is consistent with the State Health Services Plan is timely and reliable, to make all public records pertaining to applications for certificates and the review process available in real time in a searchable, digital format online, to make an inventory of capacity authorized by certificates of public need, both operational and not yet operational, available in a digital format online, and to make charity care conditions, charity care compliance reporting status, and details on the exact amount of charity care provided or contributed and to whom it was provided or contributed available in a digital format online; (c) directs the Commissioner of Health to develop an analytical framework to guide the work of the State Health Services Plan Advisory Council; and (d) directs the Joint Commission on Health Care to develop specific recommendations for eliminating differences in the certificate of public need review process from one region to another and report on the recommendations to the Chairmen of the House Health, Welfare and Institutions and Senate Education and Health Committees by December 1, 2017.

Patron - Stolle

FSB877 Regulations governing hospitals; facilities performing abortions. Removes language classifying facilities that perform five or more first trimester abortions per month as hospitals for the purpose of complying with regulations establishing minimum standards for hospitals.

Patron - Favola

FSB885 Testing for infection with human immunodeficiency virus or hepatitis B or C virus; order of magistrate. Allows a magistrate to issue an order requiring a person to provide a blood specimen for testing for human immunodeficiency virus or the hepatitis B or C virus when exposure to bodily fluids occurs between a person and a health care provider, person employed by or under the direction and control of a health care provider, law-enforcement officer, firefighter, emergency medical services personnel, or school board employee and the person whose blood specimen is sought refuses to consent to providing such specimen. Currently, only the general district court may issue such order.

Patron - Locke

FSB1141 Certificate of public need; psychiatric beds and services. Repeals the requirement for a certificate of public need for certain projects involving mental hospitals or psychiatric hospitals and intermediate care facilities established primarily for the medical, psychiatric, or psychological treatment and rehabilitation of individuals with substance abuse. The bill creates a new permitting process for such projects, exempted from the certificate of public need process, that requires the Commissioner of Health to issue a permit upon the agreement of the applicant to certain charity care conditions and quality of care standards.

Patron - Sturtevant

FSB1247 Regulation of private wells. Adds Stafford County to the list of counties and cities authorized to establish standards for the construction and abandonment of private wells that are more stringent than those standards adopted by the Board of Health.

Patron - Stuart

FSB1375 Certificate of Public Need program. Makes changes to the Medical Care Facilities Certificate of Public Need program. The bill (i) removes specialized centers or clinics or that portion of a physician's office developed for the provision of lithotripsy, magnetic source imaging (MSI), or nuclear medicine imaging from the list of reviewable medical care facilities; (ii) provides that establishment of a medical care facility to replace an existing medical care facility with the same primary service area does not constitute a project; (iii) removes introduction into an existing medical care facility of any new lithotripsy, MSI, or obstetrical service that the facility has never provided or has not provided in the previous 12 months and addition by an existing medical care facility of any medical equipment for the provision of lithotripsy and MSI from the definition of project; (iv) creates a new process for registration of projects exempted from the definition of project by the bill; (v) establishes an expedited 45-day review process for applicants for projects determined to be uncontested or to present limited health planning impacts; (vi) renames the State Medical Facilities Plan as the State Health Services Plan and establishes a State Health Services Plan Advisory Council to provide recommendations related to the content of the State Health Services Plan; (vii) clarifies the content of the application for a certificate; and (viii) reduces the timeline for a person to be made party to the case for good cause from 80 calendar days to four days following completion of the review and submission of recommendations related to an application.

The bill also (a) directs the Department to develop recommendations to reduce the duration of the average review cycle for applications for certificates of public need to not more than 120 days and to report on its recommendations to the Governor and the General Assembly no later than December 1, 2017; (b) directs the Secretary of Health and Human Resources to review charity care services delivered throughout the Commonwealth and recommend changes to the definition of charity and to the types of charity care requirements imposed on various health care services and report to the Governor and the General Assembly by December 1, 2017; (c) directs the Secretary of Health and Human Resources to convene a group of stakeholders to study and make recommendations related to the appropriate authority of the State Health Commissioner to impose additional conditions on certificates; (d) directs the Secretary of Health and Human Resources to implement a system to ensure that data needed to evaluate whether an application for a certificate is consistent with the State Health Services Plan is timely and reliable, to make all public records pertaining to applications for certificates and the review process available in real time in a searchable, digital format online, to make an inventory of capacity authorized by certificates of public need, both operational and not yet operational, available in a digital format online, and to make charity care conditions, charity care compliance reporting status, and details on the exact amount of charity care provided or contributed and to whom it was provided or contributed available in a digital format online; (e) directs the Commissioner of Health to develop an analytical framework to guide the work of the State Health Services Plan Advisory Council; and (f) directs the Joint Commission on Health Care to develop specific recommendations for eliminat-

ing differences in the certificate of public need review process from one region to another and report on the recommendations to the Chairmen of the House Committee on Health, Welfare and Institutions and Senate Committee on Education and Health by December 1, 2017.

Patron - Cosgrove

SB1404 Department of Medical Assistance Services; eligibility for services under waiver. Prohibits the Department of Medical Assistance Services from reducing, terminating, suspending, or denying services for an individual enrolled in a waiver who is otherwise eligible for such services on the basis of such individual's informed choice of place of residence in the Commonwealth.

Patron - DeSteph

SB1482 Secretary of Health and Human Resources; certain waivers under the Supplemental Nutrition Assistance Program. Prohibits the Secretary of Health and Human Resources from applying for, accepting, or renewing any statewide or local waivers of the eligibility requirements for participation in the Supplemental Nutrition Assistance Program.

Patron - Sturtevant

SB1519 Required immunizations; meningococcal conjugate. Requires the Board of Health to include in regulations governing the immunization of school children a requirement for one dose of meningococcal conjugate (MCV4) administered before the child enters the sixth grade. The bill has a delayed effective date of July 1, 2018.

Patron - McClellan

SB1557 Department of Health Professions; community health workers. Directs the Department of Health to establish a work group of interested stakeholders to examine the risks and benefits of having community health workers in the Commonwealth. The bill directs the Department to submit a report on the work group's findings and recommendations to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2017.

Patron - Barker

SB1566 Certificate of public need; reports. Makes changes to the Medical Care Facilities Certificate of Public Need Program. The bill (i) removes psychiatric facilities, specialized centers or clinics or that portion of a physician's office developed for the provision of ambulatory or outpatient surgery, lithotripsy, magnetic source imaging (MSI), or nuclear medicine imaging, and certain specialized centers or clinics or portions of hospitals for the provision of neonatal special care services from the list of reviewable medical care facilities; (ii) provides that establishment of a medical care facility to replace an existing medical care facility with the same primary service area does not constitute a project; (iii) removes introduction into an existing medical care facility of any new lithotripsy, MSI, or obstetrical service that the facility has never provided or has not provided in the previous 12 months and addition by an existing medical care facility of any medical equipment for the provision of lithotripsy and MSI from the definition of project; (iv) creates a new process for registration of projects exempted from the definition of project by the bill; (v) estab-

lishes an expedited 45-day review process for applicants for projects determined to be uncontested or to present limited health planning impacts; (vi) renames the State Medical Facilities Plan as the State Health Services Plan and establishes a State Health Services Plan Advisory Council to provide recommendations related to the content of the State Health Services Plan; (vii) clarifies the content of the application for a certificate; and (viii) reduces the timeline for a person to be made party to the case for good cause from 80 calendar days to four days following completion of the review and submission of recommendations related to an application.

The bill also (a) directs the Secretary of Health and Human Resources to review charity care services delivered throughout the Commonwealth and recommend changes to the definition of charity and to the types of charity care requirements imposed on various health care services and report to the Governor and the General Assembly by December 1, 2017; (b) directs the Secretary of Health and Human Resources to implement a system to ensure that data needed to evaluate whether an application for a certificate is consistent with the State Health Services Plan is timely and reliable, to make all public records pertaining to applications for certificates and the review process available in real time in a searchable, digital format online, to make an inventory of capacity authorized by certificates of public need, both operational and not yet operational, available in a digital format online, and to make charity care conditions, charity care compliance reporting status, and details on the exact amount of charity care provided or contributed and to whom it was provided or contributed available in a digital format online; (c) directs the Commissioner of Health to develop an analytical framework to guide the work of the State Health Services Plan Advisory Council; and (d) directs the Joint Commission on Health Care to develop specific recommendations for eliminating differences in the certificate of public need review process from one region to another and report on the recommendations to the Chairmen of the House Health, Welfare and Institutions and Senate Education and Health Committees by December 1, 2017.

Patron - Dunnivant

Highways and Other Surface Transportation Systems

Passed

HB1405 Designating the Trooper Chad Phillip Dermeyer Memorial Bridge. Designates the State Route 143 bridge in the City of Newport News at exit 255 over Interstate 64 the "Trooper Chad Phillip Dermeyer Memorial Bridge." This bill is identical to SB 855.

Patron - Hodges

HB1741 Vietnam Veterans Memorial Bridge. Designates the Virginia Route 114 bridge between Montgomery and Pulaski Counties the "Vietnam Veterans Memorial Bridge."

Patron - Rush

HB1836 Virginia Department of Transportation to maintain a certain segment of Spotsylvania Parkway beginning in 2020. Requires the Virginia Department of Transporta-

tion, as of July 1, 2020, to take over maintenance of an approximately two-mile segment of Spotsylvania Parkway that is currently maintained pursuant to a 2005 "Easement and Cost Sharing Agreement" unless the homeowners association that is party to such cost-sharing agreement and Spotsylvania County reach a new road maintenance agreement prior to July 1, 2020. This bill was vetoed by the Governor.

Patron - Orrock

[P]HB1929 Public-Private Transportation Act; comprehensive agreement. Requires all comprehensive agreements originally entered into on or after July 1, 2017, resulting in privately funded roads open for public transportation to include a provision requiring funding for adequate staffing, defined in the bill, for general law-enforcement services by the Virginia State Police.

Patron - Bagby

[P]HB1973 Economic Development Access Program; bonded projects. Imposes a 48-month moratorium on the repayment of funds allocated to a locality for a bonded project pursuant to the Economic Development Access Program, provided that the conditions of the Commonwealth Transportation Board's economic development access policy are met. The bill has an emergency clause and is identical to SB 1591.

Patron - O'Quinn

[P]HB1993 Pipeline construction; Department of Transportation oversight. Allows the Department of Transportation to enter into agreements with any entity constructing interstate pipelines setting forth a reasonable procedure to identify and remedy damage caused by construction of such pipeline to public highways of the Commonwealth.

Patron - Habeeb

[P]HB2015 DRIVE SMART Virginia Education Fund. Establishes a method by which holders of an account for an electronic toll collection device that is the property of the Commonwealth may opt in to make a voluntary contribution through electronic means to the DRIVE SMART Virginia Education Fund (the Fund), created by the bill. The bill requires that contributions to the Fund be used solely for the purposes of supporting educational projects through DRIVE SMART Virginia.

Patron - Villanueva

[P]HB2023 Highway maintenance payments; bicycle lanes. Provides that cities and towns that receive highway maintenance payments from the Commonwealth based on moving-lane-miles of highway will not have such payments reduced if moving-lane-miles of highway are converted to bicycle-only lanes, provided that the number of moving-lane-miles is not more than 50 moving-lane-miles or three percent of the municipality's total number of moving-lane-miles, whichever is less, and that prior to such conversion the city or town certifies that the conversion design has been assessed by a professional engineer and designed in accordance with certain national standards. Municipalities will not receive additional funds and cannot reduce their funding of road and street maintenance after a conversion. The bill also repeals the provi-

sion that allowed the City of Richmond to convert 20 moving-lane-miles to bicycle-only lanes.

Patron - Villanueva

[P]HB2136 Washington Metrorail Safety Commission Interstate Compact. Authorizes Virginia to become a signatory to the Washington Metrorail Safety Commission Interstate Compact. The compact establishes a state safety oversight authority for the Washington Metropolitan Area Transit Authority (WMATA) Rail System, pursuant to the mandate of federal law, to review, approve, oversee, and enforce the safety of the WMATA Rail System. The bill requires the Secretary of Transportation to negotiate, on the Commonwealth's behalf, the terms for revision of the WMATA Compact with the other signatories to the WMATA Compact. The bill contains an emergency clause.

Patron - LeMunyon

[P]HB2137 Northern Virginia Transportation Authority; regional transportation plan. Requires the Northern Virginia Transportation Authority (the Authority) to annually publish on its website any land use or transportation elements of a locality's comprehensive plan that each locality embraced by the Authority is currently required to report when such locality's plan is inconsistent with the Authority's regional transportation plan. Additionally, the bill requires the Authority to consider for revision and revise as necessary its regional transportation plan at least once every five years. The Authority is required to specify any obstacles to achieving a reduction in congestion in Planning District 8 and any need for cooperation by other regional entities. The bill has a delayed effective date of July 1, 2018.

Patron - LeMunyon

[P]HB2139 Commissioner of Highways; annual report requirements. Requires that the Commissioner of Highways, in his annual report, report specifically about transportation projects approved or modified during the prior fiscal year and include a listing of the total number of lane miles of all primary and secondary roads that have been resurfaced and all primary and secondary roads that are rated "poor" or "very poor."

Patron - LeMunyon

[P]HB2214 Department of Transportation and the University of Virginia; use agreement. Authorizes a use agreement between the Department of Transportation and the University of Virginia to permit the Department of Transportation use of the Shelburne Building on the University of Virginia Charlottesville campus for a period not to exceed 50 years.

Patron - Toscano

[P]HB2241 Department of Transportation; Office of Intermodal Planning and Investment of the Secretary of Transportation; responsibilities. Shifts responsibilities for transportation planning activities from the Virginia Department of Transportation (VDOT) to the Office of Intermodal Planning and Investment of the Secretary of Transportation. The bill specifies VDOT's core functions and limits the agency's duties to those core functions. The bill requires transparency in the development of the Six-Year Improvement Program and

the State of Good Repair Program by the Commonwealth Transportation Board (CTB) and requires the CTB and VDOT to make public certain information related to the selection of projects. This bill is identical to SB 1331.

Patron - Jones

HB2244 Public-Private Transportation Act of 1995. Renames the Transportation Public-Private Partnership Advisory Committee the Transportation Public-Private Partnership Steering Committee (the Steering Committee) and provides that the Deputy Secretary of Transportation shall serve as the chairman of the Steering Committee. The bill provides that, under the Public-Private Transportation Act of 1995, a responsible public entity may grant approval for the development and/or operation of a transportation facility by a private entity if that private entity can develop and/or operate the transportation facility for less cost than the Department of Transportation (VDOT) or the Department of Rail and Public Transportation (DRPT). The bill requires the chief executive officer of the responsible public entity to certify in writing to the Governor and the General Assembly that there has been no material change to the finding that a public-private partnership is in the best interest of the public since the finding was issued and that the public contribution requested by the private entity does not exceed the maximum public contribution. The bill clarifies that the finding of public interest by the Steering Committee shall be made after receipt of responses to the request for qualifications and prior to the issuance of the first draft request for proposals. The bill requires the responsible public entity, when such entity is VDOT or DRPT, to ensure competition through the procurement process and develop a public sector analysis of the cost for the responsible entity to develop and/or operate the transportation facility. The bill requires VDOT or DRPT and the Steering Committee to review the public sector analysis prior to the initiation of any procurement. The bill adds to the information required to be included in the finding of public interest a description of the benefits expected to be realized by the responsible public entity and a public sector analysis demonstrating that the private sector can deliver the project for less cost than the responsible public entity. This bill is identical to SB 1322.

Patron - Jones

HB2463 Commissioner of Highways; commercial establishment entrances. Requires the Commissioner of Highways to document and maintain a list of anyone who has requested an onsite meeting with the resident engineer or his staff for the purpose of connecting commercial establishment entrances to the paved part of the highway. The bill requires that such list include recommendations regarding compliance with the Department of Transportation's design standards and access management regulations and the Commonwealth Transportation Board's regulations regarding land use permits, as well as associated cost estimates. The bill requires such list be provided to a locality upon request.

Patron - Hodges

SB806 Interstate 73 Corridor Development Fund and Program. Establishes the Interstate 73 Corridor Development Fund and Program and reallocates to the I-73 Fund the \$40 million from state recordation taxes that is currently allocated annually to the U.S. Route 58 Corridor Development

Fund and Program. All provisions of the bill are contingent upon construction of and payments for Route 58 being completed. The bill contains a reenactment clause.

Patron - Stanley

SB855 Designating the Trooper Chad Phillip Dermeyer Memorial Bridge. Designates the State Route 143 bridge in the City of Newport News at exit 255 over Interstate 64 the "Trooper Chad Phillip Dermeyer Memorial Bridge." This bill is identical to HB 1405.

Patron - Norment

SB1148 Authority to lease or convey airspace. Provides that the Commissioner of Highways has the authority to select any competitive procurement process for leases and conveyances of airspace and that he may reject any bid he believes is not in the best interest of the Commonwealth. Current law requires public advertisement for bids and requires the Commissioner to accept the highest bid from a responsible bidder.

Patron - Favola

SB1251 Washington Metrorail Safety Commission Interstate Compact. Authorizes Virginia to become a signatory to the Washington Metrorail Safety Commission Interstate Compact. The compact establishes a state safety oversight authority for the Washington Metropolitan Area Transit Authority (WMATA) Rail System, pursuant to the mandate of federal law, to review, approve, oversee, and enforce the safety of the WMATA Rail System. The bill contains an emergency clause.

Patron - Barker

SB1322 Public-Private Transportation Act of 1995. Renames the Transportation Public-Private Partnership Advisory Committee the Transportation Public-Private Partnership Steering Committee (the Steering Committee) and provides that the Deputy Secretary of Transportation shall serve as the chairman of the Steering Committee. The bill provides that, under the Public-Private Transportation Act of 1995, a responsible public entity may grant approval for the development and/or operation of a transportation facility by a private entity if that private entity can develop and/or operate the transportation facility for less cost than the Department of Transportation (VDOT) or the Department of Rail and Public Transportation (DRPT). The bill requires the chief executive officer of the responsible public entity to certify in writing to the Governor and the General Assembly that there has been no material change to the finding that a public-private partnership is in the best interest of the public since the finding was issued and that the public contribution requested by the private entity does not exceed the maximum public contribution. The bill clarifies that the finding of public interest by the Steering Committee shall be made after receipt of responses to the request for qualifications and prior to the issuance of the first draft request for proposals. The bill requires the responsible public entity, when such entity is VDOT or DRPT, to ensure competition through the procurement process and develop a public sector analysis of the cost for the responsible entity to develop and/or operate the transportation facility. The bill requires VDOT or DRPT and the Steering Committee to review the public sector analysis prior to the initiation of any procurement. The bill adds to the information required to be included in the finding of public

interest a description of the benefits expected to be realized by the responsible public entity and a public sector analysis demonstrating that the private sector can deliver the project for less cost than the responsible public entity. This bill is identical to HB 2244.

Patron - Carrico

[P]SB1331 Department of Transportation; Office of Intermodal Planning and Investment of the Secretary of Transportation; responsibilities. Shifts responsibilities for transportation planning activities from the Virginia Department of Transportation (VDOT) to the Office of Intermodal Planning and Investment of the Secretary of Transportation. The bill specifies VDOT's core functions and limits the agency's duties to those core functions. The bill requires transparency in the development of the Six-Year Improvement Program and State of Good Repair Program by the Commonwealth Transportation Board (CTB) and requires the CTB and VDOT to make public certain information related to the selection of projects. This bill is identical to HB 2241.

Patron - Carrico

[P]SB1367 Designating the F.W. "Wakie" Howard, Jr., Bridge. Designates the State Route 155 bridge in New Kent County the "F.W. 'Wakie' Howard, Jr., Bridge."

Patron - Norment

[P]SB1591 Economic Development Access Program; bonded projects. Imposes a 48-month moratorium on the repayment of funds allocated to a locality for a bonded project pursuant to the Economic Development Access Program, provided that the conditions of the Commonwealth Transportation Board's economic development access policy are met. The bill has an emergency clause and is identical to HB 1973.

Patron - Carrico

Failed

[F]HB1695 Crossing bridge or culvert by vehicle heavier than allowed. Allows a vehicle whose gross weight exceeds the posted carrying capacity for a bridge or culvert to cross such bridge or culvert if (i) no more than one axle combination is on such bridge or culvert at the same time and (ii) the weight on one axle combination does not exceed the carrying capacity for such bridge or culvert.

Patron - Marshall, D.W.

[F]HB1804 Practical design methods for projects. Requires the Department of Transportation to employ practical design methods for any highway system project, including all projects costing more than \$5 million. "Practical design methods" are defined in the bill as practices that are designed to achieve more focused transportation improvements at lower costs by taking into consideration existing conditions and designing only those essential improvements that meet the project's purpose and need.

Patron - Bell, John J.

[F]HB1831 Prioritization of statewide transportation projects; exceptions. Exempts projects on U.S. Route 121,

commonly known as the Coalfield Expressway, and U.S. Route 460 from the prioritization process that the Commonwealth Transportation Board applies to projects for state funding.

Patron - Kilgore

[F]HB1847 Washington Metropolitan Area Transit Authority Compact of 1966. Proposes amendments to the Washington Metropolitan Area Transit Authority Compact of 1966 (the Compact). The bill allows members of the Board of Directors of the Washington Metropolitan Area Transit Authority (the Authority) to be provided reasonable compensation. The bill eliminates requirements for overtime compensation and requirements that set the minimum wage equal to the prevailing wage on similar construction in the locality for all laborers and mechanics employed by contractors or subcontractors in the construction, alteration, or repair of projects, buildings, and works undertaken by the Authority or who are financially assisted by it. The bill eliminates the requirement that the Authority negotiate employees' wages, salaries, hours, working conditions, and pension or retirement provisions through labor organizations and removes employee protective arrangements under the Federal Transit Act. The bill eliminates the mandatory-binding-arbitration provision associated with union contract negotiations. The bill eliminates requirements regarding the Authority assumption of labor contracts, collective bargaining agreements, and the obligations of any transportation system acquired by it with regard to wages, salaries, hours, working conditions, sick leave, and health and welfare and pension or retirement provisions for employees of an existing transit facility acquired by the Authority. These amendments to the Compact shall not become effective until they are enacted by the State of Maryland and the District of Columbia and consented to by Congress, as provided for in the Compact.

Patron - Minchew

[F]HB2021 Norfolk Southern Railway right-of-way; public transit or multimodal transportation projects. Provides that the right-of-way of the Norfolk Southern Railway acquired by the City of Virginia Beach may be used for various public transportation projects. Currently, the right-of-way may be used only for a light rail project.

Patron - Villanueva

[F]HB2120 Northern Virginia Transportation Authority (NVTa); membership composition. Increases from 17 to 18 the membership of the NVTa and provides that the additional nonlegislative citizen member represent towns that receive funds for urban highway systems.

Patron - Keam

[F]HB2121 Use of certain revenues by the Northern Virginia Transportation Authority (NVTa). Allows revenues of the NVTa distributed to localities to be used, as determined solely by the applicable locality, to fund new sidewalk projects.

Patron - Keam

[F]HB2158 Dumping trash; penalty. Increases the minimum fine for dumping trash on public property or on private property without the written consent of the owner from \$250 to \$500.

Patron - Rasoul

HB2388 Singular church locational sign permissible in state-maintained right-of-way. Adds to the list of acceptable outdoor advertising in sight of public highways a single sign of 20 square feet or less marking the location of a church at its permitted entrance, provided such sign is located outside the clear zone, does not constitute a safety hazard, and is duly permitted by the Commissioner of the Highways.

Patron - Minchew

HB2403 Vehicles bearing clean special fuel license plates; use of high occupancy toll lanes. Exempts vehicles bearing clean special fuel license plates that were obtained from the Department of Motor Vehicles (DMV) before July 1, 2011, from any high occupancy toll lane designation of Interstate 66, and exempts vehicles bearing clean special fuel license plates that were obtained from the DMV before July 1, 2006, from any high occupancy toll lane designation of Interstates 95 and 395 inside the Capital Beltway until January 1, 2020.

Patron - Greason

HB2448 Measures to relieve traffic congestion in certain areas of the Commonwealth. Requires that 50 percent of payments from the Commissioner of Highways to a locality for the maintenance, construction, and reconstruction of highways be based on the ratio of vehicle miles traveled on highways within the locality to the total vehicle miles traveled on highways in the Commonwealth. Under current law, such payments are based on the number of moving-lane-miles in the locality, and under the bill, the remaining 50 percent of such payments will continue on that basis.

The bill establishes a refundable individual income tax credit, for taxable years beginning on and after January 1, 2017, but before January 1, 2022, in an amount equal to 50 percent of the value of any tolls paid for driving on Interstate Route 66.

Patron - Marshall, R.G.

HJ691 Study; Virginia Department of Transportation; noise abatement remedies. Requests the Virginia Department of Transportation to develop, in cooperation with the Federal Highway Administration, procedures to measure and assess the noise impact on neighborhoods that were previously studied for noise impact but ineligible for noise abatement mitigation remedies at the time of the study.

Patron - Murphy

SB887 Prioritization of statewide transportation projects; exceptions. Exempts projects on U.S. Route 121, commonly known as the Coalfield Expressway, and U.S. Route 460 from the prioritization process that the Commonwealth Transportation Board applies to projects for state funding.

Patron - Chafin

SB921 Commonwealth Transportation Board; statewide prioritization process. Requires travel time reliability to be one of the factors used by the Commonwealth Transportation Board in its statewide prioritization process.

Patron - Edwards

SB929 Northern Virginia Transportation Authority (NVTa); membership composition. Increases from 17 to 18

the membership of the NVTa and provides that the additional nonlegislative citizen member represent towns that receive funds for urban highway systems.

Patron - Petersen

SB1209 Virginia Highway Corporation Act of 1988. Gives the State Corporation Commission discretion to approve any request to increase tolls on the Dulles Greenway by a specified annual percentage increase. The measure also gives the Commission discretion to approve an additional increase in such tolls based on increases in local property taxes when requested by the operator. Currently the Commission is required to approve such requests for toll increases.

Patron - Wexton

SB1396 Norfolk Southern Railway right-of-way; public transit or multimodal transportation projects. Provides that the right-of-way of the Norfolk Southern Railway acquired by the City of Virginia Beach may be used for construction of a public transit or multimodal transportation project instead of a Light Rail project.

Patron - Wagner

SB1522 Vehicles bearing clean special fuel license plates; use of high occupancy toll lanes. Exempts vehicles bearing clean special fuel license plates that were obtained from the Department of Motor Vehicles (DMV) before July 1, 2011, from any high occupancy toll lane designation of Interstate 66, and exempts vehicles bearing clean special fuel license plates that were obtained from the DMV before July 1, 2006, from any high occupancy toll lane designation of Interstates 95 and 395 inside the Capital Beltway until January 1, 2020.

Patron - McPike

SB1554 Transportation district commissions; Accomack-Northampton Transportation District Commission. Provides that the membership of the Accomack-Northampton Transportation District Commission shall consist of nine nonlegislative citizen members appointed by the Governor, subject to confirmation by the General Assembly and serving at the pleasure of the Governor, including two members of the Accomack County Board of Supervisors, two members of the Northampton County Board of Supervisors, and five members representing local businesses. The Director of the Department of Rail and Public Transit, or his designee, shall serve ex officio with voting privileges.

Patron - Cosgrove

SJ233 Study; Virginia Department of Transportation; noise abatement remedies. Requests the Virginia Department of Transportation to develop, in cooperation with the Federal Highway Administration, procedures to measure and assess the noise impact on neighborhoods that were previously studied for noise impact but ineligible for noise abatement mitigation remedies at the time of the study.

Patron - Favola

Housing

Passed

[P]HB1585 Housing authorities; authorization by governing body of town. Provides that the governing body of a town, in addition to the governing body of a county or city as in current law, may authorize a housing authority to contract for the construction of additional housing or acquire land for, or purchase material for the construction or installation of, any sewerage, streets, sidewalks, lights, power, water, or any other facilities for such additional housing. This bill is identical to SB 1237.

Patron - Campbell

[P]HB2006 Virginia Fair Housing Law; rights and responsibilities with respect to the use of an assistance animal in a dwelling. Sets out the rights and responsibilities under the Virginia Fair Housing Law (§ 36-96.1 et seq.) with respect to maintaining an assistance animal in a dwelling. The bill establishes a process through which a person with a disability may submit a request for a reasonable accommodation to maintain an assistance animal in a dwelling, including any supporting documentation verifying the disability and disability-related need for an accommodation. Under the bill, a request for reasonable accommodation to maintain an assistance animal may be denied for any one of the following reasons: (i) the requester does not have a disability; (ii) the requester does not have a disability-related need for an assistance animal; (iii) the accommodation imposes an undue financial and administrative burden on the person receiving the request; or (iv) the accommodation would fundamentally alter the nature of the operations of the person receiving the request. The bill provides that whenever a request for a reasonable accommodation to maintain an assistance animal in a dwelling is denied for reasons other than that the requester does not have a disability or a disability-related need for an assistance animal, an interactive process shall be initiated to determine if there is an alternative accommodation that would effectively address the disability-related need. The bill also defines "assistance animal," "major life activities," "therapeutic relationship," and "physical or mental impairment." The bill provides that if any provision of its provisions is determined by the U.S. Department of Housing and Urban Development to be not substantially equivalent or otherwise inconsistent with the federal Fair Housing Act of 1968, 42 U.S.C. § 3601 et seq., as amended, such provision shall not be enforceable. As introduced, this bill was a recommendation of the Virginia Housing Commission. This bill is identical to SB 1228.

Patron - Carr

[P]SB1228 Virginia Fair Housing Law; rights and responsibilities with respect to the use of an assistance animal in a dwelling. Sets out the rights and responsibilities under the Virginia Fair Housing Law (§ 36-96.1 et seq.) with respect to maintaining an assistance animal in a dwelling. The bill establishes a process through which a person with a disability may submit a request for a reasonable accommodation to maintain an assistance animal in a dwelling, including any supporting documentation verifying the disability and disability-

ity-related need for an accommodation. Under the bill, a request for reasonable accommodation to maintain an assistance animal may be denied for any one of the following reasons: (i) the requester does not have a disability; (ii) the requester does not have a disability-related need for an assistance animal; (iii) the accommodation imposes an undue financial and administrative burden on the person receiving the request; or (iv) the accommodation would fundamentally alter the nature of the operations of the person receiving the request. The bill provides that whenever a request for a reasonable accommodation to maintain an assistance animal in a dwelling is denied for reasons other than that the requester does not have a disability or a disability-related need for an assistance animal, an interactive process shall be initiated to determine if there is an alternative accommodation that would effectively address the disability-related need. The bill also defines "assistance animal," "major life activities," "therapeutic relationship," and "physical or mental impairment." The bill provides that if any provision of its provisions is determined by the U.S. Department of Housing and Urban Development to be not substantially equivalent or otherwise inconsistent with the federal Fair Housing Act of 1968, 42 U.S.C. § 3601 et seq., as amended, such provision shall not be enforceable. As introduced, this bill was a recommendation of the Virginia Housing Commission. This bill is identical to HB 2006.

Patron - Barker

[P]SB1237 Housing authorities; authorization by governing body of town. Provides that the governing body of a town, in addition to the governing body of a county or city as in current law, may authorize a housing authority to contract for the construction of additional housing or acquire land for, or purchase material for the construction or installation of, any sewerage, streets, sidewalks, lights, power, water, or any other facilities for such additional housing. This bill is identical to HB 1585.

Patron - Chafin

Failed

[F]SB822 Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines sexual orientation and gender identity.

Patron - Wexton

[F]SB905 Redevelopment and housing authority; compensation of commissioners. Increases from \$150 to \$300 per month the maximum compensation that may be paid to a redevelopment and housing authority commissioner.

Patron - Marsden

Institutions of Higher Education; Other Educational and Cultural Institutions

Passed

[P]HB1401 Public institutions of higher education; speech on campus. Prohibits public institutions of higher education from abridging the constitutional freedom of any individual, including enrolled students, faculty and other employees, and invited guests, to speak on campus, except as otherwise permitted by the First Amendment to the United States Constitution.

Patron - Landes

[P]HB1402 Governing boards of public institutions of higher education; leadership; residency. Requires the president or any one of the vice presidents of the board of visitors of Virginia Military Institute, the chairman or the vice-chairman of the State Board, and the rector or vice-rector of the governing board of each other public institution of higher education to be a resident of the Commonwealth. This bill is identical to SB 907.

Patron - Landes

[P]HB1512 Public institutions of higher education; academic credit for American Sign Language courses. Requires each public institution of higher education to develop policies for counting credit received for successful completion of foreign language courses, including American Sign Language courses, either in a secondary school or another institution of higher education toward satisfaction of the foreign language entrance, placement, and course credit requirements of the public institution of higher education. The bill requires each public institution of higher education to count credit received for successful completion of American Sign Language courses at the institution toward satisfaction of its foreign language course credit requirements.

Patron - Bell, Richard P.

[P]HB1538 Revision of Title 23; corrections. Corrects typographical errors and makes other technical amendments relating to the revision and recodification of Title 23 and declares such corrections and amendments to be effective retroactively to October 1, 2016. This bill is a recommendation of the Code Commission.

Patron - LeMunyon

[P]HB1569 Virginia Polytechnic Institute and State University and Virginia State University; purpose and programs. Declares it the intent of the General Assembly that in order to support a strong Commonwealth and to fulfill the principles of the federal Morrill Land-Grant Acts of 1862 and 1890 and Smith-Lever Act of 1914 (7 U.S.C. § 301 et seq.), the Commonwealth's two land-grant universities, Virginia Polytechnic Institute and State University and Virginia State University, shall maintain strong programs of instruction, research, and the extension of knowledge in agriculture, natural

resources, family and consumer sciences, community viability, youth development, and such other fields as are necessary to fulfill their respective land-grant missions.

Patron - Orrock

[P]HB1592 Comprehensive community colleges; academic credit. Requires the State Board for Community Colleges to require each comprehensive community college to develop policies and procedures for awarding academic credit to enrolled students who have successfully completed a state-approved registered apprenticeship credential. This bill is identical to SB 999.

Patron - James

[P]HB1662 Public institutions of higher education; general education course credit; dual enrollment courses. Requires the State Council of Higher Education for Virginia (SCHEV), in consultation with each public institution of higher education, to establish a policy for granting undergraduate general education course credit to any entering freshman student who has successfully completed a dual enrollment course. The bill requires SCHEV and each public institution of higher education to make the policy available to the public on the SCHEV and institution's websites. This bill is identical to SB 1534.

Patron - Greason

[P]HB1663 Northern Virginia Community College; computer science training and professional development for teachers. Requires Northern Virginia Community College (i) in consultation with the Department of Education, to contract with a Virginia-based partner organization to develop, market, and implement high-quality and effective computer science training and professional development activities for public school teachers throughout the Commonwealth for the purpose of improving the computer science literacy of all public school students in the Commonwealth and (ii) to establish an advisory committee for the purpose of advising the college and its Virginia-based partner organization on the development, marketing, and implementation of such training and professional development activities. This bill is identical to SB 1493. This bill received Governor's recommendations.

Patron - Greason

[P]HB1664 State Council of Higher Education for Virginia; collection and publication of wage data and the Virginia Longitudinal Data System. Authorizes the State Council of Higher Education for Virginia (Council) to publish data on the proportion of graduates of each public institution of higher education and each nonprofit private institution of higher education eligible to participate in the Tuition Assistance Grant Program who are employed at 18 months and five years after the date of graduation. The bill directs that the data include the program and the program level, as recognized by the Council, for each degree awarded by each institution; the percentage of graduates known to be employed in the Commonwealth; the average salary and the average higher education-related debt for the graduates on which the data is based; rates of enrollment in remedial coursework for each institution; individual student credit accumulation for each institution; rates of postsecondary degree completion; and any other information that the Council determines is necessary to address ade-

quate preparation for success in postsecondary education and alignment between secondary and postsecondary education. The bill requires each such institution of higher education to provide a link to such published postsecondary education and employment data.

The bill also requires the Council to administer the Virginia Longitudinal Data System as a multiagency partnership for the purposes of developing educational, health, social service, and employment outcome data; improving the efficacy of state services; and aiding decision making.

Patron - Greason

HB1721 State Board for Community Colleges; reduced rate tuition and mandatory fee charges; certain students who are active duty members of the Armed Forces of the United States. Permits the State Board for Community Colleges to charge reduced rate tuition and mandatory fees to any student who is (i) an active duty member of the Armed Forces of the United States stationed outside of the Commonwealth; (ii) enrolled in a degree program at a comprehensive community college, provided that any such comprehensive community college that offers online degree programs is a member of the National Council for State Authorization Reciprocity; and (iii) enrolled in training that leads to a Military Occupational Specialty in the Army or Marine Corps, an Air Force Specialty Code, or a Navy Enlisted Classification. This bill received Governor's recommendations.

Patron - Anderson

HB1746 Institutions of higher education; possession and administration of epinephrine, insulin, and glucagon. Authorizes and provides liability protection for employees of a public or private institution of higher education who are authorized by a prescriber and trained in the administration of epinephrine, insulin, or glucagon to possess and administer such epinephrine, insulin, or glucagon. This bill is identical to SB 944.

Patron - Rush

HB1780 Jamestown-Yorktown Foundation; board of trustees; duties. Authorizes the board of trustees of the Jamestown-Yorktown Foundation to enter into contracts for the use and rental of agency facilities, structures, spaces, and personal property under the control of the Foundation. This bill is identical to SB 1555.

Patron - Plum

HB1848 Comprehensive community colleges; tuition grants. Provides that certain Virginia students who were in foster care or in the custody of the Department of Social Services or considered a special needs adoption and are enrolled in a noncredit workforce credential training program in a comprehensive community college may qualify for a grant for the payment of tuition and fees. This bill is identical to SB 1032.

Patron - Hester

HB1911 Public institutions of higher education; resident assistants; mental health first aid training. Requires each resident assistant in a student housing facility at a public institution of higher education to participate in Mental

Health First Aid training or a similar program prior to the commencement of his duties.

Patron - Yost

HB1965 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 bill does not affect additional eligibility requirements for the Two-Year College Transfer Grant Program. This bill is identical to SB 1026.

Patron - Massie

HB2040 Postsecondary schools; enrollment agreement. Prohibits postsecondary schools that are required to be certified by the State Council of Higher Education for Virginia (the Council) from enrolling students without entering into an enrollment agreement with each student. The enrollment agreement is required to be signed by the student and an authorized representative of the school and to contain all disclosures prescribed by the Council.

Patron - Murphy

HB2171 Public institutions of higher education; annual report; investments. Requires the governing board of each public institution of higher education to annually report to the State Council of Higher Education for Virginia (i) the value of investments as reflected on the Statement of Net Position as of June 30 of the previous fiscal year, excluding any funds derived from endowment donations, endowment income, or other private philanthropy; (ii) the cash earnings on such balances in the previous fiscal year; and (iii) the use of the cash earnings on such balances. In the event that the commitment of any such investment earnings spans more than one fiscal year, the report shall reflect the commitments made in each future fiscal year. The bill excludes from such reporting requirements the investments of the Virginia Commonwealth University Health System Authority and the University of Virginia Medical Center.

Patron - Massie

HB2172 Southern Virginia Higher Education Center. Requires the Southern Virginia Higher Education Center (the Center) to encourage the development and delivery of workforce training in collaboration with educational institutions serving the region, with a focus on critical shortage areas and the needs of industry. The bill replaces the superintendent of the Halifax County Public Schools as an ex officio member of the board of trustees of the Center with a superintendent of a public school division located in the Southside region appointed by the Governor. The bill also broadens the eligibility requirements to serve as one of the representatives of business and industry on the board of trustees. The bill requires the board of trustees to seek opportunities to collaborate with local comprehensive community colleges to meet specialized noncredit workforce training needs identified by industry. However, if the local comprehensive community college is unable to meet such needs, then the board may seek to collaborate

with other education providers or provide Center-delivered specialized noncredit workforce training. This bill is identical to SB 949.

Patron - Edmunds

[P]HB2262 Online Virginia Network Authority established. Establishes the Online Virginia Network Authority (the Authority) as a political subdivision of the Commonwealth for the purpose of establishing the Online Virginia Network to coordinate the online delivery of courses that facilitate the completion of degrees at George Mason University and Old Dominion University. The bill requires the Authority to be governed by a 15-member board that consists of four members of the House of Delegates appointed by the Speaker of the House of Delegates, three members of the Senate appointed by the Senate Committee on Rules, three nonlegislative citizen members appointed by the Governor, one nonlegislative citizen member appointed by the board of visitors of George Mason University, one nonlegislative citizen member appointed by the board of visitors of Old Dominion University, the President of George Mason University, the President of Old Dominion University, and the Director of the State Council of Higher Education for Virginia. The bill sets forth several duties of the Authority and grants the Authority operational flexibility in the areas of procurement and information technology, provided that the Authority adopts and complies with certain policies.

Patron - Cox

[P]HB2379 Roanoke Higher Education Authority; board of trustees. Removes the president of Bluefield College from the board of trustees of the Roanoke Higher Education Authority. This bill is identical to SB 1447.

Patron - Head

[P]HB2427 Virginia Guaranteed Assistance Program; grants. Makes several changes to the Virginia Guaranteed Assistance Program, including adding requirements that (i) each student eligible for the Program receive a grant from the institution's appropriations for undergraduate student financial assistance before Commonwealth Award grants are awarded to students with equivalent remaining need, (ii) each eligible student receive a Program grant in an amount greater than Commonwealth Award grants awarded to students with equivalent remaining need, (iii) each eligible student receive a Program grant in an amount greater than the grant of each eligible student with equivalent remaining need in the next-lowest class level, and (iv) each Program grant be determined by a proportionate award schedule adopted by each institution and vary according to each student's remaining need and the total of tuition, fees, and other necessary charges, including books. This bill is identical to SB 1527.

Patron - Cox

[P]SB907 Governing boards of public institutions of higher education; leadership; residency. Requires the president or any one of the vice presidents of the board of visitors of Virginia Military Institute, the chairman or the vice-chairman of the State Board, and the rector or vice-rector of the governing board of each other public institution of higher education to be a resident of the Commonwealth. This bill is identical to HB 1402.

Patron - Surovell

[P]SB944 Institutions of higher education; possession and administration of epinephrine, insulin, and glucagon. Authorizes and provides liability protection for employees of a public or private institution of higher education who are authorized by a prescriber and trained in the administration of epinephrine, insulin, or glucagon to possess and administer such epinephrine, insulin, or glucagon. This bill is identical to HB 1746.

Patron - Chafin

[P]SB949 Southern Virginia Higher Education Center. Requires the Southern Virginia Higher Education Center (the Center) to encourage the development and delivery of workforce training in collaboration with educational institutions serving the region, with a focus on critical shortage areas and the needs of industry. The bill replaces the superintendent of the Halifax County Public Schools as an ex officio member of the board of trustees of the Center with a superintendent of a public school division located in the Southside region appointed by the Governor. The bill also broadens the eligibility requirements to serve as one of the representatives of business and industry on the board of trustees. The bill requires the board of trustees to seek opportunities to collaborate with local comprehensive community colleges to meet specialized noncredit workforce training needs identified by industry. However, if the local comprehensive community college is unable to meet such needs, then the board may seek to collaborate with other education providers or provide Center-delivered specialized noncredit workforce training. This bill is identical to HB 2172.

Patron - Ruff

[P]SB999 Comprehensive community colleges; academic credit. Requires the State Board for Community Colleges to require each comprehensive community college to develop policies and procedures for awarding academic credit to enrolled students who have successfully completed a state-approved registered apprenticeship credential. This bill is identical to HB 1592.

Patron - Ruff

[P]SB1026 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 bill does not affect additional eligibility requirements for the Two-Year College Transfer Grant Program. This bill is identical to HB 1965.

Patron - Dunnivant

[P]SB1032 Comprehensive community colleges; tuition grants. Provides that certain Virginia students who were in foster care or in the custody of the Department of Social Services or considered a special needs adoption and are enrolled in a noncredit workforce credential training program in a comprehensive community college may qualify for a grant for the payment of tuition and fees. This bill is identical to HB 1848.

Patron - Favola

[P]SB1100 New Economy Workforce Credential Grant Program; reporting. Requires the State Council of Higher Education for Virginia to include in its annual report on the New Economy Workforce Credential Grant Program information on the wages of students who have completed noncredit workforce training programs, organized by credential name and relevant industry sector and including average wage and other relevant information.

Patron - Newman

[P]SB1234 Public institutions of higher education; passport credit program. Requires the State Council of Higher Education for Virginia (the Council) and each public institution of higher education to develop a passport credit program that will be offered at each associate-degree-granting public institution of higher education. Under the program, each passport credit course shall satisfy a lower division general education requirement at any public institution of higher education. The bill requires the Council to develop such program by July 1, 2020, and each associate-degree-granting public institution of higher education to offer such program by the 2020-2021 academic year.

Patron - Dunnivant

[P]SB1376 Public institutions of higher education; public notice of planned tuition increase. Prohibits the governing board of a public institution of higher education from approving an increase in undergraduate tuition or mandatory fees without first providing students and the public a projected range of the planned increase, an explanation of the need for the increase, and notice of the date and location of any vote on the increase at least 30 days prior to such vote.

Patron - Petersen

[P]SB1430 Higher education; student mental health; services after a student suicide. Requires baccalaureate public institutions of higher education to develop and implement policies that ensure that after a student suicide, affected students have access to reasonable medical and behavioral health services, including postvention services. The bill defines postvention services as services designed to facilitate the grieving or adjustment process, stabilize the environment, reduce the risk of negative behaviors, and prevent suicide contagion.

Patron - Reeves

[P]SB1447 Roanoke Higher Education Authority; board of trustees. Removes the president of Bluefield College from the board of trustees of the Roanoke Higher Education Authority. This bill is identical to HB 2379.

Patron - Edwards

[P]SB1493 Northern Virginia Community College; computer science training and professional development for teachers. Requires Northern Virginia Community College (i) in consultation with the Department of Education, to contract with a Virginia-based partner organization to develop, market, and implement high-quality and effective computer science training and professional development activities for public school teachers throughout the Commonwealth for the purpose of improving the computer science literacy of all public school students in the Commonwealth and (ii) to establish an advisory committee for the purpose of advising the college

and its Virginia-based partner organization on the development, marketing, and implementation of such training and professional development activities. This bill is identical to HB 1663. This bill received Governor's recommendations.

Patron - McClellan

[P]SB1527 Virginia Guaranteed Assistance Program; grants. Makes several changes to the Virginia Guaranteed Assistance Program, including adding requirements that (i) each student eligible for the Program receive a grant from the institution's appropriations for undergraduate student financial assistance before Commonwealth Award grants are awarded to students with equivalent remaining need, (ii) each eligible student receive a Program grant in an amount greater than Commonwealth Award grants awarded to students with equivalent remaining need, (iii) each eligible student receive a Program grant in an amount greater than the grant of each eligible student with equivalent remaining need in the next-lowest class level, and (iv) each Program grant be determined by a proportionate award schedule adopted by each institution and vary according to each student's remaining need and the total of tuition, fees, and other necessary charges, including books. This bill is identical to HB 2427.

Patron - Saslaw

[P]SB1534 Public institutions of higher education; general education course credit; dual enrollment courses. Requires the State Council of Higher Education for Virginia (SCHEV), in consultation with each public institution of higher education, to establish a policy for granting undergraduate general education course credit to any entering freshman student who has successfully completed a dual enrollment course. The bill requires SCHEV and each public institution of higher education to make the policy available to the public on the SCHEV and institution's websites. This bill is identical to HB 1662.

Patron - Sturtevant

[P]SB1555 Jamestown-Yorktown Foundation; board of trustees; duties. Authorizes the board of trustees of the Jamestown-Yorktown Foundation to enter into contracts for the use and rental of agency facilities, structures, spaces, and personal property under the control of the Foundation. This bill is identical to HB 1780.

Patron - McDougle

Failed

[F]HB1410 Governing boards of public institutions of higher education; duties. Requires the board of visitors of each baccalaureate public institution of higher education, except Virginia Military Institute, Norfolk State University, and Virginia State University, to adopt policies prohibiting the annual enrollment of full-time equivalent undergraduate non-Virginia students from exceeding 30 percent of the total annual enrollment of full-time equivalent undergraduate students unless the board, after covering the cost to educate each full-time equivalent undergraduate non-Virginia student that exceeds such 30 percent cap with tuition revenue from such students, uses any remaining tuition revenue from such students to lower in equal amounts the rate of tuition and fees

charged to each undergraduate Virginia student. The bill declares that the governing board of each public institution of higher education has a duty to the Commonwealth and its citizens.

Patron - Albo

HB1434 Tuition Assistance Grant Program; eligible institutions; student speech and expression. Requires each nonprofit private institution of higher education otherwise eligible to participate in the Tuition Assistance Grant Program to guarantee in writing, in its student handbook or a similar publication, freedom of speech and expression for enrolled students in order to be considered an eligible institution for the Program.

Patron - Head

HB1447 Higher education; student housing; substance abuse recovery housing program. Requires, by July 1, 2021, certain baccalaureate public institutions of higher education to establish a substance abuse recovery housing program to provide recovering students with a substance-free dormitory environment and appropriate support services. The bill allows participating institutions to designate a portion of a dormitory, and states that no participating institution shall be required to designate an entire dormitory, for such program.

Patron - Miyares

HB1452 Public institutions of higher education; graduation requirements; course in Western civilization or U.S. history. Requires each student at each public institution of higher education in the Commonwealth to complete a three credit hour course in Western civilization or U.S. history. The bill exempts from such requirement any student who has received a score of 4 or better on an Advanced Placement examination in U.S. history.

Patron - Miyares

HB1724 Eligibility for in-state tuition charges; members of the Virginia National Guard who reside in the Commonwealth. Declares eligible for in-state tuition charges any member of the Virginia National Guard who resides in the Commonwealth, regardless of the domicile of such individual. The bill removes the current requirement that guard members be mobilized or on temporary active orders for 180 days or more in order to be eligible for in-state tuition charges.

Patron - Anderson

HB1857 Eligibility for in-state tuition; certain individuals who have applied for permanent residency; certain individuals approved under deferred action programs. Declares eligible for in-state tuition any individual who (i) attended a public or private high school in the Commonwealth for at least three years; (ii) graduated from a public or private high school in the Commonwealth or passed a high school equivalency examination approved by the Board of Education; (iii) registers as an entering student or is enrolled in a public institution of higher education; (iv) provides an affidavit to the public institution of higher education in which he has registered as an entering student or is enrolled 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 becomes eligible for such per-

manent residency; and (v) submits evidence to the institution at which he has registered as an entering student or is enrolled 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 registration as an entering student or enrollment. The bill provides that any such individual shall remain eligible for in-state tuition for as long as he maintains continuous enrollment in the public institution of higher education and his application for permanent residency has not been denied. The bill also prohibits any student who became eligible for in-state tuition as a result of his lawful presence in the United States pursuant to approval under the Deferred Action for Childhood Arrivals program or any other federal deferred action program from being deemed ineligible for in-state tuition by virtue of the elimination or modification of any such program.

Patron - Lopez

HB1886 Public institutions of higher education; admission of undergraduate students domiciled in the Commonwealth. Requires the governing board of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, to establish policies requiring that at least 75 percent of undergraduate students admitted to the institution have established domicile in the Commonwealth. The bill requires each such governing board to recover any lost revenue caused by this requirement by increasing the tuition charged to undergraduate non-Virginia students. The bill requires compliance with such requirements and policies beginning no later than June 30, 2022.

Patron - Hugo

HB1887 Public institutions of higher education; tuition assistance for non-Virginia students; proceeds from state debt and revenues generated from state taxes and fees. Prohibits each public institution of higher education from using any proceeds from state debt or revenues generated from state taxes and fees that are appropriated to such institution to offer any form of tuition assistance to any non-Virginia student and requires each public institution of higher education to separately account for such proceeds and revenues and provide a report of expenditures from such account to the House Committee on Appropriations and the Senate Committee on Finance upon the request of such committees.

Patron - Hugo

HB1892 Governing board of public institution of higher education; independent audit. Requires the governing board of each public institution of higher education to submit the annual financial statements for the fiscal year ending the preceding June 30 and the accounts and status of any ongoing capital projects to a certified public accounting firm for the independent audit of such statements at the expense of the institution.

Patron - Miyares

HB1916 Virginia Student Loan Authority established. Establishes the Virginia Student Loan Authority, to be governed by a 10-member board, for the purpose of developing and implementing a program by which (i) each individual who

incurred qualified education loan debt as a Virginia student at a public institution of higher education or private institution of higher education and who is eligible, on the basis of criteria established by the Authority that are substantially similar to criteria used by private lenders in the Commonwealth to evaluate student eligibility for an unsecured personal loan at market rates, may receive a loan from the Authority to refinance all or part of his qualified education loans, as that term is defined in relevant federal law, and (ii) each Virginia student who is eligible, on the basis of criteria established by the Authority that are substantially similar to criteria used by private lenders in the Commonwealth to evaluate student eligibility for an unsecured personal loan at market rates, may receive a direct qualified education loan from the Authority to attend a public institution of higher education or private institution of higher education.

Patron - Simon

[F]HB2001 Immigration enforcement at public institutions of higher education. Requires the governing board and each employee of each public institution of higher education to cooperate in the enforcement of federal law by U.S. Customs and Immigration Enforcement on the institution's campus, in any noncampus building or property, and on public property, as such terms are defined in relevant state law.

Patron - Poindexter

[F]HB2004 Governing board of public institutions of higher education; annual executive summary; enrollment and financial assistance data for certain students. Requires the annual executive summary submitted by the governing board of each public institution of higher education to the General Assembly and the Governor to indicate the number of undergraduate students enrolled full time who are not citizens of the United States and the number of such students who receive annual financial assistance to attend such institution in an amount greater than 25 percent of the total annual cost of full-time undergraduate Virginia student tuition and room and board.

Patron - Poindexter

[F]HB2260 Baccalaureate public institutions of higher education; ombudsmen. Requires each baccalaureate public institution of higher education in the Commonwealth to employ a full-time ombudsman to provide confidential and independent assistance to faculty, staff, and students in resolving complaints, conflicts, disputes, and other problems.

Patron - Villanueva

[F]HB2299 Comprehensive community colleges; tuition grants. Provides that certain Virginia students who were in foster care or in the custody of the Department of Social Services or considered a special needs adoption and are enrolled in a noncredit workforce credential training program in a comprehensive community college may qualify for a grant for the payment of tuition and fees.

Patron - LaRock

[F]HB2344 In-state tuition; domicile; individuals granted Deferred Action for Childhood Arrivals. Declares, absent congressional intent to the contrary, that any individual granted Deferred Action for Childhood Arrivals by U.S. Citizenship and Immigration Services has the capacity to intend to

remain in the Commonwealth indefinitely and is therefore eligible to establish domicile and receive in-state tuition charges at any public institution of higher education in the Commonwealth.

Patron - Kory

[F]HB2357 Virginia Military Survivors and Dependents Education Program; eligibility. Extends the benefits of the Virginia Military Survivors and Dependents Education Program to the spouse or child of a veteran with at least a 90 percent permanent, service-related disability. Under current law, the spouse or child would be eligible for benefits only if the veteran's disability was incurred during military operations against terrorism, on a peacekeeping mission, as a result of a terrorist act, or in any armed conflict. The bill also requires the Department of Veterans Services to define "armed conflict" pursuant to regulation.

Patron - Torian

[F]HB2426 Virginia Guaranteed Assistance Program; eligibility; renewal; amount of grants. Changes the student eligibility criteria for Virginia Guaranteed Assistance Program grants by removing the requirement that the recipient be a dependent and by requiring the recipient to be enrolled full time. The bill places the following condition of renewal of Program grants: (i) no recipient shall receive a subsequent grant until he has satisfied the requirements to advance to the next class level; (ii) no recipient shall receive more than one year of support per class level for a maximum total of two years of support at an associate-degree-granting public institution of higher education or more than one year of support per class level for a maximum total of four years of support at a baccalaureate public institution of higher education; and (iii) no recipient shall receive more than a combined lifetime total of four years of support. The bill permits public institutions of higher education to use Program funds to provide larger awards to students in a higher class level or to students who enroll in 15 or more credit hours per semester. The provisions of the bill become effective beginning with the first-time entering freshman class of the fall 2018 academic year.

Patron - Sickles

[F]SB955 Certain educational institutions; designation of governing boards. Renames as boards of trustees the boards of visitors of certain educational institutions in the Commonwealth, including baccalaureate public institutions of higher education.

Patron - DeSteph

[F]SB985 Higher education; in-state tuition. Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds the annual percentage increase, as determined by the State Council of Higher Education for Virginia, in the Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, from January 1 through December 31 of the year immediately preceding the affected year.

Patron - DeSteph

SB986 Higher education; in-state tuition. Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds the annual percentage increase, as determined by the State Council of Higher Education for Virginia, in the national average wage index as defined in § 209(k)(1) of the Social Security Act, 42 U.S.C. 409(k)(1), of the calendar year immediately preceding the affected year.

Patron - DeSteph

SB987 Higher education; in-state tuition. Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds the annual percentage increase, as determined by the State Council of Higher Education for Virginia, of the median household income in the Commonwealth established by the U.S. Department of Housing and Urban Development, of the calendar year immediately preceding the affected year.

Patron - DeSteph

SB1087 Higher education; in-state tuition. Prohibits, without the prior statutory approval of the General Assembly, any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds twice the annual percentage increase, as determined by the State Council of Higher Education for Virginia, in the Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, from January 1 through December 31 of the year immediately preceding the affected year.

Patron - Sturtevant

SB1088 Public institutions of higher education; fixed four-year tuition rate. Requires the governing boards of baccalaureate public institutions of higher education to annually establish an in-state tuition rate class cap that identifies the annual amount that the cost of in-state tuition will not exceed for each of the following four years. The bill prohibits the cost of in-state tuition from exceeding the class rate cap for an in-state student in the relevant class.

Patron - Sturtevant

SB1121 Dependents of certain military personnel; in-state tuition. Provides that dependents of active duty military personnel and veterans who are eligible to receive educational assistance under the Post-9/11 G.I. Bill and have transferred the educational assistance to the dependent are eligible to receive in-state tuition if the military personnel or veteran within the last five years was (i) assigned to a permanent duty station or workplace in the Commonwealth, the District of Columbia, or a state contiguous to the Commonwealth and resided in the Commonwealth; (ii) assigned unaccompanied orders and immediately prior to receiving such unaccompanied orders was assigned to a permanent duty station or workplace in the Commonwealth, the District of Columbia, or a state contiguous to the Commonwealth and resided in the Commonwealth; or (iii) assigned unaccompanied orders with the Commonwealth listed as the designated place move.

Patron - McPike

SB1346 Associate-degree-granting institutions; transfer credit information. Requires each associate-degree-granting institution of higher education to (i) designate in its course catalog each course that is offered in an associate degree program at such institution and is transferable for course credit to a baccalaureate public institution of higher education and (ii) provide information on the State Transfer Tool to all enrolled students.

Patron - Surovell

SB1353 Higher education; members of governing boards; duties. Provides that the primary duty of any member of a governing board of a public institution of higher education is to the Commonwealth. The bill requires that the educational programs for the governing boards of public institutions of higher education, developed by the State Council of Higher Education for Virginia, shall include presentations on such primary duty.

Patron - DeSteph

SB1379 Public institutions of higher education; tuition. Requires the governing board of a public institution of higher education to implement a plan to reduce in-state tuition over the next five years if the total of any budget surpluses or cash reserves is greater than 150 percent of its cost of education for the total enrollment in actual attendance during the fiscal year.

Patron - Petersen

SB1389 Institutions of higher education; letter certifying good standing of certain students. Requires institutions of higher education that include notations on the transcripts of students who have been suspended for, have been permanently dismissed for, or withdraw from the institution while under investigation for offenses involving sexual violence under the institution's code, rules, or set of standards governing student conduct to require the dean of students or similar such individual at any other institution of higher education within or outside the Commonwealth to submit to it a letter certifying the good standing of any student who seeks admission to the institution that requires the letter of certification and who, at the time such student withdraws from the other institution of higher education within or outside the Commonwealth, is determined to be in good standing according to the institution's code, rules, or set of standards governing such a determination and is not under investigation or subject to any pending institutional proceedings for a violation of the institution's code, rules, or set of standards governing student conduct.

Patron - Mason

SB1405 Public institutions of higher education; notice of proposed tuition increase. Prohibits the governing board of a public institution of higher education from approving an increase in tuition or mandatory fees without first publishing in a prominent location on the institution's website a brief synopsis of the proposed increase including an explanation of the need for such increase and the maximum potential amount of such increase and notice of the date, time, and location of any vote on the increase at least 30 days prior to such vote. The bill requires a copy of the synopsis and the notice to

be emailed to each student and requires that public comment be accepted at any hearing on the increase.

Patron - Surovell

[E]SB1450 Possession of concealed handguns; concealed handgun permit holders at public institutions of higher education. Allows any firefighter, person employed as search and rescue personnel, person employed as emergency medical services personnel, certified campus security officer, or student, employee, contractor, vendor, or faculty member of a public institution of higher education that participates in a Reserve Officers' Training Corps (ROTC) program who possesses a valid Virginia concealed handgun permit or a concealed handgun permit from another state that is recognized by Virginia to carry a concealed handgun on the property of, in buildings owned by, or at events hosted at public institutions of higher education.

Patron - Chase

[E]SB1565 Public institutions of higher education; tuition increases. Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds the state-mandated salary percentage increase for state employees of the immediately preceding year.

Patron - Wagner

Insurance

Passed

[P]HB1450 Pharmacy freedom of choice. Provides that if a pharmacy has provided notice through an intermediary of its agreement to accept reimbursements at rates applicable to preferred providers, the insurer or its intermediary may elect to respond directly to the pharmacy instead of the intermediary. The measure does not require a carrier to contract with a pharmacy's intermediary and does not prohibit an insurer or its intermediary from contracting with or disclosing confidential information to a pharmacy's intermediary.

Patron - Ware

[P]HB1471 Reinsurance credits. Authorizes the State Corporation Commission to adopt regulations specifying additional requirements relating to or setting forth the valuation of assets or reserve credits, the amount and forms of security supporting certain reinsurance arrangements, and the circumstances pursuant to which credit will be reduced or eliminated. The measure adopts revisions to the Credit for Reinsurance Model Law adopted by the National Association of Insurance Commissioners. The revisions adjust the reinsurance collateral requirements for certified reinsurers.

Patron - Ware

[P]HB1532 Fire Programs Fund. Increases the share of certain moneys in the Fund to be allocated to localities for the improvement of volunteer and career fire services from 75 percent to 80 percent. The measure has a delayed effective date of

January 1, 2018. This bill received Governor's recommendations.

Patron - Wright

[P]HB1656 Health insurance; proton radiation therapy coverage decisions. Prohibits health insurance policies and plans from holding proton radiation therapy to a higher standard of clinical evidence for benefit coverage decisions than is applied for other types of radiation therapy treatment. The measure applies to policies and plans that provide coverage for cancer therapy. The bill contains an emergency clause.

Patron - Yancey

[P]HB1835 Information about a decedent's life insurance policy. Allows a funeral service provider to request, and allows a life insurer to provide, information about a deceased person's life insurance policy, including the name and contact information of any beneficiaries of record. The measure does not require a life insurer to provide information that is confidential or protected. The bill requires a funeral service provider to whom such information is provided to make all reasonable efforts to contact all beneficiaries of record, if the beneficiary is not the decedent's estate, within four calendar days of receiving such information and provide to the beneficiaries all information provided to the funeral service provider by the insurance carrier. The bill also requires the funeral service provider to inform the beneficiaries that the beneficiary of a life insurance policy has no legal duty or obligation to pay any amounts associated with the provision of funeral services or the debts or obligations of the deceased.

Patron - Orrock

[P]HB2037 Health insurance; calculation of cost-sharing provisions. Provides that when there is no amount actually paid or payable by a health insurer, health services plan, or health maintenance organization to a provider for the services provided, the insurer, health services plan, or health maintenance organization shall use such insurer's, health services plan's, or health maintenance organization's pre-established allowed amount to calculate the amount payable by the insured for such services.

Patron - Miller

[P]HB2102 Insurance regulation; corporate governance annual disclosures. Requires each insurer domiciled in the Commonwealth, or the insurance group of which the insurer is a member, to submit to the State Corporation Commission (SCC) a Corporate Governance Annual Disclosure (CGAD). The CGAD is a confidential report containing material information related to an insurer or insurance group's internal operations that permits the SCC to gain an understanding of the insurer's or insurance group's corporate governance structure, policies, and practices. The measure sets out requirements for completing and submitting a CGAD with the SCC and provides for the confidential treatment of the CGAD and related information. The measure has a delayed effective date of January 1, 2018.

Patron - Byron

[P]HB2267 Health benefit plans; coverage for hormonal contraceptives. Requires any health benefit plan that is amended, renewed, or delivered on or after January 1, 2018,

that provides coverage for hormonal contraceptives to cover up to a 12-month supply of hormonal contraceptives when dispensed or furnished at one time for a covered person or at a location licensed or otherwise authorized to dispense drugs or supplies. Such a plan is prohibited, in the absence of clinical contraindications, from imposing utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished by a provider or pharmacy, or at a location licensed or otherwise authorized to dispense drugs or supplies, to an amount that is less than a 12-month supply. The measure does not require a provider to prescribe, furnish, or dispense 12 months of self-administered hormonal contraceptives at one time. The measure also provides that it shall not be construed to exclude coverage for hormonal contraceptives as prescribed by a provider for reasons other than contraceptive purposes, such as decreasing the risk of ovarian cancer or eliminating symptoms of menopause, or for contraception that is necessary to preserve the life or health of an enrollee.

Patron - Filler-Corn

[P]HB2318 Virginia Birth-Related Neurological Injury Compensation Program. Removes from the definition of "birth-related neurological injury" a provision that the definition shall apply retroactively to any child born on and after January 1, 1988, who suffers from an injury to the brain or spinal cord caused by the deprivation of oxygen or mechanical injury occurring in the course of labor, delivery, or resuscitation in the immediate postdelivery period in a hospital. The measure includes an enactment clause stating that its provisions are declarative of existing law. The bill has a delayed effective date of January 1, 2018.

Patron - Stolle

[P]HB2411 Health insurance; reinstating pre-Affordable Care Act provisions. Repeals provisions that were added, and restores provisions that were amended or repealed, by the General Assembly since 2011 in efforts to bring the laws of the Commonwealth in conformity with requirements of the federal Patient Protection and Affordable Care Act. The measure will become effective on the later of July 1, 2017, or the effective date of federal legislation repealing the Act. This bill was vetoed by the Governor.

Patron - Byron

[P]HB2422 Insurance institutions and agents; notice of financial information collection and disclosure practices. Creates an exemption from the requirement that insurance institutions and agents provide policyholders with an annual notice of financial information collection and disclosure practices in connection with insurance transactions. The exemption applies when the insurance institution or agent provides non-public personal information to nonaffiliated third parties only in accordance with § 38.2-613 and has not changed its policies and practices with regard to disclosing nonpublic financial information from the policies and practices that were disclosed in the most recent notice sent to the policyholder.

Patron - Hugo

[P]SB994 Insurance assessments; refunds of overpayments. Authorizes the State Corporation Commission to refund assessment overpayments to insurers and surplus line

brokers without issuing a refund order. The measure conforms these procedures to other refunding provisions administered by the Bureau of Insurance.

Patron - Dance

[P]SB1074 Automobile clubs; insurance. Provides that a service agreement offered by an automobile club does not constitute insurance. The measure also provides that the types of services related to motor travel or to the operation, use, or maintenance of a motor vehicle that may be supplied by an automobile club are not limited to towing service, emergency road service, indemnification service, guaranteed arrest bond certificate service, discount service, financial service, theft service, map service, or touring service.

Patron - Sturtevant

[P]SB1158 Insurance; reciprocals. Allows a foreign reciprocal to obtain a license to transact the business of insurance in the Commonwealth if an affiliate of the foreign reciprocal is licensed to write the class of insurance it proposes to write in Virginia and is writing actively that class of insurance in its state of domicile or at least two other states. The measure also provides that a foreign or alien reciprocal is prohibited from transacting the business of insurance in Virginia until it obtains from the State Corporation Commission both a certificate of authority and a license to transact the business of insurance in the Commonwealth.

Patron - Reeves

Failed

[F]HB1393 Direct primary care agreements. Provides that the Commonwealth's insurance laws do not apply to direct primary care agreements. The measure further provides that (i) a direct primary care practice is not subject to the jurisdiction of the State Corporation Commission (SCC) and is not required to obtain a certificate of authority or license to market, sell, or offer to sell a direct primary care agreement; (ii) entering into a direct primary care agreement shall not be considered to be engaging in the business of insurance; and (iii) a direct primary care agreement is not a contract of insurance and is not subject to regulation by the SCC. The bill defines a direct primary care agreement as an agreement entered into between a health care provider and an individual patient under which the provider charges a predetermined fee as consideration for providing primary care to the patient, subject to certain conditions. A direct primary care practice is prohibited from submitting a claim to an insurer with respect to services provided to direct primary care patients covered by their direct primary care agreement, unless the services are outside the scope of the agreement.

Patron - Landes

[F]HB1749 Accident and sickness insurance rate filings; agent commissions. Requires that premium rate filings for certain health benefit plans include a description of agent commissions and any limitations or exceptions as they relate to the payment of such commissions. The State Corporation Commission is required to review and approve rates for acci-

dent and sickness insurance policies offered in certain individual and small group markets.

Patron - O'Bannon

[F]HB1755 Step therapy protocols; disclosures.

Requires health insurers that limit coverage for prescription drugs through the use of a step therapy protocol to have in place a process for a prescribing provider to request an override of the protocol for a patient. A step therapy protocol is a protocol or program that establishes the specific sequence in which prescription drugs for a specified medical condition are medically appropriate for a particular patient and are covered by a health benefit plan or that conditions coverage of a prescription medication on a patient first trying an alternative medication without success. The measure requires the granting of a step therapy protocol override in certain circumstances. Finally, the measure requires an insurer that offers a health benefit plan that uses a step therapy protocol to provide (i) written notice of a determination that the protocol requires denial of coverage of a provider's selected prescription drug, (ii) an explanation of the basis for such determination, and (iii) notice of the procedures for submitting a request for an override of the restrictions of the step therapy protocol.

Patron - Davis

[F]HB1813 Health insurance; assignment of benefits.

Prohibits insurers issuing individual or group accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis, corporations providing individual or group accident and sickness subscription contracts, health maintenance organizations providing health care plans for health care services, and dental services plans offering or administering prepaid dental services from refusing to accept assignments of benefits executed by covered individuals in favor of health care providers and hospitals. The measure defines an assignment of benefits as the transfer of health care coverage reimbursement benefits or other rights under an insurance policy, subscription contract, or health care plan by an insured, subscriber, or plan enrollee to a health care provider or hospital.

Patron - Leftwich

[F]HB1985 Health benefit plans; sale by authorized foreign health insurers.

Establishes a procedure by which the State Corporation Commission may authorize health insurers licensed to sell health benefit plans in any other state to sell health benefit plans in Virginia without obtaining a license to engage in the business of insurance in Virginia or complying with other requirements applicable to Virginia-licensed insurers. A health benefit plan sold by an authorized foreign health insurer is not be required to include state-mandated health benefits. The measure establishes criteria to be used by the Commission in determining whether to authorize a foreign health insurer to sell, offer, or provide a health benefit plan in the Commonwealth. The measure authorizes the Commission to conduct market conduct and solvency examinations of any foreign health insurer that has applied for, or has received, authorization to sell health benefit plans in Virginia. The measure also specifies disclosures that an authorized foreign health insurer is required to include in applications and policies. The measure has a delayed effective date of January 1, 2018.

Patron - Webert

[F]HB1995 Health insurance; coverage for autism spectrum disorder. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals of any age. Currently, such coverage is required to be provided for individuals from age two through age 10. The provision applies with respect to insurance policies, subscription contracts, and health care plans delivered, issued for delivery, reissued, or extended on or after January 1, 2018.

Patron - Greason

[F]HB2103 Health benefit exchange. Repeals provisions that direct the State Corporation Commission and Virginia Department of Health to perform plan management functions, including rate review, as required for participation in the federal health benefit exchange established pursuant to the federal Patient Protection and Affordable Care Act (the Act). Other provisions that refer to the federal health benefit exchange are also eliminated. The measure shall become effective 60 days after the date that the provisions of the Act that provide for the establishment of a federally operated health benefit exchange are repealed or otherwise become unenforceable.

Patron - Byron

[F]HB2233 Health benefit plans offered by foreign health insurers. Authorizes any foreign health insurer to sell individual or group health benefit plans in the Commonwealth if it is approved to sell such plans in the foreign health insurer's domiciliary state. The measure establishes requirements applicable to such benefit plans, including provisions for registration, disclosure, marketing, and financial condition. The measure has a delayed effective date of July 1, 2018.

Patron - Cline

[F]HB2346 Insurance agent licensing; motor vehicle rental contract enrollers and motor vehicle rental contract insurance agents. Excludes motor vehicle rental contract enrollers from the licensing requirements applicable to insurance agents. The measure also provides that "motor vehicle rental contract enroller" includes an authorized representative of a motor vehicle rental company. The measure qualifies the condition that motor vehicle rental contract enrollers not receive a direct or indirect commission from the insurer, the renter, or the vehicle rental company to instances where the commission is based solely on the sale of insurance coverages permitted to be offered by a motor vehicle rental contract insurance agent. Finally, the measure changes the definition of "motor vehicle rental contract insurance agent" to mean the designee of a motor vehicle rental company who is licensed as an agent to solicit, negotiate, procure, or effect certain insurance coverages.

Patron - Yancey

[F]HB2400 Drug pricing benchmark value. Requires health insurers and other carriers to utilize the same drug pricing benchmark value to reimburse providers, to charge the sponsor of a health plan, and to develop premiums for a health benefit plan. The measure defines a drug pricing benchmark

value as the base price of a prescription drug from which the carrier may deviate for reimbursement purposes.

Patron - Head

[F]SB1166 Insurance; preauthorization for abuse-deterrent opioids. Requires any health carrier offering a health benefit plan that covers prescription drugs and applies a formulary to such coverage to offer in its formulary at least two classes of abuse-deterrent opioids as a tier 1 option that does not require the prescribing provider to utilize a preauthorization process.

Patron - Reeves

[F]SB1213 Insurance notices. Requires that the policy owner, contract owner, or plan owner under an individual policy, contract, or plan of life insurance, an annuity, or accident and sickness insurance be sent written notice by registered or certified mail prior to the date that the policy, contract, or plan will lapse for failure to pay premiums due.

Patron - DeSteph

[F]SB1301 Health insurance; balance billing. Authorizes a health care provider that does not participate in a health insurance carrier's provider network to bill an individual covered under a health benefit plan issued by the carrier for the balance of the provider's fees and charges remaining due after any payment by the carrier or other third party payer only if the covered person and the nonparticipating provider have entered into an express contract under which the covered person has undertaken to pay such balance. The measure establishes requirements for express contracts. If the covered person and nonparticipating provider have not entered into an express contract prior to the provision of the service, the measure provides that the covered person is obligated by an implied contract to pay the reasonable value of the health care services provided by the nonparticipating provider, less any other amounts received. The measure has a delayed effective date of January 1, 2018.

Patron - Vogel

[F]SB1326 Medicare supplement policies for individuals under age 65. Requires insurers issuing Medicare supplement policies in the Commonwealth to offer the opportunity of enrolling in a Medicare supplement policy to any individual who resides in the Commonwealth, is enrolled in Medicare Part B, and is eligible for Medicare by reason of disability not to include individuals with end-stage renal disease. The provisions of the measure are applicable to health plans and health maintenance organizations.

Patron - Carrico

[F]SB1351 Medicare supplement policies for individuals under age 65. Requires insurers issuing Medicare supplement policies in the Commonwealth to offer the opportunity of enrolling in a Medicare supplement policy to any individual who resides in the Commonwealth, is enrolled in Medicare Part B, and is under age 65 and eligible for Medicare by reason of disability.

Patron - Deeds

[F]SB1408 Step therapy protocols. Requires health benefit plans that restrict the use of any prescription drug through the use of a step therapy protocol to have in place a clear, convenient, and expeditious process for a prescribing medical provider to request an override of such restrictions for a patient. A step therapy protocol is a protocol or program that establishes the specific sequence in which prescription drugs for a specified medical condition are medically appropriate for a particular covered person and are covered by a health benefit plan or that conditions coverage of a prescription medication on a patient first trying an alternative medication without success. The measure requires the granting of a step therapy protocol override if (i) the required prescription drug is contraindicated or will likely cause an adverse reaction or physical or mental harm to the patient; (ii) the required prescription drug is expected to be ineffective on the basis of the known relevant physical or mental characteristics of the covered person and the known characteristics of the prescription drug regimen; (iii) the covered person has tried the required prescription drug while under his current or a previous health benefit plan or another prescription drug in the same pharmacologic class or with the same mechanism of action and such prescription drug was discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse event; or (iv) the required prescription drug is not in the best interest of the covered person, based on medical appropriateness.

Patron - DeSteph

[F]SB1446 Insurance agent licensing; motor vehicle rental contract enrollers and motor vehicle rental contract insurance agents. Excludes motor vehicle rental contract enrollers from the licensing requirements applicable to insurance agents. The measure also provides that "motor vehicle rental contract enroller" includes an authorized representative of a motor vehicle rental company. The measure qualifies the condition that motor vehicle rental contract enrollers not receive a direct or indirect commission from the insurer, the renter, or the vehicle rental company to instances where the commission is based solely on the sale of insurance coverages permitted to be offered by a motor vehicle rental contract insurance agent. Finally, the measure changes the definition of "motor vehicle rental contract insurance agent" to mean the designee of a motor vehicle rental company who is licensed as an agent to solicit, negotiate, procure, or effect certain insurance coverages.

Patron - Chafin

[F]SB1513 Health insurance; assignment of benefits. Prohibits insurers issuing individual or group accident and sickness insurance policies providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis, corporations providing individual or group accident and sickness subscription contracts, health maintenance organizations providing health care plans for health care services, and dental services plans offering or administering prepaid dental services from refusing to accept assignments of benefits executed by covered individuals in favor of health care providers and hospitals. The measure defines an assignment of benefits as the transfer of health care coverage reimbursement benefits or other rights under an insurance policy, subscription contract,

or health care plan by an insured, subscriber, or plan enrollee to a health care provider or hospital.

Patron - Wagner

SB1590 Health insurance; coverage for autism spectrum disorder. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals from age two through age 12. Currently, such coverage is required to be provided for individuals from age two through age 10. The provision applies with respect to insurance policies, subscription contracts, and health care plans delivered, issued for delivery, reissued, or extended on or after January 1, 2018.

Patron - Wagner

Labor and Employment

Passed

HB1394 Employees; franchisees excluded. Provides that, notwithstanding any voluntary agreement between the U.S. Department of Labor and the franchisee or franchisor, neither a franchisee nor a franchisee's employee shall be deemed to be an employee of the franchisee's franchisor. The measure also provides that this exclusion does not apply with respect to a specific claim for relief made by a franchisee or a franchisee's employee if the franchisor has been found by a court of competent jurisdiction to have exercised a type or degree of control over the franchisee or the franchisee's employees not customarily exercised by a franchisor for the purpose of protecting the franchisor's trademarks and brand. This bill was vetoed by the Governor.

Patron - Head

HB1883 Occupational health and safety laws; amount of civil penalties. Increases the maximum amount of civil penalties that may be assessed by the Commissioner of Labor and Industry for certain violations of occupational safety and health laws from \$7,000 to \$12,471 and for willful or repeated violations of such laws from \$70,000 to \$124,709. The measure also requires the Commissioner annually to increase the maximum civil penalty amounts, starting in 2018, by an amount that reflects the percentage increase, if any, in the consumer price index from the previous calendar year. This bill is identical to SB 1542.

Patron - Kilgore

SB1542 Occupational health and safety laws; amount of civil penalties. Increases the maximum amount of civil penalties that may be assessed by the Commissioner of Labor and Industry for certain violations of occupational safety and health laws from \$7,000 to \$12,471 and for willful or repeated violations of such laws from \$70,000 to \$124,709. The measure also requires the Commissioner annually to increase the maximum civil penalty amounts, starting in 2018, by an amount that reflects the percentage increase, if any, in the

consumer price index from the previous calendar year. This bill is identical to HB 1883.

Patron - Saslaw

Failed

HB1444 Minimum wage. Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$10.00 per hour effective July 1, 2017, to \$12.50 per hour effective July 1, 2019, and to \$15.00 per hour effective July 1, 2021, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patron - Rasoul

HB1445 Payment of wages and salaries; prepaid cards. Eliminates the ability of an employer to pay wages and salaries to an employee by credit to a prepaid debit card or card account without the employee's consent. Under current law, an employer may pay wages and salaries to an employee by credit to a prepaid debit card or card account without the employee's consent if the employee does not designate an account at a financial institution to which payment may be sent by automated fund transfer. This measure allows payment of wages to be made by credit to a prepaid debit card or card account if the employee affirmatively consents and the employer discloses any applicable fees.

Patron - Ward

HB1771 Minimum wage. Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$10.10 per hour effective January 1, 2018, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). Effective January 1, 2020, the minimum wage shall be adjusted biennially to reflect annual increases in the consumer price index over the two most recent calendar years. The measure also provides that the Virginia minimum wage applies to persons whose employment is covered by the FLSA.

Patron - Plum

HB1868 Child labor; tobacco farms. Prohibits any person from employing a child under the age of 18 to work in direct contact with tobacco plants or dried tobacco leaves unless (i) the owner of the farm or other location at which such work is conducted is the child's parent, grandparent, or legal guardian or (ii) the child's parent or legal guardian has consented in writing to such employment.

Patron - Lopez

HB2190 Wage or salary history inquiries prohibited; civil penalty. Prohibits a prospective employer from (i) requiring as a condition of employment that a prospective employee provide or disclose the prospective employee's wage or salary history or (ii) seeking the wage or salary history of a prospective employee from the prospective employee's current or former employers. Violations are subject to a civil penalty not to exceed \$100 per violation.

Patron - Boysko

HB2202 Employment; abusive work environment. Prohibits an employer from (i) permitting an employee to be subjected to an abusive work environment, (ii) subjecting an employee to an abusive work environment, or (iii) retaliating against an employee because the employee brings or participates in an action, investigation, or proceeding related to the abusive work environment. The measure also prohibits the employer's agent or a coworker from subjecting an employee to an abusive work environment. The bill defines "abusive work environment" as a workplace in which an employee is subjected to abusive conduct severe enough to cause physical or psychological harm. The bill provides that an aggrieved employee may bring a private cause of action. In such a proceeding, the court may order injunctive relief; reinstatement; removal of any offending party from the employee's work environment; compensation for lost wages, benefits, and other remuneration; compensation for medical costs and emotional duress; punitive damages; and reasonable costs and attorney fees. Punitive damages are not allowed if the violation does not include an adverse employment action against the employee or result in lost work time, earnings, or other benefits.

Patron - Torian

HB2210 Employment; break to express breast milk. Requires employers, including the Commonwealth and its political subdivisions, to provide reasonable unpaid break time each day to an employee who needs to express breast milk for the employee's nursing child for one year after the child's birth. An employer is also required to make reasonable efforts to provide a room or other location in close proximity to the work area, other than a toilet stall, where such an employee can express breast milk in privacy. An employer shall not be held to have violated these requirements if it has made reasonable efforts to comply with them. The measure applies to employees who are exempt under § 7 of the federal Fair Labor Standards Act (FLSA). The FLSA requires employers to provide such benefits for non-exempt employees.

Patron - Yancey

HB2283 Nonpayment of wages; private action. Provides that an employee has cause of action against an employer who fails to pay wages. The measure provides that if the court finds that the employer failed to pay wages, it shall award the employee the amount of wages due, plus interest at eight percent annually from the date the wages were due, reasonable attorney fees, and other costs. In addition, if the court finds that the employer's failure to pay wages was willful and with intent to defraud the employee, the court is required to award the employee an additional sum equal to the amount of wages due.

Patron - Krizek

HB2309 Minimum wage. Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$11 per hour effective July 1, 2017, and to \$15 per hour effective July 1, 2019, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). Effective July 1, 2020, the minimum wage shall be adjusted annually to reflect the increase in the Consumer Price Index over the most recent calendar year. The measure also provides

that the Virginia minimum wage applies to persons whose employment is covered by the FLSA.

Patron - Simon

HB2413 Apprentice agreements; ratio of apprentices to journeymen. Prohibits the Apprenticeship Council from adopting standards for apprenticeship agreements governing the numeric ratio of journeymen to apprentices that require more than one journeyman for two apprentices. This limit on the ratio of journeymen to registered apprentices does not apply to work performed under the federal Davis-Bacon Act.

Patron - Hugo

HB2419 Relocation of call centers to a foreign country. Requires certain call centers that intend to relocate operations from the Commonwealth to a foreign country to give the Commissioner of Labor and Industry at least 120 days' prior notice. An employer that fails to do so is subject to a civil penalty not to exceed an amount of \$10,000 for each day of the violation. The measure requires the Commissioner to compile a semiannual list of all employers that relocate a call center from the Commonwealth to a foreign country and to distribute the list to state agencies. Subject to exceptions, an employer that appears on the list is (i) ineligible for five years for any direct or indirect grants of state funds, any loans guaranteed by the state, or any tax credit or reduction in tax liability and (ii) required to remit the unamortized value of such grants, loans, or tax benefits, or any other governmental support the employer has previously received, to the Secretary of Commerce and Trade. The measure requires new state agency contracts for the performance of state business-related call center and customer service work to provide that such work shall be performed entirely within the Commonwealth. Finally, the measure requires that, to the extent permitted, (a) state contractors who perform state business-related call center and customer service work outside the Commonwealth under an existing contract perform such work entirely within the Commonwealth by July 1, 2019, and (b) any new customer service employees hired to work under an existing contract be employed within the Commonwealth.

Patron - Heretick

SB785 Minimum wage. Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$8.00 per hour effective July 1, 2017, to \$9.00 per hour effective July 1, 2018, to \$10.10 per hour effective July 1, 2019, and to \$11.25 per hour effective July 1, 2020, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). The measure also provides that the cash wage paid to a tipped employee shall not be less than 50 percent of the minimum wage and that the tip credit shall equal the difference between the cash wage required to be paid to a tipped employee and the minimum wage.

Patron - Marsden

SB824 Paid sick days for employees; civil penalties. Requires private employers to give to each full-time employee paid sick days. Paid sick days would accrue at a rate of no less than one hour for every 50 hours worked in 2018 or, if an employer commences operations in 2018 or thereafter, in the employer's first year of operations. In subsequent years, paid

sick days would accrue at a rate of no less than one hour for every 30 hours worked. An employee would be entitled to use accrued sick days beginning on the ninetieth calendar day of employment. The bill would require an employer to provide paid sick days, upon the request of the employee, for diagnosis, care, or treatment of health conditions of the employee or the employee's family member. The bill would prohibit an employer from discriminating or retaliating against an employee who requests paid sick days. The bill would require employers to satisfy specified posting and notice and record-keeping requirements and would require the Commissioner of Labor and Industry (the Commissioner) to administer and enforce these requirements and to investigate alleged violations of these requirements. The bill would authorize the Commissioner to impose specified civil penalties for violations. The Commissioner would be authorized to bring an action to recover specified civil penalties against an offender. The Commissioner would also be able to recover attorney fees of one-third of the amount set forth in the final order or judgment. The measure would not apply to employees covered by a collective bargaining agreement that provides for paid sick days, nor would it lessen any other obligations of the employer to employees.

Patron - Wexton

SB847 Paid family leave. Directs the Commissioner of Labor and Industry (the Commissioner), in conjunction with the relevant stakeholders, to develop an implementation plan for a paid family leave program for employees of any employer in the Commonwealth. The bill requires the Commissioner to complete the plan by December 1, 2017.

Patron - Favola

SB978 Minimum wage. Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$10.00 per hour effective July 1, 2017, to \$13 per hour effective July 1, 2018, and to \$15 per hour effective July 1, 2019, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). The measure also provides that the Virginia minimum wage applies to persons whose employment is covered by the FLSA.

Patron - Dance

SB1080 Equal pay irrespective of sex. Amends the existing law requiring equal pay for equal work irrespective of sex to (i) prohibit unequal provision of benefits and privileges; (ii) prohibit employers from punishing employees for sharing salary information with their coworkers; and (iii) authorize a court to award reasonable attorney fees and costs to an employee who substantially prevails on the merits in an action for wrongful withholding of wages, benefits, or privileges. The measure also deletes the exemption for employers covered by the federal Fair Labor Standards Act from the Commonwealth's prohibition on discrimination in the payment of wages on the basis of sex.

Patron - Wexton

Libraries

Passed

HB1787 Local and regional libraries; boards not mandatory. Provides an exemption for counties with a charter from having to create a managing library board appointed by the local governing body. This bill is identical to SB 1586.

Patron - Habeeb

SB1586 Local and regional libraries; boards not mandatory. Provides an exemption for counties with a charter from having to create a managing library board appointed by the local governing body. This bill is identical to HB 1787.

Patron - Suetterlein

Failed

HB2131 Libraries; assessment for costs in civil actions; disbursement for law libraries. Increases from \$4 to \$7 the assessment a county, city, or town may make as part of the costs incident to each civil action filed in the courts located within its boundaries.

Patron - Levine

Military and Emergency Laws

Passed

HB2077 Emergency Services and Disaster Law of 2000; firearms; emergency shelter. Removes the authority of a governmental entity under the Emergency Services and Disaster Law of 2000 to limit lawful possession, carrying, transportation, sale, or transfer of firearms in any place or facility used by the governmental entity as an emergency shelter. This bill was vetoed by the Governor.

Patron - Wilt

SB989 Commonwealth's Twenty marksmanship award. Provides for the Commonwealth's Twenty marksmanship award to recognize the top 20 marksmen in Virginia, chosen from the Virginia state residents who compete at the annual Virginia State Championship matches sanctioned by the Virginia Shooting Sports Association. Under current law, the award recognizes the top 20 competitors in each of the rifle and pistol Excellence-in-Competition matches at such Championships.

Patron - Stanley

Failed

HB2147 Virginia Service Members Civil Relief Act. Supplements the protections afforded under the federal Servicemembers Civil Relief Act by allowing service members

to terminate or suspend a contract for the provision of telecommunication services, Internet services, television services, athletic club or gym memberships, or commercial mobile radio services at any time after the date the service member receives military orders to relocate for a period of service of at least 90 days to a location that does not support the contract. The bill sets out the method for termination and provides that a service member cannot be charged a penalty, fee, loss of deposit, or any other additional fee due to such termination or suspension. The bill also provides that a service member has the option to reinstate such services. The bill provides that violation of these provisions is a violation of the Virginia Consumer Protection Act (§ 59.1-196 et seq.).

Patron - Simon

[F]HB2320 Hurricane and Flooding Risk Reduction Act of 2017. Establishes the Commonwealth as a Nonfederal Sponsor of Hurricane and Flooding Risk Reduction Projects. The bill also establishes the Virginia Hurricane and Flooding Risk Reduction Authority, a Board of Directors for that Authority, and a Governor's Advisory Commission on Hurricane and Flooding Risk Reduction.

Patron - Miyares

Mines and Mining

Passed

[P]HB1509 Mineral mines reclamation; bonds and liens. Increases, from a range of \$200 to \$1,000 per acre to a fixed amount of \$3,000 per acre, the mandatory bond amount furnished by operators on mining land. The bill increases the minimum size of the Minerals Reclamation Fund from \$250,000 to \$2 million. The bill also grants the Commonwealth a lien on property owned by the operator and reclaimed by the Director of the Department of Mines, Minerals and Energy and sets out the process by which the Director shall perfect or waive the lien.

Patron - Ware

[P]HB2200 Reclamation of coal-mined areas. Repeals the July 1, 2017, expiration date from 2014 legislation that raised the target balance of the Coal Surface Mining Reclamation Fund (the Fund) from \$1.75 million to \$20 million and altered the method of deducting certain expenditures from the Fund.

Patron - O'Quinn

[P]SB910 Virginia Oil and Gas Act; sampling and replacing contaminated wells. Increases from 750 feet to 1,320 feet the radius of surface lands around gas wells on which gas well operators (i) have a right to enter and obtain water samples from water wells and (ii) are required to replace contaminated water supplies.

Patron - Stuart

[P]SB911 Orphaned Well Fund; surcharge. Raises from \$50 to \$200 the surcharge to be paid by a gas or oil opera-

tor for a permit to conduct any activity other than geophysical operations. The bill contains technical amendments.

Patron - Stuart

Failed

[F]HB1679 Well permit applications; disclosure of trade secrets. Authorizes the Department of Mines, Minerals and Energy (the Department) to require disclosure of chemical ingredient names, chemical abstracts numbers, or the amount or concentration of chemicals or ingredients used to stimulate a well notwithstanding exclusion from mandatory disclosure under the Virginia Freedom of Information Act as a trade secret. The bill authorizes the Director of the Department to disclose such information to additional Department staff or state or local officials to assist the Department in responding to an emergency. The bill prohibits such individuals from disseminating such information further. The bill requires the Director to notify the party that submitted the trade secret of disclosure as soon as practicable. The bill prohibits orders issued pursuant to § 45.1-361.27 from including trade secret information.

Patron - Robinson

[F]HB2389 Gas or oil drilling units; escrowed proceeds; school board. Provides that proceeds of certain gas or oil wells, escrowed because the owner's identity and location remain unknown, shall be presumed abandoned and made available to the school board nearest the drilling unit. Current law requires such escrowed proceeds to be disposed of pursuant to the Uniform Disposition of Unclaimed Property Act. The bill also provides that certain escrowed proceeds due to known and locatable claimants of coalbed methane gas wells that were force-pooled prior to July 1, 2015, shall be made available to the local school board when one year has passed and certain other conditions are met.

Patron - Pillion

[F]SB1291 Well permit applications; disclosure of trade secrets. Authorizes the Department of Mines, Minerals and Energy (the Department) to require disclosure of chemical ingredient names, chemical abstracts numbers, or the amount or concentration of chemicals or ingredients used to stimulate a well notwithstanding exclusion from mandatory disclosure under the Virginia Freedom of Information Act as a trade secret. The bill authorizes the Director of the Department of Mines, Minerals and Energy to disclose such information to additional Department staff or state or local officials to assist the Department in responding to an emergency. The bill prohibits such individuals from disseminating such information further. The bill requires the Director to notify the party that submitted the trade secret of disclosure as soon as practicable. The bill prohibits orders issued pursuant to § 45.1-361.27 from including trade secret information.

Patron - Chafin

Motor Vehicles

Passed

[P]HB1440 Farm use vehicles; penalties. Imposes a \$250 fine for willfully and intentionally violating the limitations for the use of farm use vehicles on a highway for a second or subsequent violation. Current law allows for a fine of up to \$250 regardless of the number of previous violations.

Patron - Bell, Richard P.

[P]HB1494 Examination of licensee believed incompetent. Requires the Medical Advisory Board for the Department of Motor Vehicles to provide guidance and recommendations to the Department regarding any case of a person determined to be incompetent pursuant to an examination by a physician, nurse practitioner, or physician assistant and whose driver's license has been revoked if such person appeals the decision on the basis of medical evidence in the case.

Patron - Knight

[P]HB1504 Issuance of a driver's license or learner's permit; minimum standards for vision tests. Increases the minimum visual acuity an applicant must possess for issuance of a driver's license or learner's permit from a field of 100 degrees of horizontal vision in one or both eyes to a field of 110 degrees of horizontal vision in one or both eyes. This bill is identical to SB 1229.

Patron - Fowler

[P]HB1519 Overweight permits for hauling Virginia-grown farm produce; validity throughout the Commonwealth. Authorizes the Commissioner of the Department of Motor Vehicles to issue overweight permits that are valid statewide for vehicles hauling Virginia-grown farm produce from the point of origin to the first place of delivery. Under current law, such permits are valid only in Accomack and Northampton Counties.

Patron - Knight

[P]HB1525 Revocation or suspension of driver's licenses; laws of other jurisdictions. Provides that the Commissioner of the Department of Motor Vehicles is limited to reviewing the text of another jurisdiction's law when determining whether a person's driver's license should be administratively revoked or suspended as a result of such person's conviction in the other jurisdiction for an offense substantially similar to an offense under the law of the Commonwealth that requires revocation or suspension of a person's driver's license. The bill also provides that if the Commissioner cannot reasonably determine from the text of the other jurisdiction's law whether such law is substantially similar to the law of the Commonwealth, the Commissioner may, if available, review a certified copy of the final order of the person's conviction in the other jurisdiction. The bill also establishes a process for any person whose driver's license was administratively revoked or suspended prior to July 1, 2017, on the basis of a conviction in another jurisdiction to request a review of such

revocation or suspension. This bill received Governor's recommendations.

Patron - Albo

[P]HB1559 Special identification cards; fees and validity periods. Increases from \$5 per renewal to \$2 per year, with a \$10 minimum fee, the fee for an original, duplicate, reissue, or renewal special identification card and increases the maximum validity period from seven to eight years. The bill changes expiration dates from the last day of the month of birth of the applicant to the applicant's birthday at the end of the period of years for which a special identification card has been issued. The bill also sets the validity period to a maximum of five years for a special identification card issued to a person required to register with the Sex Offender and Crimes Against Minors Registry.

Patron - Krizek

[P]HB1622 Driving commercial vehicle while intoxicated; penalties. Harmonizes the penalties for driving under the influence (DUI) and commercial DUI. The bill imposes a \$250 mandatory minimum fine for a first offense of commercial DUI and mandatory minimum sentences of five days if the person's blood alcohol level was at least 0.15 and 10 days if the person's blood alcohol level was more than 0.20. The bill increases from five to 20 days the mandatory minimum sentence for a second offense committed within five years, adds a 10-day mandatory minimum sentence for a second offense committed within five to 10 years, and imposes a \$500 mandatory minimum fine for any second offense committed within a 10-year period. The bill also imposes additional mandatory minimum sentences for a second offense committed within 10 years of 10 days if the person's blood alcohol level was at least 0.15 and 20 days if the person's blood alcohol level was more than 0.20 as well as an additional \$500 mandatory minimum fine. The bill raises the penalty for a third offense committed within 10 years from a Class 1 misdemeanor with a mandatory minimum sentence of 10 days, or 30 days if the three offenses were committed within five years, to a Class 6 felony with a mandatory minimum sentence of 90 days, or six months if the three offenses were committed within five years, and a mandatory minimum fine of \$1,000. The bill adds a penalty for a fourth or subsequent offense committed within a 10-year period that includes a mandatory minimum sentence of one year and a mandatory minimum fine of \$1,000. The bill also provides that a person convicted of commercial DUI after being convicted of certain felony DUI or DUI-related offenses is guilty of a Class 6 felony with a mandatory minimum sentence of one year and a mandatory minimum fine of \$1,000. The bill also provides that the punishment for any person convicted of commercial DUI who was transporting a minor at the time of the offense shall include an additional mandatory minimum sentence of five days and an additional fine of at least \$500 and no more than \$1,000. Finally, the bill provides that the mandatory minimum punishments are cumulative and mandatory minimum sentences must be served consecutively.

Patron - Collins

[P]HB1687 Nonrepairable and rebuilt vehicles. Eliminates the requirement that nonrepairable and rebuilt vehicles have incurred damage that exceeds 90 percent of their cash value prior to such damage to meet the definition of nonrepair-

able and rebuilt vehicles. The bill requires the Department of Motor Vehicles to report to the Chairmen of the House and Senate Transportation Committees on the impact of the bill, if any, on the number of nonrepairable vehicle and salvage certificates issued over the three-year period beginning July 1, 2017, compared with the number of such certificates issued over the three-year period before July 1, 2017. The bill has an expiration date of July 1, 2021.

Patron - Austin

[P]HB1705 Certification of driver education courses; requirements. Provides that any licensed driver training school is authorized to provide the 90-minute parent/student driver education component in Planning District 8 (Northern Virginia) that is currently required in Planning District 8 public schools.

Patron - Greason

[P]HB1732 Special license plates; Virginia Nurses Foundation. Authorizes the issuance of revenue-sharing special license plates for supporters of the Virginia Nurses Foundation.

Patron - Yancey

[P]HB1761 Regulation of taxicabs. Provides that the governing body of any county, city, or town that regulates taxicabs may authorize any taxicab to operate software-based devices that utilize GPS or other measurement data in the calculation of time-and-distance fares, notwithstanding the requirements for the specifications and tolerances for measuring and weighing devices. The bill repeals the requirement that all taxicabs display roof signs and specific markings. The bill contains an emergency clause.

Patron - Anderson

[P]HB1763 Special license plates; highway safety. Authorizes the issuance of special license plates for supporters of highway safety, including awareness of distracted driving. The bill exempts the plate from the requirement to obtain 450 prepaid applications prior to issuance and from the provision that prohibits issuance of additional plates in the series if, after five or more years after issuance, the plate has fewer than 200 active sets of plates. Additionally, the plate shall be subject only to a one-time fee of \$10 at the time the plates are issued, in addition to the prescribed cost of state license plates.

Patron - Greason

[P]HB1785 Warning lights on privately owned volunteer emergency vehicles. Clarifies that the current limit of no more than two flashing or steady-burning red or red and white combination warning lights applies to light units rather than individual lights on a vehicle owned by a member of a fire department, volunteer fire company, or volunteer EMS agency or a police chaplain.

Patron - Bell, Robert B.

[P]HB1878 Suspension of license of person legally adjudged incapacitated and not competent to drive; notice to DMV Commissioner. Clarifies the roles of the courts and the Commissioner of the Department of Motor Vehicles with regard to persons previously legally adjudged incapacitated

and not competent to drive or whose license has been suspended following discharge from a facility operated or licensed by the Department of Behavioral Health and Developmental Services. The bill provides that under all such circumstances, the Department reserves the right to examine any licensed driver, any person applying for a driver's license or renewal thereof, or any person whose license has been suspended or revoked to determine his fitness to drive a motor vehicle with safety to persons and property. The bill contains an emergency clause.

Patron - Pogge

[P]HB1888 Use of wireless telecommunications devices by persons driving school buses. Allows school bus drivers to use, in addition to two-way radio devices, wireless telecommunications devices that are used hands free to communicate with school or public safety officials.

Patron - Hugo

[P]HB1960 Tow truck drivers and towing and recovery operators; requirements; penalties. Creates a civil penalty of \$150 to be paid into the Literary Fund for any tow truck driver or towing and recovery operator convicted of improperly towing in Planning District 8 (Northern Virginia). The bill exempts tow truck drivers and towing and recovery operators in Planning District 8 from any requirement by a towing advisory board for written authorization in addition to a written contract in the event that a vehicle is being removed from private property. The bill requires that a tow truck driver in Planning District 8 immediately notify the animal control office in the locality from which the vehicle is being towed if the vehicle is occupied by a companion animal. The bill limits the membership of a local towing advisory board to only representatives of local law-enforcement agencies, representatives of licensed towing and recovery operators, and one member of the general public and requires the chairmanship of any towing advisory board within Planning District 8 to rotate annually between board members who represent a licensed towing and recovery operator, a local law-enforcement agency, and the general public. This bill received Governor's recommendations.

Patron - Hugo

[P]HB2016 Electric personal delivery devices. Allows for the operation of electric personal delivery devices on the sidewalks and shared-use paths and across roadways on crosswalks in the Commonwealth unless otherwise prohibited by a locality. The bill directs that such devices shall not be considered vehicles and are exempt from the motor carrier provisions of Title 46.2 (Motor Vehicles). This bill received Governor's recommendations.

Patron - Villanueva

[P]HB2019 Transportation network company partner vehicle registration repeal. Removes the requirement that a transportation network company (TNC) partner register his personal vehicle for use as a TNC partner vehicle with the Department of Motor Vehicles. The bill allows the Department of State Police to recognize another state's annual motor vehicle safety inspection in lieu of a Virginia inspection and clarifies that a TNC partner can keep proof of inspection in or on

the vehicle. The bill contains an emergency clause. This bill is identical to SB 1366.

Patron - Villanueva

HB2022 Department of Transportation; traffic incident response and management. Allows individuals or entities acting on behalf of the Department of Transportation to operate as needed in response to traffic incidents and to access and to remove from moving lanes on a highway vehicles and cargo that are impeding traffic flow due to a traffic incident. The bill requires a driver to move a vehicle from the roadway after an emergency, accident, or breakdown that did not result in injury or death if the vehicle is movable and the driver is capable of safely doing so. Current law allows drivers to move a vehicle from the roadway after an accident if the vehicle is movable and the driver is capable of safely doing so, but does not require it.

Patron - Villanueva

HB2026 Department of Motor Vehicles; regulation of property carriers. Combines the current property carrier and bulk property carrier authorities and eliminates the current license requirement for property brokers. The bill eliminates the requirement for the Department of Motor Vehicles to issue specially designated license plates for property-carrying vehicles operated for hire. The bill reduces from \$750,000 to \$300,000 insurance limits for carriers operating vehicles with a gross vehicle weight rating in excess of 7,500 pounds but not in excess of 10,000 pounds. For passenger cars, motorcycles, autocycles, and vehicles with a gross vehicle weight rating of 10,000 pounds or less, the bill requires liability coverage for property carriers of a minimum of (i) \$25,000 per person, \$50,000 per incident for death and bodily injury, and \$20,000 for property damage when the motor carrier is available to transport property and (ii) \$100,000 per person, \$300,000 per incident for death and bodily injury, and \$50,000 for property damage from the time the motor carrier accepts the request to transport property and the vehicle is en route to pick up the property until the time the property has been removed from the vehicle and delivered to its final destination. The bill has a delayed effective date of January 1, 2018. This bill is identical to SB 1364. This bill received Governor's recommendations.

Patron - Villanueva

HB2032 Filing and application fees for transportation network companies. Allows transportation network companies two fee options when applying for an original or renewal of a certificate. A transportation network company may either pay the existing certificate fees of \$100,000 upon application and \$60,000 for renewal or pay a \$20 surcharge per record when purchasing a driver transcript in addition to the current transcript fee. This bill is identical to SB 1101.

Patron - Adams

HB2075 Commercial driver's license instruction; comprehensive community colleges. Allows comprehensive community colleges in the Virginia Community College System to administer the in-vehicle component of driver instruction to students enrolled in a commercial driver training course offered by such community college who have failed the behind-the-wheel examination or general knowledge examination for a commercial driver's license three times. The bill

requires that after such additional training, the Department of Motor Vehicles only shall administer the applicable exam. The bill requires that comprehensive community colleges offering such coursework meet certain standards as established by the Department and that the Department notify such comprehensive community colleges and similarly affected schools of course curriculum requirements and notify such colleges and schools if new topics are added to the mandatory curriculum. Such comprehensive community colleges and affected schools shall have 45 days to comply and update their course curriculum with the relevant changes.

Patron - Wilt

HB2201 Failure to drive on right side of highways or observe traffic lanes; penalties. Increases the fine for failing to drive on the right side of highways or failing to observe traffic lanes from no more than \$250 to \$250 per violation. This bill received Governor's recommendations.

Patron - O'Quinn

HB2229 Electronic Credentials Act; report. Creates standards for the Department of Motor Vehicles in issuing, reviewing, and displaying electronic credentials. The Electronic Credentials Act establishes fees for access to electronic credentials and standards for a verification system that would allow users to verify the authenticity of electronic credentials.

Patron - Villanueva

HB2239 Registration exemption for certain farm use vehicles; highway distance limitations. Increases from 50 to 75 miles the maximum travel distance allowable for travel to obtain supplies or from one part of the owner's land to another by a vehicle used for agricultural or horticultural purposes in order to qualify for exemption from the requirements to obtain a registration certificate, license plates, or decals and pay a registration fee. The bill also increases from 50 to 75 miles the maximum travel distance allowable by vehicles used for seasonal transportation of farm produce and from 20 to 75 miles the maximum travel distance allowable for vehicles owned by farmers and used to transport wood products in order to qualify for such exemption. The bill also provides that any law-enforcement officer may require any person operating a vehicle, trailer, or semitrailer and claiming the farm use exemption to provide, upon request, the address of the farm or lands owned or leased by the vehicle's owner or, if such address is unavailable or unknown, the real property parcel identification number of such lands.

Patron - Fariss

HB2269 State Police motor vehicle safety inspection data. Authorizes the Superintendent of State Police to provide, upon request, verification of the inspection status of a vehicle and to charge a reasonable fee for providing such information. Fees shall not be charged to government or other public entities. This bill is identical to SB 1250.

Patron - Villanueva

HB2336 Report of law-enforcement officer involved in accident. Provides that any law-enforcement officer who is listed as a driver in a motor vehicle accident report submitted to the Department of Motor Vehicles will not have the accident listed on his driving record if he was driving a

motor vehicle provided by a law-enforcement agency in the course of his employment and was operating the motor vehicle in the performance of his official duties at the time of such accident. This bill is identical to SB 1486. This bill received Governor's recommendations.

Patron - Miller

[P]HB2362 Tow truck drivers; temporary registration with Department of Criminal Justice Services. Allows for the issuance of temporary registration or driver authorization documentation by the Department of Criminal Justice Services for tow truck drivers, effective upon the submission of an application and until the issuance or denial of permanent registration.

Patron - Pogge

[P]HB2423 Golf carts on public highways; exceptions. Permits the use of golf carts on public highways in the Town of Jarratt if the governing body of the town reviews and approves such highway usage. Current law prohibits such usage because the Town of Jarratt has not established its own police department.

Patron - Tyler

[P]HB2453 Flashing amber lights; amateur radio operators. Permits vehicles used or operated by federally licensed amateur radio operators participating in emergency communications drills on behalf of federal, state, or local authorities or providing communications services to localities for public service events authorized by the Department of Transportation where the event is being conducted to be equipped with flashing, blinking, or alternating amber lights, provided that the lights are not lit while the vehicle is in motion.

Patron - Holcomb

[P]HB2467 Driving on a suspended or revoked license; period of suspension. Provides that any driver's license suspension imposed upon a person for the failure to pay court-ordered fines and costs shall run concurrently with any other period of license suspension, revocation, or forfeiture imposed upon such person. The bill also provides that in the event that a person whose license has been suspended for the failure to pay court-ordered fines and costs is convicted of driving on a suspended or revoked license, the additional period of license suspension imposed as a result of that conviction runs concurrently with the underlying suspension for the failure to pay court-ordered fines and costs. Under current law, such additional suspension period does not commence until the expiration of the previous suspension or revocation.

Patron - Bell, Robert B.

[P]SB950 Nonrepairable and rebuilt vehicles. Eliminates the requirement that nonrepairable and rebuilt vehicles have incurred damage that exceeds 90 percent of their cash value prior to such damage to meet the definition of nonrepairable and rebuilt vehicles. The bill requires the Department of Motor Vehicles to report to the Chairmen of the House and Senate Transportation Committees on the impact of the bill, if any, on the number of nonrepairable vehicle and salvage certificates issued over the three-year period after July 1, 2017, compared with the number of such certificates issued over the

three-year period before July 1, 2017. The bill has an expiration date of July 1, 2021.

Patron - Ruff

[P]SB1021 Failure to obey highway sign; driver stopped on highway shoulder to sleep or rest; prepayable offense. Provides that a violation of a highway sign where a driver has parked or stopped his vehicle on the shoulder of the highway in order to sleep or rest is a prepayable offense unless such vehicle is parked or stopped in such manner as to impede or render dangerous the shoulder or other portion of the highway.

Patron - Barker

[P]SB1041 Virginia Driver's Manual course; age requirements. Lowers from 19 to 18 the minimum age of persons who have failed the driver knowledge examination three times who are permitted to take the Virginia Driver's Manual course offered by a licensed and approved driver training school as a prerequisite of attempting the driver knowledge examination a fourth time.

Patron - Cosgrove

[P]SB1069 Titling out-of-state salvage vehicles. Provides a process by which the owner of a salvage vehicle that has been rebuilt, titled, and registered in another state may obtain a nonnegotiable title for such vehicle to operate on the highways of the Commonwealth.

Patron - Deeds

[P]SB1085 Department of Motor Vehicles; expiration and renewal of driver credentials. Allows the Department of Motor Vehicles (DMV) to digitally verify the authenticity and validity of driver's licenses, learner's permits, and special identification cards for nongovernmental entities. The bill allows DMV to issue transaction receipts for expired vehicle registration renewals that will serve as evidence that the holder has complied with DMV payment requirements in order to allow those with expired registrations to renew such registration online. The bill allows DMV to extend the validity period for driver's licenses for persons absent from the Commonwealth during the expiration period of such licenses for good cause shown and payment of a fee.

Patron - Wexton

[P]SB1101 Filing and application fees for transportation network companies. Allows transportation network companies two fee options when applying for an original or renewal of a certificate. A transportation network company may either pay the existing certificate fees of \$100,000 upon application and \$60,000 for renewal or pay a \$20 surcharge per record when purchasing a driver transcript in addition to the current transaction fee. This bill is identical to HB 2032.

Patron - Newman

[P]SB1169 Minimum city population required to enforce certain ordinance violations. Decreases from 90,000 to 40,000 the minimum population of cities whose parking, stopping, and standing ordinances may provide that summonses and tickets for violations of such ordinances or regulations may be issued by law-enforcement officers, other

uniformed city employees, or uniformed personnel under contract with the city.

Patron - Deeds

SB1207 Electric personal delivery devices. Allows for the operation of electric personal delivery devices on the sidewalks and shared-use paths and across roadways on crosswalks in the Commonwealth unless otherwise prohibited by a locality. The bill directs that such devices shall not be considered vehicles and are exempt from the motor carrier provisions of Title 46.2 (Motor Vehicles).

Patron - DeSteph

SB1211 Local vehicle license fees and taxes. Allows counties and adjoining towns to enter into reciprocal agreements to collect each other's vehicle license fees and taxes. Currently, such collection is limited to nondelinquent license fees and taxes.

Patron - Wexton

SB1229 Issuance of a driver's license or learner's permit; minimum standards for vision tests. Increases the minimum visual acuity an applicant must possess for issuance of a driver's license or learner's permit from a field of 100 degrees of horizontal vision in one or both eyes to a field of 110 degrees of horizontal vision in one or both eyes. This bill is identical to HB 1504.

Patron - Dunnivant

SB1250 State Police motor vehicle safety inspection data. Authorizes the Superintendent of State Police to provide, upon request, verification of the inspection status of a vehicle and to charge a reasonable fee for providing such information. Fees shall not be charged to government or other public entities. This bill is identical to HB 2269.

Patron - Carrico

SB1272 Nonresident Violator Compact; codification. Codifies the text of the Nonresident Violator Compact of 1977. The bill removes duplicative provisions of the Code of Virginia. This bill is a recommendation of the Virginia Code Commission.

Patron - McDougle

SB1276 Dismissal of certain traffic violations for proof of compliance with law. Provides that a court may, in its discretion, dismiss a violation for failure to notify the Department of Motor Vehicles of change of address, for failure to register, title, or properly display license plates, for failure to pay local licensing fees or taxes, for failure to have certain safety equipment or having unsafe or defective equipment, or for improper tinting, if such a person can prove to the court compliance with the law on or before the court date and payment of court fees.

Patron - McDougle

SB1279 Flashing amber lights on vehicles. Allows vehicles used to collect and deliver packages weighing less than 150 pounds by a national package delivery company that delivers such packages in all 50 states to be equipped with flashing amber lights, provided that the amber lights are lit

only when the vehicle is stopped and its operator is engaged in such collection and delivery.

Patron - McDougle

SB1316 Overweight permits for trucks hauling asphalt. Adds trucks hauling asphalt to those vehicles whose owner or operator may obtain an overweight permit from the Commissioner of the Department of Motor Vehicles to operate in counties that impose a severance tax on gases or a severance license tax on coal producers.

Patron - Carrico

SB1364 Department of Motor Vehicles; regulation of property carriers. Combines the current property carrier and bulk property carrier authorities and eliminates the current license requirement for property brokers. The bill eliminates the requirement for the Department of Motor Vehicles to issue specially designated license plates for property-carrying vehicles operated for hire. The bill reduces from \$750,000 to \$300,000 insurance limits for carriers operating vehicles with a gross vehicle weight rating in excess of 7,500 pounds but not in excess of 10,000 pounds. For passenger cars, motorcycles, autocycles, and vehicles with a gross vehicle weight rating of 10,000 pounds or less, the bill requires liability coverage for property carriers of a minimum of (i) \$25,000 per person, \$50,000 per incident for death and bodily injury, and \$20,000 for property damage when the motor carrier is available to transport property and (ii) \$100,000 per person, \$300,000 per incident for death and bodily injury, and \$50,000 for property damage from the time the motor carrier accepts the request to transport property and the vehicle is en route to pick up the property until the time the property has been removed from the vehicle and delivered to its final destination. The bill has a delayed effective date of January 1, 2018. The bill incorporates SB 1219 and SB 1435. This bill is identical to HB 2026. This bill received Governor's recommendations.

Patron - Newman

SB1366 Transportation network company partner vehicle registration repeal. Removes the requirement that a transportation network company (TNC) partner register his personal vehicle for use as a TNC partner vehicle with the Department of Motor Vehicles. The bill allows the Department of State Police to recognize another state's annual motor vehicle safety inspection in lieu of a Virginia inspection and clarifies that a TNC partner can keep proof of inspection in or on the vehicle. The bill contains an emergency clause. This bill is identical to HB 2019.

Patron - Newman

SB1384 Motor carrier size and weight limitations; compliance with federal law. Amends several size and weight provisions to comply with the federal Fixing America's Surface Transportation Act of 2015 (the FAST Act). The bill (i) allows automobile and watercraft carriers to backhaul general cargo; (ii) permits the commercial delivery of towaway trailers within limits prescribed by the FAST Act; (iii) increases the weight limits of certain emergency vehicles, natural gas vehicles, and emergency towing vehicles as required by the FAST Act; (iv) increases the weight at which a vehicle must be inspected at a permanent weighing station; (v) makes overweight permits available for tank vehicles hauling fluid milk; and (vi) permits

contractors of a Medicaid Managed Care Organization to obtain a certificate of fitness as a nonemergency medical transportation carrier.

Patron - Carrico

[P]SB1486 Report of law-enforcement officer involved in accident. Provides that any law-enforcement officer who is listed as a driver in a motor vehicle accident report submitted to the Department of Motor Vehicles will not have the accident listed on his driving record if he was driving a motor vehicle provided by a law-enforcement agency in the course of his employment and was operating the motor vehicle in the performance of his official duties at the time of such accident. This bill is identical to HB 2336. This bill received Governor's recommendations.

Patron - Stuart

[P]SB1494 Transportation network company; brokers. Allows brokers to arrange rides with transportation network company (TNC) partner vehicles. The bill requires such brokers to be licensed by the Department of Motor Vehicles and includes insurance requirements for TNC partner vehicles operating at the request of a broker.

Patron - McClellan

[P]SB1497 Manufactured home; definition. Excludes a park model recreational vehicle from the definition of "manufactured home" and defines a park model recreational vehicle as a vehicle that is (i) designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use; (ii) not permanently affixed to real property for use as a permanent dwelling; (iii) built on a single chassis mounted on wheels; and (iv) certified by the manufacturer as complying with the American National Standards Institute (ANSI) A119.5 Park Model Recreational Vehicle Standard.

Patron - Carrico

[P]SB1507 Safety inspections; appointments. Allows any motor vehicle inspection station to accept appointments for safety inspections in addition to accepting vehicles on a first-come, first-served basis, so long as at least one lane is reserved for the sole purpose of first-come, first-served safety inspections.

Patron - Cosgrove

[P]SB1514 Local regulation of parking of certain vehicles. Adds Leesburg to the towns that are permitted to regulate or prohibit the parking on any public highway of watercraft, boat trailers, motor homes, and camping trailers and to regulate or prohibit the parking of commercial vehicles on any public highway in a residence district.

Patron - Wexton

[P]SB1532 Motor vehicle license fees; exemption of antique vehicles. Exempts a motor vehicle, trailer, or semi-trailer that is licensed as an antique vehicle from the imposition of local license fees.

Patron - Lewis

Failed

[F]HB1412 Extensions of weight limits. Allows the owner of a motor vehicle with a gross weight of up to 90,000 pounds to obtain a permit to authorize the operation of such vehicle, provided that the vehicle can bridge the weight without any axle or group overweight allowance.

Patron - Cole

[F]HB1413 Expiration and renewal of driver's licenses. Requires that the Department of Motor Vehicles treat a driver's license that has been expired for 30 days or less on the date of renewal the same as an unexpired license for purposes of renewal.

Patron - Cole

[F]HB1417 Requirements of drivers approaching or immediately preceding a school bus. Requires drivers both approaching and immediately preceding a school bus stopped for the purpose of taking on or discharging children, the elderly, or mentally or physically handicapped persons to stop and turn on hazard lights.

Patron - Ware

[F]HB1419 Issuance of licenses, permits, and special identification cards to certain aliens. Authorizes the Department of Motor Vehicles to issue temporary driver's licenses, permits, and special identification cards to aliens granted "withholding of removal" under 8 U.S.C. § 1231(b)(3), also found at § 241(b)(3) of the Immigration and Nationality Act, or under 8 C.F.R. § 1208.16(c), also referred to as the Convention Against Torture.

Patron - Kory

[F]HB1429 Special license plates; U.S. AIR FORCE. Authorizes the issuance of special license plates for active duty members of the United States Air Force or certain veterans bearing the legend U.S. AIR FORCE.

Patron - Wright

[F]HB1558 Safety restraint use in motor vehicles. Requires all occupants of motor vehicles to utilize safety restraints. Current law requires safety belt use only by occupants under the age of 18, drivers, and passengers 18 years of age or older occupying the front seat.

Patron - Krizek

[F]HB1595 Local vehicle license fees and taxes. Allows counties and adjoining towns to enter into reciprocal agreements to collect each other's vehicle license fees and taxes. Currently, such collection is limited to nondelinquent license fees and taxes.

Patron - Boysko

[F]HB1599 Suspension of driver's license for unpaid fines, etc.; written offer of employment. Provides that the Department of Motor Vehicles shall restore a person's driver's license that has been suspended for failure to pay court-ordered fines, costs, forfeitures, restitution, or penalties if the person pays the required reinstatement fee and presents to the Depart-

ment a written offer of employment that is contingent on the person's possessing a driver's license. The bill also provides that, in order for the license to be restored, the employer making the written offer of employment must agree to withhold 10 percent of the person's disposable earnings or \$100, whichever is greater, per month for the payment of unpaid fines, costs, forfeitures, restitution, or penalties. The bill also requires the person whose license is restored, within six months from the date of restoration, to petition each court that suspended his license for, and enter into, an agreement to make deferred payments or installment payments of unpaid fines, costs, forfeitures, restitution, or penalties and, if the person does not enter into an agreement with each court within the six-month period, requires the Commissioner of the Department of Motor Vehicles to suspend his license.

Patron - Fariss

HB1606 Use of handheld personal communications devices in highway work zones. Prohibits any person from texting or otherwise using a handheld personal communications device while operating a motor vehicle in a highway work zone, defined in the bill, when workers are present. The bill adds an exemption to the prohibition against using a handheld personal communications device in a moving motor vehicle for an operator of a vehicle who activates, deactivates, or initiates a factory-installed feature or function on the vehicle.

Patron - Villanueva

HB1611 Child support arrearages; suspension of driver's license. Requires the Department of Motor Vehicles to renew a driver's license or terminate a license suspension imposed due to delinquency in the payment of child support when it receives from the Department of Social Services a certification that (i) the person has reached an agreement with the Department of Social Services to satisfy the delinquency and has begun paying current support and arrears pursuant to an income withholding order or (ii) the person is indigent and has reached an agreement with the Department of Social Services to satisfy the delinquency based on the person's ability to pay.

Patron - Leftwich

HB1614 Department of Motor Vehicles; disclosure of photographs; search warrant. Precludes the Commissioner of the Department of Motor Vehicles from disclosing the photograph of any person contained in the records of the Department to any state or local government department, agency, or instrumentality having jurisdiction over criminal law enforcement absent a search warrant.

Patron - Marshall, R.G.

HB1627 Interior lights; requirements. Requires the operator of a motor vehicle, autocycle, road roller, road machinery, or tractor equipped with an interior light or lights used on a highway to ensure that such lights are in good working order and removes duplicative language. The bill further requires an operator of such vehicle equipped with interior lights to illuminate such lights upon stopping after having received a visible or audible signal from any law-enforcement officer to bring his motor vehicle to a stop between sunset and sunrise. The bill requires the Department of State Police to amend its regulations such that a motor vehicle safety inspection shall include an inspection of interior lights to ensure that such lights are in good working order.

tion shall include an inspection of interior lights to ensure that such lights are in good working order.

Patron - Robinson

HB1633 Careless driving; cause of injury to vulnerable road user. Provides that a person is guilty of a Class 1 misdemeanor and shall have his license suspended who operates a motor vehicle in a careless or distracted manner and is the proximate cause of serious physical injury to a vulnerable road user, defined in the bill as a pedestrian or person riding a bicycle, electric wheelchair, electric bicycle, wheelchair, skateboard, skates, foot-scooter, animal, or animal-drawn vehicle.

Patron - Sullivan

HB1640 Department of Motor Vehicles; titling an out-of-state trailer. Requires the Department of Motor Vehicles to publish on its website a detailed guide for obtaining a title for a trailer that was purchased out of state and was not required by the state of purchase to be titled or registered.

Patron - Leftwich

HB1666 Speed monitoring systems. Provides that a locality may, by ordinance, establish a speed enforcement program utilizing an automated speed monitoring system that creates recorded images of vehicles traveling at least 10 miles per hour in excess of the maximum applicable speed limit. The penalty imposed for violating applicable speed limits where such violation is established by recorded images produced by a speed monitoring system cannot exceed \$50. The bill provides that a locality may only install and operate a speed monitoring system at residence districts, school crossing zones, and highway work zones. The procedures for operating a speed monitoring system and issuing summons to violators and the rights of such violators, including the right to appeal to circuit court, parallel those currently in place for red light violations recorded by photo-monitoring systems at traffic lights.

Patron - Toscano

HB1673 Issuance of disabled parking placards by physician. Requires the Commissioner of the Department of Motor Vehicles to authorize, upon application, a licensed physician, nurse practitioner, physician assistant, podiatrist, or chiropractor to issue temporary, removable windshield placards to patients with a condition that limits or impairs their ability to walk.

Patron - Krizek

HB1682 Temporary driver's licenses; eligibility. Allows the Department of Motor Vehicles to issue a temporary driver's license valid for one year to an applicant who is otherwise unable to be issued a driver's license due to immigration status if such applicant (i) has established residency in the Commonwealth, (ii) has filed an income tax return with the Commonwealth, (iii) has registered with the Department of Homeland Security, and (iv) either demonstrates proof of a motor vehicle liability insurance policy in force for the year the license is to be valid or pays the \$500 uninsured motorist fee.

Patron - Bloxom

HB1711 Minimum city population required to enforce certain ordinance violations. Decreases from 90,000

to 40,000 the minimum population of cities whose parking, stopping, and standing ordinances may provide that summonses and tickets for violations of such ordinances or regulations may be issued by law-enforcement officers, other uniformed city employees, or uniformed personnel under contract with the city.

Patron - Toscano

HB1725 Driving in the left lane on highways laned for traffic. Prohibits any vehicle from driving in the left lane of a highway unless passing another vehicle or in preparation for a left turn.

Patron - Ransone

HB1742 Special license plates for certain veterans; fees. Changes the \$10 annual fee for special license plates for certain veterans to a one-time fee of \$10, in addition to the prescribed cost of state license plates.

Patron - Rush

HB1789 Flashing lights and sirens on privately owned volunteer emergency vehicles; requirements. Eliminates the current limit of no more than two flashing or steady-burning red or red and white warning lights that any member of a fire department, volunteer fire company, or volunteer emergency medical services agency and any police chaplain may utilize on one vehicle owned by him. The bill requires that such vehicles be equipped with a siren, exhaust whistle, or air horn designed to give automatically intermittent signals.

Patron - Rasoul

HB1826 Proof of financial responsibility; motor vehicles. Requires operators of motor vehicles to carry proof of financial responsibility or proof of payment of the uninsured motorist fee when driving on the public highways.

Patron - Yost

HB1827 Proof of motor vehicle liability insurance in electronic form. Provides that when proof of a policy of motor vehicle liability insurance is required by Title 46.2 (Motor Vehicles), such proof may be furnished in electronic form.

Patron - Yost

HB1834 Distracted driving; penalty. Expands the prohibition on manually entering multiple letters or text in a handheld communications device while operating a motor vehicle to also prohibit the manual selection of multiple icons and removes the condition that such manual entry is prohibited only if performed as a means of communicating with another person. The bill prohibits the operator of a motor vehicle from reading any information displayed on the device; current law prohibits reading an email or text message. The bill provides that this prohibition does not apply to reading any information displayed through the use of a global positioning system for the purposes of navigation. The bill eliminates the current exemption from the prohibition on using a handheld personal communications device while operating a motor vehicle when the vehicle is stopped or not moving; the current exemption from the prohibition when the vehicle is parked is not affected.

Patron - Anderson

HB1850 Driving commercial vehicle while intoxicated; penalties. Harmonizes the penalties for driving under the influence (DUI) and commercial DUI. The bill imposes a \$250 mandatory minimum fine for a first offense of commercial DUI and mandatory minimum sentences of five days if the person's blood alcohol level was at least 0.15 and 10 days if the person's blood alcohol level was more than 0.20. The bill increases from five to 20 days the mandatory minimum sentence for a second offense committed within five years, adds a 10-day mandatory minimum sentence for a second offense committed within five to 10 years, and imposes a \$500 mandatory minimum fine for any second offense committed within a 10-year period. The bill also imposes additional mandatory minimum sentences for a second offense committed within 10 years of 10 days if the person's blood alcohol level was at least 0.15 and 20 days if the person's blood alcohol level was more than 0.20 as well as an additional \$500 mandatory minimum fine. The bill raises the penalty for a third offense committed within 10 years from a Class 1 misdemeanor with a mandatory minimum sentence of 10 days, or 30 days if the three offenses were committed within five years, to a Class 6 felony with a mandatory minimum sentence of 90 days, or six months if the three offenses were committed within five years, and a mandatory minimum fine of \$1,000. The bill adds a penalty for a fourth or subsequent offense committed within a 10-year period that includes a mandatory minimum sentence of one year and a mandatory minimum fine of \$1,000. The bill also provides that a person convicted of commercial DUI after being convicted of certain felony DUI or DUI-related offenses is guilty of a Class 6 felony with a mandatory minimum sentence of one year and a mandatory minimum fine of \$1,000. Finally, the bill provides that the mandatory minimum punishments are cumulative and mandatory minimum sentences must be served consecutively.

Patron - Gilbert

HB1862 Suspension of driver's license for nonpayment of fines or costs. Removes the requirement that a court suspend the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs. The bill allows a court, after 90 days of nonpayment where the court finds the nonpayment was not an intentional refusal to obey the sentence of the court, to provide additional time for payment, reduce the amount of each payment installment, assign community service in lieu of payment, or waive the unpaid portion in whole or in part. Upon a finding that the nonpayment was an intentional refusal to obey the sentence of the court, a court may suspend the defendant's driver's license until payment in full or until the defendant enters into a payment plan.

Patron - Lopez

HB1866 Issuance of temporary licenses, permits, or special identification cards; requirements. Allows the issuance of a temporary driver's license, permit, or special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application.

Patron - Lopez

HB1905 All-electronic toll facilities; penalty. Provides that within 30 days of receiving notice that a person is contesting an invoice for an unpaid toll incurred at an all-electronic toll facility, the toll facility operator must provide such person with any evidence of such unpaid toll. If such evidence is not so provided, the toll facility operator's claim becomes invalid. The bill provides that if the matter proceeds to a court of competent jurisdiction and the person contesting the invoice for the unpaid toll prevails, he may seek and obtain his attorney fees and costs associated with defending the action. The bill also requires any privately owned toll facility operator to maintain its principal place of business for all collection activities at a physical location within the Commonwealth and requires such location to provide for in-person as well as telephonic and electronic payments and dispute resolution from 8:00 a.m. through 9:00 p.m., Monday through Saturday, except for legal holidays.

Patron - Heretick

HB1920 Property transportation network companies. Requires property transportation network companies to provide motor vehicle liability coverage in the same amounts as are currently required for transportation network companies. The bill exempts passenger cars, motorcycles, autocycles, mopeds, and vehicles with a gross vehicle weight rating of 10,000 pounds or less from the motor carrier provisions of Chapter 21 (Regulation of Property Carriers) except for insurance requirements.

Patron - Kilgore

HB2005 Leaving vehicles unattended and running; prohibition. Prohibits a person operating a motor vehicle from allowing such vehicle to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, and effectively setting the brake.

Patron - Carr

HB2020 Issuance of temporary licenses, permits, or special identification cards; requirements. Allows the issuance of a temporary driver's license, permit, or special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill specifies which applicants are eligible for such license, permit, or card.

Patron - Villanueva

HB2036 Registration with Department of Criminal Justice Services by tow truck drivers; exceptions. Exempts from registration with the Department of Criminal Justice Services tow truck drivers who are (i) not for hire in the Commonwealth, (ii) transporting a vehicle from a location outside of the Commonwealth to a destination within the Commonwealth, or (iii) transiting the Commonwealth while transporting a vehicle from a location outside of the Commonwealth to a destination outside of the Commonwealth.

Patron - Miller

HB2048 Nonpayment of child support and fines; suspension of driver's license; ability to pay; written findings. Prohibits the court from suspending the driver's license of

a person who has failed to pay his fines or child support if the court finds that the person's failure to pay is due to his inability to pay. The bill requires that a hearing be held prior to the suspension of a person's driver's license for the nonpayment of fines and that the court make a written finding for the suspension of a person's license due to nonpayment of fines or child support. The bill requires the court to include certain information in a notice of intent issued to a person who has failed to pay child support or fines.

Patron - LaRock

HB2049 Driver's license suspensions for certain non-driving related offenses. Removes the existing provision that a person's driver's license is suspended (i) when he is convicted of or placed on deferred disposition for a drug offense and (ii) for violations not pertaining to the operator or operation of a motor vehicle. The provisions of this bill that affect the Code of Virginia have a delayed effective date of September 1, 2017.

Patron - Krizek

HB2132 Local towing advisory board; membership. Requires local towing advisory boards to consist of an equal number of representatives of (i) local law-enforcement agencies, (ii) licensed towing and recovery operators, (iii) commercial property or business owners, including business tenants residing in commercial buildings, and (iv) the general public. Current law requires the membership of such advisory boards to consist of (a) an equal number of representatives of local law-enforcement agencies and licensed towing and recovery operators and (b) one member of the general public.

Patron - Levine

HB2235 Motorcyclists; equipment. Removes the requirement that individuals operating motorcycles or autocycles and their passengers wear protective helmets.

Patron - Cline

HB2326 Registration of specially constructed vehicles for general transportation purposes. Provides a process by which the Department of Motor Vehicles may register specially constructed vehicles that do not meet requirements for on-road use to operate on the highways of the Commonwealth for general transportation purposes. Such vehicles may be operated only on an intrastate basis and must have a valid Virginia safety inspection. The owner of such specially constructed vehicle must complete an acknowledgement that such vehicle may not be operated on an interstate basis. Such vehicles do not have to meet Federal Motor Vehicle Safety Standards.

Patron - Edmunds

HB2371 Steady-burning blue or red lights on law enforcement vehicles. Permits law-enforcement vehicles to be equipped with steady-burning blue or red lights in addition to being equipped with flashing, blinking, or alternating blue, blue and red, blue and white, or red, white, and blue combination warning lights of types approved by the Superintendent of State Police.

Patron - Bagby

[F]HB2373 Window tinting; vehicles used by private investigators, bail bondsmen, bail enforcement agents.

Allows licensed private investigators, licensed bail bondsmen, and licensed bail enforcement agents to apply tinting films to darken certain windows of vehicles used in the course of business to a minimum of 20 percent light transmittance from current minimums of 50 or 35 percent, depending on the window.

Patron - Holcomb

[F]HB2409 Unpaid court fines and costs; driver's license suspensions; collection; community service.

Removes the existing provisions that a person's driver's license is suspended (i) when he is convicted or placed on deferred disposition for a drug offense and (ii) for violations not pertaining to the operation of a motor vehicle. The bill provides that a court may permit an inmate in a local or regional jail to earn credits against any fines or court costs imposed against him by performing community service. The bill increases the grace period after which collection activity for unpaid court fines, costs, forfeitures, penalties, and restitution may be commenced from 30 days to 90 days after sentencing or judgment. The provisions of the bill that affect the Code of Virginia have a delayed effective date of September 1, 2017.

Patron - Habeeb

[F]HB2435 Use of handheld personal communications devices while driving; penalty. Expands the prohibition of using a handheld personal communications device while operating a motor vehicle to all communications unless the device is specifically designed to allow voice and hands-free operation and the device is being used in that manner. Current law prohibits only the reading of an email or text message and manually entering letters or text in the device as a means of communicating. The bill expands the exemptions to include handheld personal communications devices that are used for navigation or generating audio transmissions when the device is physically mounted to the vehicle. The bill provides that any violation of this prohibition that occurs concurrently with an additional traffic offense, or if the violation results in an accident, may be punishable as reckless driving. Current law provides that a violation of this prohibition is punishable as a traffic infraction only.

Patron - Minchew

[F]HB2441 Tow truck drivers; registration. Allows persons convicted of violent crimes or any crime, other than a traffic infraction, involving the driving of a tow truck, including drug or alcohol offenses, to request a review by the Department of Criminal Justice Services 10 years after any such conviction. Current law prohibits any person convicted of such crimes from registering with the Department of Criminal Justice Services as a tow truck driver.

Patron - Fariss

[F]HB2447 Local licensure of motor vehicles. Eliminates the ability of a locality to assess local license fees for motor vehicles, trailers, and semitrailers. The bill has a delayed effective date of July 1, 2018.

Patron - Marshall, R.G.

[F]HB2476 Driver's licenses; revocation in other jurisdiction; reinstatement. Allows a person whose driving

privileges were permanently revoked in another jurisdiction as a result of being convicted of a crime to petition a circuit court to reinstate his driving privileges. The bill provides that a petition cannot be filed until five years have passed from the date of the conviction resulting in the permanent revocation and that the person must have been a Virginia resident for at least one year at the time the petition is filed. The bill authorizes a court that reinstates a person's driving privileges to impose conditions on such person if the conviction resulting in the permanent revocation involved the operation of a motor vehicle and either drugs or alcohol.

Patron - LaRock

[F]SB805 Vehicle registration fees; funds for Department of State Police. Raises the vehicle registration fee by \$1.25 on each July 1 from 2017 through 2026 and allocates the funds to the Department of State Police.

Patron - Carrico

[F]SB860 Use of handheld personal communications devices while driving; penalty. Expands the prohibition of using a handheld personal communications device while operating a motor vehicle to all communications unless the device is specifically designed to allow voice and hands-free operation and the device is being used in that manner. Current law prohibits only the reading of an email or text message and manually entering letters or text in the device as a means of communicating. The bill expands the exemptions to include handheld personal communications devices that are used for navigation or generating audio transmissions when the device is physically mounted to the vehicle. The bill provides that any violation of this prohibition that occurs concurrently with an additional traffic offense, or if the violation results in an accident, is punishable as reckless driving. Current law provides that a violation of this prohibition is punishable as a traffic infraction only.

Patron - Surovell

[F]SB863 Operating a motor vehicle; obstructed view; secondary offense. Changes the offense of operating a motor vehicle with an object suspended in such vehicle that obstructs the driver's clear view of the highway from a primary offense to a secondary offense (one that can only be charged when the offender is stopped for another, separate offense).

Patron - Surovell

[F]SB954 Toll violations. Relocates Title 46.2 (Motor Vehicles) provisions relating to driving a motor vehicle from an establishment where motor fuel is dispensed into the vehicle's tank without payment, and smoking in proximity to gas pumps, from their current location in Article 1.1 (Toll Violations and Enforcement) of Chapter 8 to a more logical placement in Chapter 1 (General Provisions). The bill combines Code sections relating to electronic toll facilities. The bill requires a court to consider extenuating circumstances in assessing civil penalties for toll violations, which have been updated to reflect the technological advancements in collecting tolls. The bill makes the procedure for contesting toll violations via affidavit on toll facilities uniform.

Patron - DeSteph

FSB998 Department of Motor Vehicles; availability of accident reports. Requires the Commissioner of the Department of Motor Vehicles to furnish a copy of an accident report to the requesting party within five days of the request.

Patron - Ruff

FSB1004 Judicial discretion for toll violations. Requires a court to consider extenuating circumstances in assessing civil penalties for toll violations.

Patron - Ebbin

FSB1022 Annual report by toll operators. Requires all toll operators and HOT lanes operators to annually report data on toll violations, civil penalties, and administrative fees to the Department of Transportation (VDOT). The bill requires VDOT to submit such information to the Chairmen of the House and Senate Committees on Transportation.

Patron - Ebbin

FSB1070 Speed monitoring systems. Provides that a locality may, by ordinance, establish a speed enforcement program utilizing an automated speed monitoring system that creates recorded images of vehicles traveling at least 10 miles per hour in excess of the maximum applicable speed limit. The penalty imposed for violating applicable speed limits where such violation is established by recorded images produced by a speed monitoring system cannot exceed \$50. The bill provides that a locality may only install and operate a speed monitoring system at residence districts, school crossing zones, and highway work zones. The procedures for operating a speed monitoring system and issuing summons to violators and the rights of such violators, including the right to appeal to circuit court, parallel those currently in place for red light violations recorded by photo-monitoring systems at traffic lights.

Patron - Deeds

FSB1077 Issuance of disabled parking placards. Allows mental health professionals to certify to the Department of Motor Vehicles a person's disability that limits or impairs his ability to walk for the purpose of obtaining a disabled parking placard.

Patron - Deeds

FSB1151 Local towing advisory board; membership. Requires local towing advisory boards to consist of an equal number of representatives of (i) local law-enforcement agencies, (ii) licensed towing and recovery operators, (iii) commercial property or business owners, including business tenants residing in commercial buildings, and (iv) the general public. Current law requires the membership of such advisory boards to consist of (a) an equal number of representatives of local law-enforcement agencies and licensed towing and recovery operators and (b) one member of the general public.

Patron - Favola

FSB1170 Registration of specially constructed vehicles for general transportation purposes. Provides a process by which the Department of Motor Vehicles may register specially constructed vehicles that do not meet requirements for on-road use to operate on the highways of the Commonwealth for general transportation purposes. Such vehicles may be

operated only on an intrastate basis and must have a valid Virginia safety inspection. The owner of such specially constructed vehicle must complete an acknowledgement that such vehicle may not be operated on an interstate basis. Such vehicles do not have to meet Federal Motor Vehicle Safety Standards.

Patron - Ruff

FSB1184 Leaving vehicles unattended and running; prohibition. Prohibits a person operating a motor vehicle from allowing such vehicle to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, and effectively setting the brake.

Patron - Dance

FSB1187 Steady-burning blue or red lights on law enforcement vehicles. Permits law enforcement vehicles to be equipped with steady-burning blue or red lights in addition to being equipped with flashing, blinking, or alternating blue, blue and red, blue and white, or red, white, and blue combination warning lights of types approved by the Superintendent of State Police.

Patron - Dance

FSB1188 Driver's license suspensions for certain non-driving related offenses. Removes the existing provision that a person's driver's license is suspended (i) when he is convicted of or placed on deferred disposition for a drug offense and (ii) for violations not pertaining to the operator or operation of a motor vehicle. The provisions of this bill that affect the Code of Virginia have a delayed effective date of September 1, 2017.

Patron - Edwards

FSB1219 Property transportation network companies. Requires property transportation network companies to provide motor vehicle liability coverage in the same amounts as are currently required for transportation network companies.

Patron - Stanley

FSB1223 Riding bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped while intoxicated; penalty. Provides that any person operating a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on a highway while intoxicated is guilty of a Class 2 misdemeanor.

Patron - Barker

FSB1277 Steady-burning blue or red lights on law enforcement vehicles. Permits law enforcement vehicles to be equipped with steady-burning blue or red lights in addition to being equipped with flashing, blinking, or alternating blue, blue and red, blue and white, or red, white, and blue combination warning lights of types approved by the Superintendent of State Police.

Patron - Ebbin

FSB1280 Suspension of driver's license for nonpayment of fines or costs. Extends the timeframe for which a person who is convicted of any violation of the law of the

Commonwealth or of the United States or of any valid local ordinance may pay any fine, costs, forfeitures, restitution, or penalty lawfully assessed against him to 90 days before a court shall suspend the person's privilege to drive a motor vehicle on the highways in the Commonwealth. Under current law, a person only has 30 days before a court shall suspend such privilege.

Patron - Ebbin

FSB1338 Passing in a bicycle lane prohibited. Prohibits the driver of a motor vehicle from using a bicycle lane to pass or attempt to pass another vehicle.

Patron - Surovell

FSB1339 Careless driving; cause of injury to vulnerable road user. Provides that a person who operates a motor vehicle in a careless or distracted manner and is the proximate cause of serious physical injury to a vulnerable road user, defined in the bill as a pedestrian or person riding a bicycle, electric wheelchair, electric bicycle, wheelchair, skateboard, skates, foot-scooter, animal, or animal-drawn vehicle, is guilty of a traffic infraction.

Patron - Surovell

FSB1340 Regulation of towing. Includes as violations of the Virginia Consumer Protection Act prohibited acts by tow truck drivers and towing and recovery operators, violations of police towing, and violations of local ordinances regulating police towing, price, and trespass towing.

Patron - Surovell

FSB1345 Driver privilege cards. Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an individual who has (i) reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months and (ii) is not in violation of the insurance requirements of Article 8 (§ 46.2-705 et seq.) (Registration of Uninsured Motor Vehicles) of Chapter 6 of Title 46.2. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) be required to present proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2018.

Patron - Surovell

FSB1406 Improper driving; penalty. Provides that any person who drives a vehicle on any highway while failing to provide the attention necessary for the safe operation of the vehicle but when such conduct does not constitute reckless driving is guilty of improper driving. The bill provides that improper driving is punishable as a traffic infraction punishable by a fine of \$300. Current law establishes a mechanism by which a person charged with reckless driving may be found guilty of improper driving and not guilty of reckless driving or an attorney for the Commonwealth may reduce a charge of reckless driving to improper driving. The bill leaves that current mechanism in place.

Patron - Vogel

FSB1409 Reckless driving; exceeding speed limit. Raises from 80 to 85 miles per hour the speed above which a person who drives a motor vehicle on the highways in the Commonwealth is guilty of reckless driving regardless of the applicable maximum speed limit.

Patron - Suetterlein

FSB1435 Department of Motor Vehicles; regulation of property carriers. Combines the current property carrier and bulk property carrier authorities and eliminates the current license requirement for property brokers. The bill eliminates the requirement for the Department of Motor Vehicles to issue specially designated license plates for property-carrying vehicles operated for hire. The bill reduces insurance limits for carriers operating vehicles with a gross vehicle weight rating in excess of 7,500 pounds but not in excess of 10,000 pounds from \$750,000 to \$300,000. The bill reduces current liability coverage requirements for property carriers from \$750,000 to \$50,000 per person, \$100,000 per incident for death and bodily injury, and \$25,000 for property damage for passenger cars, motorcycles, autocycles, and vehicles with a gross vehicle weight rating of 7,500 pounds or less. The bill has a delayed effective date of October 1, 2017.

Patron - Obenshain

FSB1468 Tow truck drivers and towing and recovery operators; requirements; penalties. Creates a civil penalty of \$100 to be paid into the Literary Fund for any tow truck driver or towing and recovery operator convicted of improperly towing. The bill exempts Planning District 8 (Northern Virginia) from any requirement by a towing advisory board for written authorization in addition to a written contract in the event that a vehicle is being removed from private property. The bill requires that a tow truck driver immediately notify the animal control office in the locality from which the vehicle is being towed if the vehicle is occupied by a companion animal. The bill raises the hookup and initial towing fee in Planning District 8 (Northern Virginia) from \$135 to \$150. The bill requires the chairman of any towing advisory board within Planning District 8 (Northern Virginia) to be a representative of a licensed towing and recovery operator and limits the membership of such boards to only representatives of local law-enforcement agencies, representatives of licensed towing and recovery operators, and one member of the general public. The bill adds improper towing as a prohibited act under the Virginia Consumer Protection Act (§ 59.1-196 et seq.).

Patron - Marsden

[F]SB1510 Handheld photo speed monitoring devices. Provides that the Department of State Police may operate a handheld photo speed monitoring device in or around highway work zones on the highways for the purposes of recording the operation of a vehicle in excess of a maximum speed limit established specifically for a highway work zone, when workers are present, and when such highway work zone is indicated by appropriately placed signs displaying the maximum speed limit and the penalty for violations.

Patron - Carrico

[F]SB1536 Toll facility operators in Planning District 8. Requires the operator of a toll facility located in Planning District 8 that uses dynamic pricing to notify motorists using smart roadway technologies of the toll price and estimated travel time for each posted destination.

Patron - McPike

[F]SB1568 Digital advertisements on buses and taxicabs. Allows digital advertisements to be displayed on buses operating as public carriers and on the roof of any taxicab.

Patron - Reeves

[F]SJ299 Study; DMV; funding and customer service; report. Directs the Department of Motor Vehicles to study its funding models to ensure continuing superior customer service.

Patron - Black

Pensions, Benefits, and Retirement

Passed

[F]HB1768 Virginia Retirement System; stress testing and reporting policies. Requires the Virginia Retirement System (VRS) to formally adopt stress testing and additional reporting policies. The bill requires VRS to analyze and regularly report on projections of benefit levels, pension costs, liabilities, and debt reduction under various scenarios; to provide a detailed online statement of investment policy and include investment performance data in certain timeframes up to 25 years; and to report investment performance and expenses such as carried interest fees.

Patron - Garrett

[P]SB896 Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board; meetings. Requires the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board to meet at least annually. Current law requires the Board to meet at least quarterly.

Patron - Ruff

Failed

[F]HB1645 State Sickness and Disability Program. Eliminates the one-year waiting period for eligibility for dis-

ability benefits for vested local government employees commencing employment in a state position covered under the Virginia Retirement System (VRS), State Police Officers' Retirement System, Virginia Law Officers' Retirement System, or the hybrid retirement program. Under current law, employees who enter state service on or after July 1, 2009, are required to wait one year before they can receive benefits under the state sickness and disability program for nonwork related disabilities. The bill eliminates this waiting period for local government employees who have at least five years of creditable service under VRS (including the hybrid retirement program) or the Law Enforcement Officers' Retirement System (LEORS) upon commencing employment in a state position with no break in service. In addition, for purposes of determining the disability benefit payable, the bill provides that any such employee upon entering state service will be deemed to have a beginning balance of months of state service equal to the number of months of VRS or LEORS creditable service credited to him as of his beginning employment date.

The provisions of the bill do not affect disability benefits payable or eligibility for such benefits relating to illnesses or injuries occurring prior to July 1, 2017.

Patron - Loupassi

[F]HB1833 Virginia Law Officers' Retirement System; conservation officers. Adds conservation officers of the Department of Conservation and Recreation as members of the Virginia Law Officers' Retirement System. Conservation officers would accrue retirement benefits under the Virginia Law Officers' Retirement System only for creditable service earned on or after July 1, 2017.

Patron - Kilgore

[F]HB1967 Virginia Retirement System; hybrid retirement program. Modifies the hybrid retirement program by (i) increasing the mandatory employer contribution to the defined contribution component from 1% to 2% of creditable compensation, (ii) decreasing the employer's maximum matching contribution to the defined contribution component from 2.5% to 1.5% of creditable compensation, (iii) increasing the employee's mandatory contribution to the defined contribution component from 1% to 2% of creditable compensation, (iv) decreasing the employee's maximum contribution to the voluntary defined contribution component from 4% to 3% of creditable compensation, (v) decreasing from three years to two years the period in which a new member of the hybrid retirement program is required to make the maximum voluntary contribution to the defined contribution component, and (vi) decreasing the employee's contribution to the defined benefit component from 4% to 3% of creditable compensation. The bill also sets a new employee's voluntary contribution rate to the defined contribution component at 0.5% unless the employee opts out.

Patron - Massie

[F]HB2080 Virginia Law Officers' Retirement System; eligible employees. Includes Department of Emergency Management hazardous materials officers as employees covered by the Virginia Law Officers' Retirement System, provided that such officers shall accrue retirement benefits only for creditable service on and after July 1, 2017.

Patron - Wilt

HB2251 Virginia Retirement System; optional defined contribution retirement plan. Requires the Virginia Retirement System (VRS) to establish an optional defined contribution retirement plan for state and local employees. Participation in the plan is in lieu of other retirement plans offered by VRS. Employees hired on or after July 1, 2019, shall make an irrevocable election whether to participate in the plan. A person who is employed on June 30, 2019, shall make an irrevocable election by October 31, 2019, to participate in the new retirement plan beginning January 1, 2020, in lieu of his retirement plan at the time. If such employee elects to participate in the new plan, his retirement plan at the time of election will be "frozen" and not increase because of compensation earned or years of service earned while participating in the new plan. Under the plan, the employer makes a mandatory contribution in the amount of 8.5 percent of the employee's compensation, and the employee contributes five percent of his compensation. The employer's contribution becomes fully vested upon the employee's completion of five years of continuous participation.

Patron - Jones

HB2294 Health insurance credits for retired school division employees. Requires school divisions to provide a health insurance credit of \$4 per year of service to all retired members of local school divisions with at least 15 years of total creditable service. Currently, the \$4 per year health insurance credit is provided only to teachers, and non-teacher school division employees are eligible for a credit of \$1.50 per year of service, capped at \$45 per month, if the locality has elected such coverage. An enactment clause provides that this measure does apply to any local school division employee who retired on disability prior to July 1, 2017, if this measure would reduce the monthly credit currently payable to such former member. Eligible employees who retired prior to July 1, 2017, but who did not receive a health insurance credit prior to that date will only receive the \$4 per year health insurance credit prospectively.

Patron - McQuinn

SB881 Virginia Retirement System (VRS); receipt of retirement allowance while employed in a covered position. Permits a person who has attained the age of 62 to receive a retirement allowance from VRS and be employed in a VRS covered position. The years of service and the compensation earned during such employment do not affect the amount of the retirement allowance during or after such employment.

Patron - Spruill

SB1071 Virginia Law Officers' Retirement System; conservation officers. Adds conservation officers of the Department of Conservation and Recreation as members of the Virginia Law Officers' Retirement System. The bill makes conservation officers eligible to accrue retirement benefits under the Virginia Law Officers' Retirement System only for creditable service on and after July 1, 2017.

Patron - Deeds

SB1181 Virginia Retirement System; return to employment by retired public safety employees. Authorizes a person retired from a public safety position and receiving a service retirement allowance to continue to receive such retire-

ment allowance if rehired in a position covered for retirement purposes. The bill provides that such new employment does not affect the person's retirement benefit and that such employee is not eligible to participate in the cash match plan, the group insurance program, or the sickness and disability program.

Patron - Reeves

Persons with Disabilities

Passed

HB1716 Alzheimer's Disease and Related Disorders Commission; sunset. Extends the sunset date of the Alzheimer's Disease and Related Disorders Commission from July 1, 2017, to July 1, 2020, and makes a technical correction to the reporting requirement of the Commission. This bill is identical to SB 869.

Patron - Anderson

HB1946 Office of the State Long-Term Care Ombudsman. Amends provisions related to the Office of the State Long-Term Care Ombudsman (the Office) and its access to and handling of certain information and records to conform to federal requirements and remove ambiguities. The bill also prohibits interference with or retaliation or reprisals against (i) the Office or its representatives or designees for fulfillment of its functions, responsibilities, or duties or (ii) a person who in good faith complains or provides information to, or otherwise cooperates with, the Office or any of its representatives or designees. The bill requires the Commissioner for Aging and Rehabilitative Services to promulgate regulations regarding the investigation of allegations of interference, retaliation, or reprisals and the implementation of sanctions with respect to such interference, retaliation, or reprisals. The bill also requires the Department for Aging and Rehabilitative Services to put in place mechanisms to ensure that the Office may (a) analyze, comment on, and monitor the development and implementation of laws, regulations, and policies related to long-term care services and providers or to the health, safety, welfare, and rights of individuals receiving long-term care services; (b) recommend changes to such laws, regulations, and policies; and (c) provide information, recommendations, and the position of the Office of the State Long-Term Care Ombudsman to public and private agencies, legislators, media, and other persons regarding concerns of individuals receiving long-term care services.

Patron - Peace

SB869 Alzheimer's Disease and Related Disorders Commission; sunset. Extends the sunset date of the Alzheimer's Disease and Related Disorders Commission from July 1, 2017, to July 1, 2020, and makes a technical correction to the reporting requirement of the Commission. This bill is identical to HB 1716.

Patron - Ruff

SB1437 Commonwealth Council on Aging; duties. Imposes on the Commonwealth Council on Aging a duty to

assist and advise the Department for Aging and Rehabilitative Services regarding strategies to improve nutritional health, alleviate hunger, and prevent malnutrition among older adults.

Patron - Favola

Failed

[F]HB2109 Rights of persons with disabilities; definition of "service dog." Expands the definition of "service dog" to include dogs trained to assist persons with a disability by providing (i) therapeutic contact to help with depression, anxiety, or certain phobias, or to improve physical or cognitive functioning, or (ii) emotional support, well-being, comfort, or companionship.

Patron - Kory

Police (State)

Passed

[P]SB1506 Applicant Fingerprint Database; Federal Bureau of Investigation records. Authorizes the Department of State Police to submit fingerprints and accompanying records to the Federal Bureau of Investigation (FBI) to be advised through the FBI's Next Generation Identification Rap Back service when an individual subject to a criminal background check as a condition of licensure, certification, employment, or volunteer service with an agency or entity is arrested for, or convicted of, a criminal offense not reported to the Department that would disqualify that individual from such licensure, certification, employment, or volunteer service.

Patron - Cosgrove

Failed

[F]HB1398 Hate crimes; acts against law-enforcement officers, firefighters, and EMS personnel. Expands the definition of hate crime for the purpose of reporting hate crimes within the Department of State Police to include acts against persons employed as law-enforcement officers, firefighters, or emergency medical services personnel.

Patron - Bell, Richard P.

[F]HB1702 State Police; reporting hate crimes. Includes within the definition of "hate crime" a criminal act committed against a person because of sexual orientation or gender identification and requires the reporting of the commission of such crime to the State Police.

Patron - Sullivan

[F]SB1000 Officer-involved shootings; model policy for investigations; disclosure of report. Provides that an attorney for the Commonwealth shall disclose a report of his findings for any "officer-involved shooting" if no criminal charges are brought against a law-enforcement officer, or, alternatively, if charges are brought, the attorney for the Com-

monwealth shall issue a general statement disclosing the general purpose of bringing such charges or seeking an indictment. The bill directs the Department of Criminal Justice Services to develop a model policy regarding the investigation of an officer-involved shooting.

Patron - Locke

Prisons and Other Methods of Correction

Passed

[P]HB1468 Compliance with detainers; U.S. Immigration and Customs Enforcement. Prohibits the Director of the Department of Corrections, sheriff, or other official in charge of a facility in which an alien is incarcerated from releasing an incarcerated alien for whom a lawful detainer order has been received from U.S. Immigration and Customs Enforcement, except to transfer custody of such alien to another facility or to an appropriate federal authority. The bill provides that no alien shall be held in custody in excess of his scheduled release date unless federal law requires that such alien be held. This bill was vetoed by the Governor.

Patron - Marshall, R.G.

[P]HB1651 Inmate trust accounts; exemption. Provides that an inmate who has been sentenced to a term of imprisonment that makes the inmate ineligible for release, excluding conditional geriatric release, prior to 75 years of age is exempt from depositing 10 percent of any funds the inmate receives into an inmate personal trust account.

Patron - Kory

[P]SB1063 State Board of Corrections; membership; powers and duties; review of death of inmates in local correctional facilities. Authorizes the State Board of Corrections (the Board) to conduct a review of the death of any inmate in a local or regional correctional facility in order to determine the circumstances surrounding the inmate's death and whether the facility was in compliance with the Board's regulations. The bill requires the Board to develop and implement policies and procedures for the review of the death of any inmate that occurs in any local or regional correctional facility. The bill provides that the Board (i) may request the Department of Corrections to conduct a death review if the Board determines that it cannot adequately conduct such review because the Board is already in the process of conducting another review and (ii) shall request the Office of the State Inspector General to review the operation of any entity other than a correctional facility if such review is necessary to complete the death review. Finally, the bill also specifies requisite qualifications for individuals appointed to the Board.

Patron - Deeds

[P]SB1313 Reimbursement of capital costs; regional jails; regional contracts for cooperative jailing. Provides that on or after July 1, 2017, the Commonwealth shall reimburse a locality a maximum of one-fourth of the capital costs

for any regional jail construction, enlargement, or renovation project that has been approved by the Governor on or after July 1, 2017, and specifically authorized in the general appropriation act.

Patron - McDougle

Failed

HB1782 State Board of Corrections; membership; powers and duties; review of deaths of inmates in local correctional facilities. Authorizes the State Board of Corrections (Board) to conduct a review of the death of any inmate in a local or regional correctional facility in order to determine the circumstances surrounding the inmate's death and whether the facility was in compliance with the Board's regulations. The bill requires the Board to develop and implement policies and procedures for the review of the death of any inmate that occurs in any local or regional correctional facility. The bill also requires that the State Department of Health and the Office of the Chief Medical Examiner assist the Board in developing and implementing these policies and procedures and with any death review undertaken by the Board. The bill provides that any death review shall be performed by Department of Corrections (Department) staff designated by the Board and requires the Board to submit a report of the findings of a completed investigation to the Governor, the General Assembly, and the Department. The bill also specifies requisite qualifications for individuals appointed to the Board.

Patron - Bell, Robert B.

HB1783 Mental health screening of prisoners in local correctional facilities. Requires that the staff of a local, regional, or community correctional facility screen persons admitted to the facility for mental illness using a scientifically validated instrument identified by the Department of Criminal Justice Services in consultation with the State Board of Corrections and the Department of Behavioral Health and Developmental Services. The bill also requires that these entities develop and deliver a training program for employees of such facilities in the administration of such instrument. The bill provides that if the screening indicates that a person may have a mental illness, an assessment of his need for mental services shall be conducted within 72 hours of the time of the screening by a qualified mental health professional.

Patron - Bell, Robert B.

HB2099 Officer-involved shootings; model policy for investigations; disclosure of report. Provides that an attorney for the Commonwealth shall disclose a report of his findings for any "officer-involved shooting" if no criminal charges are brought against a law-enforcement officer, or, alternatively, if charges are brought, the attorney for the Commonwealth shall issue a general statement disclosing the general purpose of bringing such charges or seeking an indictment. The bill directs the Department of Criminal Justice Services to develop a model policy regarding the investigation of an officer-involved shooting.

Patron - Price

HB2100 Disclosure of information regarding former deputy sheriffs and law-enforcement officers. Provides

that any sheriff or chief of police, any director or chief executive of any agency or department employing deputy sheriffs or law-enforcement officers, and the Director of the Department of Criminal Justice Services shall disclose to a prospective law-enforcement or jail employer (i) any information related to an arrest or prosecution of a former appointee or employee, including expunged information; (ii) any information related to a civil suit regarding a former appointee's or employee's employment or performance of his duties; and (iii) any information obtained during the course of any internal investigation related to a former appointee's or employee's alleged criminal conduct, use of excessive force, or other official misconduct. The bill provides that disclosure is required only if the prospective employer presents a written waiver signed by the former appointee or employee that explicitly authorizes the disclosure and the agency receiving the request is not prohibited from the disclosure of such information pursuant to a binding nondisclosure agreement or otherwise prohibited by law. The bill provides immunity to such sheriff, chief of police, and director or chief executive and to the Director of the Department of Criminal Justice Services for disclosing information in compliance with the provisions of this bill.

Patron - Price

HB2224 Parole Board; appointment; terms. Creates the Parole Qualifications Committee to receive and review applications for vacancies on the Parole Board. The bill requires the Committee to provide a nonbinding recommendation list of three eligible candidates to the Governor and requires that eligible candidates, other than a crime victim who may be appointed by the Governor pursuant to current law, for the Parole Board have (i) a law degree or a degree from an accredited university or college with a major in criminology, corrections, or a related social science and (ii) at least five years of experience in corrections, criminal justice, or criminal law. The bill establishes five-year terms for members of the Parole Board; current law does not establish terms but provides that members serve at the pleasure of the Governor.

Patron - Sickles

SB851 Weekend jail time. Replaces the provision limiting nonconsecutive days in jail for the purpose of allowing the defendant to retain gainful employment with a good cause standard and allows the court to sentence the defendant to nonconsecutive days in jail only if the active portion of the sentence remaining to be served is 90 days or less. If there is no objection from the Commonwealth, the court may sentence felons to nonconsecutive days in jail if the felony was not an act of violence as defined in § 19.2-297.1.

Patron - Stanley

SB933 DCJS training; jail officers; mental health first aid. Requires that the compulsory training standards established by the Department of Criminal Justice Services for persons employed as deputy sheriffs and jail officers by local criminal justice agencies include annual training in mental health first aid. This bill was incorporated into SB 940.

Patron - Favola

SB940 Mental health screening of inmates at local correctional facilities. Requires that the staff of a local correctional facility screen persons admitted to the facility for mental

illness using a scientifically validated instrument designated by the Commissioner of Behavioral Health and Developmental Services. The bill provides that if the screening indicates that a person may have a mental illness, an assessment of his need for mental services shall be conducted within 72 hours of the time of the screening by a qualified mental health professional, which is defined in the bill. The bill requires the Department of Criminal Justice Services, in consultation with the State Board of Corrections and the Department of Behavioral Health and Developmental Services, to (i) ensure that local and regional correctional facilities are aware of the aforementioned requirements and (ii) develop and deliver a training program for employees of such facilities regarding the administration of such instrument. This bill incorporates SB 933.

Patron - Cosgrove

SB942 Deaths of inmates in local correctional facilities; review by State Board of Corrections. Authorizes the State Board of Corrections (Board) to conduct a review of the death of any inmate in a local or regional correctional facility in order to determine the circumstances surrounding the inmate's death and whether the facility was in compliance with the Board's regulations. The bill provides that any review shall be performed by Department of Corrections (Department) staff designated by the Board and requires the Board to submit a report of the findings of a completed investigation to the Governor, the General Assembly, and the Department.

Patron - Cosgrove

SB958 Disclosure of information regarding former deputy sheriffs and law-enforcement officers. Provides that any sheriff or chief of police, any director or chief executive of any agency or department employing deputy sheriffs or law-enforcement officers, and the Director of the Department of Criminal Justice Services shall disclose to a prospective law-enforcement or jail employer (i) any information related to an arrest or prosecution of a former appointee or employee, including expunged information; (ii) any information related to a civil suit regarding a former appointee's or employee's employment or performance of his duties; and (iii) any information obtained during the course of any internal investigation related to a former appointee's or employee's alleged criminal conduct, use of excessive force, or other official misconduct. The bill provides that disclosure is required only if the prospective employer presents a written waiver signed by the former appointee or employee that explicitly authorizes the disclosure and the agency receiving the request is not prohibited from the disclosure of such information pursuant to a binding nondisclosure agreement or otherwise prohibited by law. The bill provides immunity to such sheriff, chief of police, and director or chief executive and to the Director of the Department of Criminal Justice Services for disclosing information in compliance with the provisions of this bill.

Patron - Locke

SB1146 Costs of medical treatment; jail inmates. Provides that no sheriff or jail superintendent or locality is responsible for payment of the cost of medical treatment of an inmate's preexisting condition. Under current law, the sheriff, jail superintendent, or locality is responsible for payment of the cost of medical treatment for such inmate's preexisting condition if that condition is a communicable disease, serious medi-

cal need, or life-threatening condition. The bill provides that adequate medical treatment shall not be withheld due to an inmate's inability to pay.

Patron - DeSteph

SB1442 Mental health screening of inmates at local correctional facilities. Requires that the staff of a local correctional facility screen persons admitted to the facility for mental illness using a scientifically validated instrument designated by the Commissioner of Behavioral Health and Developmental Services. The bill provides that if the screening indicates that a person may have a mental illness, an assessment of his need for mental services shall be conducted within 72 hours of the time of the screening by a qualified mental health professional, which is defined in the bill. The bill requires the Department of Criminal Justice Services, in consultation with the State Board of Corrections and the Department of Behavioral Health and Developmental Services, to (i) ensure that local and regional correctional facilities are aware of the aforementioned requirements and (ii) develop and deliver a training program for employees of such facilities regarding the administration of such instrument.

Patron - Deeds

Professions and Occupations

Passed

HB1453 Dispensing of naloxone. Allows a person who is authorized by the Department of Behavioral Health and Developmental Services to train individuals on the administration of naloxone for use in opioid overdose reversal and who is acting on behalf of an organization that provides services to individuals at risk of experiencing opioid overdose or training in the administration of naloxone for overdose reversal and that has obtained a controlled substances registration from the Board of Pharmacy pursuant to § 54.1-3423 to dispense naloxone to a person who has completed a training program on the administration of naloxone for opioid overdose reversal, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber, (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, and (iii) without charge or compensation. The bill also provides that dispensing may occur at a site other than that of the controlled substance registration, provided that the entity possessing the controlled substance registration maintains records in accordance with regulations of the Board of Pharmacy. The bill further provides that a person who dispenses naloxone shall not be liable for civil damages of ordinary negligence for acts or omissions resulting from the rendering of such treatment if he acts in good faith and that a person to whom naloxone has been dispensed pursuant to the provisions of the bill may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. The bill contains an emergency clause. This bill is identical to SB 848.

Patron - LaRock

HB1474 Dental hygiene; remote supervision. Eliminates the requirement that a dental hygienist providing dental hygiene services under remote supervision be employed by the supervising dentist; clarifies continuing education requirements for dental hygienists practicing under remote supervision; eliminates the requirement for written permission to treat a patient from a dentist who has treated the patient in the previous 12 months; and allows a dental hygienist practicing under remote supervision to treat a patient who provides verbal confirmation that he does not have a dentist of record whom he is seeing regularly. The bill eliminates the requirement that a dental hygienist practicing under remote supervision consult with the supervising dentist prior to providing further dental hygiene services if the patient is medically compromised or has periodontal disease and allows a dental hygienist practicing under remote supervision to provide further dental hygiene services in accordance with a written practice protocol developed and provided by the supervising dentist, which shall consider, at minimum, the medical complexity of the patient and the presenting signs and symptoms of oral disease. The bill requires a supervising dentist who conducts the examination of the patient or refers the patient to another dentist for examination following the 90-day period during which a dental hygienist is permitted to provide dental hygiene services under remote supervision to develop a diagnosis and treatment plan for the patient. The bill directs the Board of Dentistry to promulgate regulations to implement the provisions of the act within 280 days of its enactment.

Patron - Orrock

HB1475 Common Interest Community Board; information on covenants; association disclosure packets. Requires the Common Interest Community Board to include in its current one-page form that accompanies association disclosure packets that are required to be provided to all prospective purchasers of lots located within a development that is subject to the Virginia Property Owners' Association Act that the purchase contract for a lot within an association is a legally binding document once it is signed by the prospective purchaser where the purchaser has not elected to cancel the purchase contract in accordance with law.

Patron - Orrock

HB1479 Attorney discipline; procedures. Conforms the statutory procedures for disciplining attorneys to the Rules of Supreme Court of Virginia. This bill is identical to SB 874.

Patron - Leftwich

HB1484 Board of Medicine to amend regulations governing licensure of occupational therapists to specify Type 1 continuous learning activities. Directs the Board of Medicine to amend regulations governing licensure of occupational therapists to provide that Type 1 continuing learning activities that shall be completed by the practitioner prior to renewal of a license shall consist of an organized program of study, classroom experience, or similar educational experience that is related to a licensee's current or anticipated roles and responsibilities in occupational therapy and approved or provided by one of the following organizations or any of its components: the Virginia Occupational Therapy Association; the American Occupational Therapy Association; the National Board for Certification in Occupational Therapy; a local, state,

or federal government agency; a regionally accredited college or university; or a health care organization accredited by a national accrediting organization granted authority by the Centers for Medicare and Medicaid Services to assure compliance with Medicare conditions of participation. Such regulations shall also provide that Type 1 continuing learning activities may also include an American Medical Association Category 1 Continuing Medical Education program. The bill further provides that the Board of Medicine shall not deem maintenance of any certification provided by such organization as sufficient to fulfill continuing learning requirements for occupational therapists.

Patron - Bell, Richard P.

HB1497 Requirements for ophthalmic prescriptions. Requires, for ophthalmic prescriptions written on or after July 1, 2017, that an ophthalmologist or optometrist establish a bona fide provider-patient relationship with a patient prior to prescribing spectacles, eyeglasses, lenses, or contact lenses, and sets out requirements for establishing such relationship, which includes options for examination of the patient either in person or through face-to-face interactive, two-way, real-time communication or store-and-forward technologies. This bill is identical to SB 1321.

Patron - Farrell

HB1505 Perpetual care trust funds; method of distribution. Allows cemetery companies to request the trustee of a perpetual care trust fund to elect a total return distribution method for distributions from the trust. The bill provides that a total return distribution method allows the distribution of an amount not to exceed five percent of the fair market value of the perpetual care trust fund at the close of its preceding fiscal year. The bill contains notice and reporting requirements for the election and implementation of this method to the trustee, Cemetery Board, and commissioner of accounts. The bill sets forth requirements that a trustee using such method must meet, including adoption of a written investment and distribution policy, responsible investment decision making, and monitoring of the trust's fair market value. The bill prohibits a trustee from making distributions from the trust under the total return distribution method if (i) the fair market value of the trust after the distribution would be less than the aggregate of 80 percent of the fair market value of the trust at the close of the preceding fiscal year plus the total contributions made to the trust principal from such date to the date that the method of distribution is elected or (ii) beginning with the third year of using a total return distribution method, a three-year analysis of investment returns and distribution practices indicates insufficient protection of the trust principal. The bill requires the Cemetery Board to review conversions of perpetual care trust fund distribution methods for compliance with the requirements of the bill and allows the Cemetery Board to limit or prohibit conversions to and distributions under the total return distribution method under certain circumstances, including where the trustee or investment manager is without sufficient knowledge and expertise regarding implementation of this method. Under current law, a trustee of a perpetual care trust fund may make distributions only from the trust's net income and, absent approval by the Cemetery Board or a court, the trust principal may be used only for investment purposes. The bill refers to this method as the "net income distribution method" and estab-

lishes this as the default distribution method in the event that a cemetery company does not elect a distribution method. This bill is identical to SB 891.

Patron - Garrett

HB1514 Health care practitioners; reporting disabilities of drivers. Provides that any doctor of medicine, osteopathy, chiropractic, or podiatry or any nurse practitioner, physician assistant, optometrist, physical therapist, or clinical psychologist who reports to the Department of Motor Vehicles the existence, or probable existence, of a mental or physical disability or infirmity of any person licensed to operate a motor vehicle that the reporting individual believes affects such person's ability to operate a motor vehicle safely is not subject to civil liability or deemed to have violated the practitioner-patient privilege unless he has acted in bad faith or with malicious intent. This bill is identical to SB 1024.

Patron - Fowler

HB1541 Board of Nursing; powers and duties. Authorizes the Board of Nursing to deny or withdraw approval from training programs for failure to meet prescribed standards. Under current law, the Board has such power for educational programs.

Patron - Robinson

HB1548 Advance directives; mental health treatment; capacity determinations. Provides that in cases in which a person has executed an advance directive granting an agent the authority to consent to the person's admission to a facility for mental health treatment and the advance directive so authorizes, the person's agent may exercise such authority after a determination that the person is incapable of making an informed decision regarding such admission has been made by (i) the attending physician, (ii) a psychiatrist or licensed clinical psychologist, (iii) a licensed psychiatric nurse practitioner, (iv) a licensed clinical social worker, or (v) a designee of the local community services board as defined in § 37.2-809. The bill also provides that a person's agent may make a health care decision over the protest of the person if, in addition to other factors, at the time the advance directive was made, a licensed physician, licensed clinical psychologist, licensed physician assistant, licensed nurse practitioner, licensed professional counselor, or licensed clinical social worker who is familiar with the person attested in writing that the person was capable of making an informed decision and understood the consequences of the provision. This bill is identical to SB 1511.

Patron - Farrell

HB1556 Real Estate Appraiser Board; evaluations. Allows a licensed residential real estate appraiser, certified residential real estate appraiser, or certified general real estate appraiser to provide an evaluation of real estate or real property in connection with certain real estate-related financial transactions. This bill is identical to SB 1535.

Patron - Ware

HB1610 Drug Control Act; Schedule I. Adds certain chemical substances to Schedule I of the Drug Control Act. The Board of Pharmacy has added these substances to Schedule I in an expedited regulatory process. A substance added via this process is removed from the schedule after 18 months

unless a general law is enacted adding the substance to the schedule. The bill also removes two substances, benzylfentanyl and thienylfentanyl, from Schedule I. The bill contains technical amendments. This bill is identical to SB 1546.

Patron - Garrett

HB1642 Possession and administration of naloxone. Adds employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, and employees of the Department of General Services Division of Consolidated Laboratory Services to the list of individuals who may possess and administer naloxone or other opioid antagonist, provided that they have completed a training program. The bill contains an emergency clause. This bill is identical to SB 1031.

Patron - Hope

HB1661 Administration of medications to treat adrenal crisis. Provides that a prescriber may authorize an employee of (i) a school board, (ii) a school for students with disabilities, or (iii) an accredited private school who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such medications to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis pursuant to a written order or standing protocol issued within the course of the prescriber's professional practice and with the consent of the student's parents. The bill provides that any such authorized employee who administers or assists in the administration of such medications to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

Patron - Greason

HB1688 Practice of chiropractic; certain medical evaluations. Provides that the practice of chiropractic medicine shall include performing the physical examination of an applicant for a commercial driver's license or commercial learner's permit if the practitioner has (i) applied for and received a certificate as a medical examiner from the Federal Motor Carrier Safety Administration in accordance with 49 C.F.R. Part 390, Subpart D and (ii) registered with the National Registry of Certified Medical Examiners. The bill also provides that it shall be unprofessional conduct for any person to perform the services of a medical examiner as defined in 49 C.F.R. § 390.5 if, at the time such services are performed, the person performing such services is not listed on the National Registry of Certified Medical Examiners or fails to meet the requirements for continuing to be listed on the National Registry of Certified Medical Examiners.

Patron - Villanueva

HB1747 Qualified advance directive facilitators. Defines "qualified advance directive facilitator" as a person who has successfully completed a training program approved by the Department of Health for providing assistance in completing and executing a written advance directive; establishes

requirements for training programs for qualified advance directive facilitators; and provides that distribution of a form for an advance directive that meets the requirements of § 54.1-2984 and the provision of ministerial assistance to a person with regard to the completion or execution of such form shall not constitute the unauthorized practice of law. This bill is identical to SB 1242.

Patron - O'Bannon

HB1748 Charity health care services; liability protection for administrators. Provides that persons who administer, organize, arrange, or promote the rendering of services to patients of certain clinics shall not be liable to patients of such clinics for any civil damages for any act or omission resulting from the rendering of such services unless the act or omission was the result of such persons' or the clinic's gross negligence or willful misconduct. This bill is identical to SB 981.

Patron - O'Bannon

HB1750 Dispensing of naloxone; patient-specific order not required. Provides that a pharmacist may dispense naloxone in the absence of a patient-specific prescription pursuant to a standing order issued by the Commissioner of Health authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Patron - O'Bannon

HB1767 Practice of telemedicine; prescribing. Provides that a health care practitioner who performs or has performed an appropriate examination of the patient, either physically or by the use of instrumentation and diagnostic equipment, for the purpose of establishing a bona fide practitioner-patient relationship may prescribe Schedule II through VI controlled substances to the patient, provided that the prescribing of such controlled substance is in compliance with federal requirements for the practice of telemedicine. The bill also authorizes the Board of Pharmacy to register an entity at which a patient is treated by the use of instrumentation and diagnostic equipment for the purpose of establishing a bona fide practitioner-patient relationship and is prescribed Schedule II through VI controlled substances to possess and administer Schedule II through VI controlled substances when such prescribing is in compliance with federal requirements for the practice of telemedicine and the patient is not in the physical presence of a practitioner registered with the U.S. Drug Enforcement Administration. The bill contains an emergency clause. This bill is identical to SB 1009.

Patron - Garrett

HB1799 Board of Pharmacy to deschedule or reschedule controlled substances. Authorizes the Board of Pharmacy (Board) to designate, deschedule, or reschedule as a controlled substance any substance 30 days after publication in the Federal Register of a final or interim final order or rule designating such substance as a controlled substance or descheduling or rescheduling such substance. Under current law, the Board may act 120 days from such publication date. The bill also provides that a person is immune from prosecution for

prescribing, administering, dispensing, or possessing pursuant to a valid prescription a substance approved as a prescription drug by the U.S. Food and Drug Administration on or after July 1, 2017, in accordance with a final or interim final order or rule despite the fact that such substance has not been scheduled by the Board. The immunity provided by the bill remains in effect until the earlier of (i) nine months from the date of the publication of the interim final order or rule or, if published within nine months of the interim final order or rule, the final order or rule or (ii) the substance is scheduled by the Board or by law. This bill is identical to SB 1403.

Patron - O'Bannon

HB1885 Limits on prescription of controlled substances containing opioids. Requires a prescriber registered with the Prescription Monitoring Program (the Program) to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than seven consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of treatment for a surgical or invasive procedure and such prescription is for no more than 14 consecutive days. Current law requires a registered prescriber to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than 14 consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of a course of treatment for a surgical or invasive procedure and such prescription is not refillable. The bill extends the sunset for this requirement from July 1, 2019, to July 1, 2022.

Patron - Hugo

HB1910 Definition of mental health service provider. Adds physician assistant to the list of mental health service providers who have a duty to take precautions to protect third parties from violent behavior or other serious harm. This bill is identical to SB 1062.

Patron - Yost

HB1979 Board for Contractors; exemption from licensure; responsibility for contracting with unlicensed or unregistered person. Exempts from licensure work undertaken by a person providing construction, remodeling, repair, improvement, removal, or demolition valued at \$2,500 or less per project on behalf of a properly licensed contractor, provided that such contractor holds a valid license in the residential or commercial building contractor classification. The bill provides, however, that any construction services that require an individual license or certification shall be rendered only by an individual licensed or certified by the Board for Contractors. The bill also provides that any contractor that directly employs or otherwise contracts with a person who is not credentialed by the Board for Contractors for work requiring a credential shall be solely responsible for any monetary penalty or other sanction resulting from the act of employing or contracting with a person who lacks the proper credential based upon such person's failure to obtain or maintain the required credential. This bill is identical to SB 1193.

Patron - Peace

[P]HB2046 Prescription drug orders; information on proper disposal. Requires the Board of Pharmacy to develop guidelines for the provision of counseling and information regarding proper disposal of unused dispensed drugs, including information about pharmacy drug disposal programs in which the pharmacy may participate, by pharmacists to patients for whom a prescription is dispensed.

Patron - Murphy

[P]HB2053 Direct primary care agreements. Provides that direct agreement between a patient, the patient's legal representative, or the patient's employer and a health care provider for ongoing primary care services in exchange for the payment of a monthly periodic fee is not health insurance or a health maintenance organization, if patients are not required to pay monthly periodic fees prior to initiation of the direct agreement coverage period. The measure also provides that a health care provider who participates in a direct primary care practice may participate in a health insurance carrier network so long as the provider is willing and able to meet the terms and conditions of network membership set by the health insurance carrier. The measure establishes requirements for disclosures regarding direct primary care agreements. This bill is identical to SB 800. This bill received Governor's recommendations.

Patron - Landes

[P]HB2095 Registration of peer recovery specialists and qualified mental health professionals. Authorizes the registration of peer recovery specialists and qualified mental health professionals by the Board of Counseling. The bill defines "qualified mental health professional" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative mental health services for adults or children. The bill requires that a qualified mental health professional provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services or a provider licensed by the Department of Behavioral Health and Developmental Services. The bill defines "registered peer recovery specialist" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative services to assist individuals in achieving sustained recovery from the effects of addiction or mental illness, or both. The bill requires that a registered peer recovery specialist provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services, a provider licensed by the Department of Behavioral Health and Developmental Services, a practitioner licensed by or holding a permit issued from the Department of Health Professions, or a facility licensed by the Department of Health. The bill adds qualified mental health professionals and registered peer recovery specialists to the list of mental health providers that are required to take actions to protect third parties under certain circumstances and notify clients of their right to report to the Department of Health Professions any unethical, fraudulent, or unprofessional conduct. The bill directs the Board of Counseling and the Board of Behavioral Health and Developmental Services to promulgate regulations to implement the provisions of the bill within 280 days of its enactment. This bill is identical to SB 1020.

Patron - Price

[P]HB2119 Practice of laser hair removal. Limits the practice of laser hair removal to a properly trained person licensed to practice medicine or osteopathic medicine or licensed as a physician assistant or nurse practitioner or to a properly trained person under the direction and supervision of a licensed doctor of medicine or osteopathic medicine or physician assistant or nurse practitioner.

Patron - Keam

[P]HB2153 Durable Do Not Resuscitate Orders; reciprocity. Provides that a Durable Do Not Resuscitate order or other order regarding life-sustaining treatment executed in accordance with the laws of another state in which such order was executed shall be deemed to be valid and shall be given full effect in the Commonwealth.

Patron - Rasoul

[P]HB2163 Prescription of buprenorphine without naloxone; limitation. Provides that prescriptions for products containing buprenorphine without naloxone shall be issued only (i) for patients who are pregnant, (ii) when converting a patient from methadone to buprenorphine containing naloxone for a period not to exceed seven days, or (iii) as permitted by regulations of the Board of Medicine or the Board of Nursing. The bill contains an emergency clause and has an expiration date of July 1, 2022. This bill is identical to SB 1178. This bill received Governor's recommendations.

Patron - Pillion

[P]HB2164 Drugs of concern; gabapentin. Adds any material, compound, mixture, or preparation containing any quantity of gabapentin, including any of its salts, to the list of drugs of concern. This bill contains an emergency clause.

Patron - Pillion

[P]HB2165 Opiate prescriptions; electronic prescriptions. Requires a prescription for any controlled substance containing an opiate to be issued as an electronic prescription and prohibits a pharmacist from dispensing a controlled substance that contains an opiate unless the prescription is issued as an electronic prescription, beginning July 1, 2020. The bill defines electronic prescription as a written prescription that is generated on an electronic application and provides that Schedule II through V prescriptions must be transmitted in accordance with federal regulations. The bill requires the Secretary of Health and Human Resources to convene a work group to review actions necessary for the implementation of the bill's provisions and to evaluate hardships on prescribers and the inability of prescribers to comply with the deadline for electronic prescribing and to make recommendations for any extension or exemption processes relative to compliance or disruptions due to natural or manmade disasters or technology gaps, failures, or interruptions of service. The bill requires the work group to report on its progress to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2017, and to issue a final report to such Chairmen by November 1, 2018.

Patron - Pillion

[P]HB2167 Boards of Dentistry and Medicine; regulations for the prescribing of opioids and buprenorphine.

Directs the Boards of Dentistry and Medicine to adopt regulations for the prescribing of opioids and products containing buprenorphine. The bill requires the Prescription Monitoring Program at the Department of Health Professions to provide an annual report to the Joint Commission on Health Care on the prescribing of opioids and benzodiazepines in the Commonwealth. The bill contains an emergency clause.

Patron - Pillion

[P]HB2277 Board of Medicine; requirements for licensure. Removes provisions related to licensure of graduates of an institution not approved by an accrediting agency recognized by the Board of Medicine. Under the bill, only graduates of institutions approved by an accrediting agency recognized by the Board of Medicine are eligible for licensure.

Patron - Marshall, D.W.

[P]HB2281 Residential rental property. Provides that if a residential dwelling unit is foreclosed upon and a tenant is lawfully occupying the dwelling unit at the time of the foreclosure, the foreclosure shall act as a termination of the rental agreement by the landlord. The bill also provides that, if there is in effect at the date of the foreclosure sale a written property management agreement between the landlord and a real estate licensee licensed pursuant to the provisions of § 54.1-2106.1, the foreclosure shall convert the property management agreement into a month-to-month agreement between the successor landlord and the real estate licensee acting as a managing agent, except in the event that the terms of the original property management agreement between the landlord and the real estate licensee acting as a managing agent require an earlier termination date. Except in the event of foreclosure, the bill permits a real estate licensee acting on behalf of a landlord client as a managing agent who elects to terminate the property management agreement to transfer any funds held in escrow by the licensee to the landlord client without his consent, provided that the real estate licensee provides written notice to each tenant that the funds have been so transferred. The bill provides that, in the event of foreclosure, a real estate licensee shall not transfer any funds to a landlord client whose property has been foreclosed upon. The bill provides immunity, in the absence of gross negligence or intentional misconduct, to any such licensee acting in compliance with the provisions of § 54.1-2108.1. The bill clarifies that a tenant residing in a dwelling unit that has been foreclosed upon is eligible to file an assertion pursuant to § 55-225.12 and that a court may order any moneys accumulated in escrow to be paid to the successor landlord or the successor landlord's managing agent, if any. This bill is identical to SB 966.

Patron - Leftwich

[P]HB2301 Licensed practical nurses; administration of vaccinations. Removes the requirement that the supervision of licensed practical nurses administering vaccinations by registered nurses be immediate and direct.

Patron - O'Bannon

[P]HB2470 Drug Control Act; Schedule II and Schedule V. Adds thiafentanil to Schedule II of the Drug Control Act and brivaracetam to Schedule V of the Drug Control Act.

Patron - Jones

[P]SB800 Direct primary care agreements. Provides that direct agreement between a patient, the patient's legal representative, or the patient's employer and a health care provider for ongoing primary care services in exchange for the payment of a monthly periodic fee is not health insurance or a health maintenance organization, if patients are not required to pay monthly periodic fees prior to initiation of the direct agreement coverage period. The measure also provides that a health care provider who participates in a direct primary care practice may participate in a health insurance carrier network so long as the provider is willing and able to meet the terms and conditions of network membership set by the health insurance carrier. The measure establishes requirements for disclosures regarding direct primary care agreements. This bill is identical to HB 2053. This bill received Governor's recommendations.

Patron - Stanley

[P]SB812 Board for Asbestos, Lead, and Home Inspectors; home inspections; required statement related to the presence of yellow shaded corrugated stainless steel tubing. Provides that whenever a home inspector observes the presence of any shade of yellow shaded corrugated stainless steel tubing during an inspection of a home built prior to the adoption of the construction code effective in 2008, his observation must be included in the inspection report along with the following statement: "Manufacturers believe that this product is safer if properly bonded as required by the manufacturer's installation instructions. Proper bonding of the product should be determined by a contractor licensed to perform the work in the Commonwealth of Virginia." This bill received Governor's recommendations.

Patron - Marsden

[P]SB848 Dispensing of naloxone. Allows a person who is authorized by the Department of Behavioral Health and Developmental Services to train individuals on the administration of naloxone for use in opioid overdose reversal and who is acting on behalf of an organization that provides services to individuals at risk of experiencing opioid overdose or training in the administration of naloxone for overdose reversal and that has obtained a controlled substances registration from the Board of Pharmacy pursuant to § 54.1-3423 to dispense naloxone to a person who has completed a training program on the administration of naloxone for opioid overdose reversal, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber, (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, and (iii) without charge or compensation. The bill also provides that dispensing may occur at a site other than that of the controlled substance registration, provided that the entity possessing the controlled substance registration maintains records in accordance with regulations of the Board of Pharmacy. The bill further provides that a person who dispenses naloxone shall not be liable for civil damages of ordinary negligence for acts or omissions resulting from the rendering of such treatment if he acts in good faith and that a person to whom naloxone has been dispensed pursuant to the provisions of the bill may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threat-

ening opioid overdose. The bill contains an emergency clause. This bill is identical to HB 1453.

Patron - Wexton

SB874 Attorney discipline; procedures. Conforms the statutory procedures for disciplining attorneys to the Rules of Supreme Court of Virginia. This bill is identical to HB 1479.

Patron - Norment

SB880 Genetic counselors; licensing; grandfather clause. Extends the deadline from July 1, 2016, to December 31, 2018, or to within 90 days of the effective date of the relevant regulations promulgated by the Board, whichever is later, by which individuals who have at least 20 years of documented work experience practicing genetic counseling and meet other certain requirements may receive a waiver from the Board of Medicine of the requirements of a master's degree and American Board of Genetic Counseling or American Board of Medical Genetics certification for licensure as a genetic counselor.

Patron - Howell

SB891 Perpetual care trust funds; method of distribution. Allows cemetery companies to request the trustee of a perpetual care trust fund to elect a total return distribution method for distributions from the trust. The bill provides that a total return distribution method allows the distribution of an amount not to exceed five percent of the fair market value of the perpetual care trust fund at the close of its preceding fiscal year. The bill contains notice and reporting requirements for the election and implementation of this method to the trustee, Cemetery Board, and commissioner of accounts. The bill sets forth requirements that a trustee using such method must meet, including adoption of a written investment and distribution policy, responsible investment decision making, and monitoring of the trust's fair market value. The bill prohibits a trustee from making distributions from the trust under the total return distribution method if (i) the fair market value of the trust after the distribution would be less than the aggregate of 80 percent of the fair market value of the trust at the close of the preceding fiscal year plus the total contributions made to the trust principal from such date to the date that the method of distribution is elected or (ii) beginning with the third year of using a total return distribution method, a three-year analysis of investment returns and distribution practices indicates insufficient protection of the trust principal. The bill requires the Cemetery Board to review conversions of perpetual care trust fund distribution methods for compliance with the requirements of the bill and allows the Cemetery Board to limit or prohibit conversions to and distributions under the total return distribution method under certain circumstances, including where the trustee or investment manager is without sufficient knowledge and expertise regarding implementation of this method. Under current law, a trustee of a perpetual care trust fund may make distributions only from the trust's net income and, absent approval by the Cemetery Board or a court, the trust principal may be used only for investment purposes. The bill refers to this method as the "net income distribution method" and establishes this as the default distribution method in the event that a cemetery company does not elect a distribution method. This bill is identical to HB 1505.

Patron - Chafin

SB922 Department of Professional and Occupational Regulation and Department of Health Professions; licensure, certification, registration, and permitting. Provides that certain powers of the Department of Professional and Occupational Regulation, the Department of Health Professions, and health regulatory boards and certain requirements of persons regulated by such entities apply, inclusively, to permits as well as licenses, certifications, and registrations and to holders of permits as well as holders of such licenses, certifications, and registrations.

Patron - Petersen

SB966 Residential rental property. Provides that if a residential dwelling unit is foreclosed upon and a tenant is lawfully occupying the dwelling unit at the time of the foreclosure, the foreclosure shall act as a termination of the rental agreement by the landlord. The bill also provides that, if there is in effect at the date of the foreclosure sale a written property management agreement between the landlord and a real estate licensee licensed pursuant to the provisions of § 54.1-2106.1, the foreclosure shall convert the property management agreement into a month-to-month agreement between the successor landlord and the real estate licensee acting as a managing agent, except in the event that the terms of the original property management agreement between the landlord and the real estate licensee acting as a managing agent require an earlier termination date. Except in the event of foreclosure, the bill permits a real estate licensee acting on behalf of a landlord client as a managing agent who elects to terminate the property management agreement to transfer any funds held in escrow by the licensee to the landlord client without his consent, provided that the real estate licensee provides written notice to each tenant that the funds have been so transferred. The bill provides that, in the event of foreclosure, a real estate licensee shall not transfer any funds to a landlord client whose property has been foreclosed upon. The bill provides immunity, in the absence of gross negligence or intentional misconduct, to any such licensee acting in compliance with the provisions of § 54.1-2108.1. The bill clarifies that a tenant residing in a dwelling unit that has been foreclosed upon is eligible to file an assertion pursuant to § 55-225.12 and that a court may order any moneys accumulated in escrow to be paid to the successor landlord or the successor landlord's managing agent, if any. This bill is identical to HB 2281.

Patron - Obenshain

SB981 Charity health care services; liability protection for administrators. Provides that persons who administer, organize, arrange, or promote the rendering of services to patients of certain clinics shall not be liable to patients of such clinics for any civil damages for any act or omission resulting from the rendering of such services unless the act or omission was the result of such persons' or the clinic's gross negligence or willful misconduct. This bill is identical to HB 1748.

Patron - Stanley

SB1009 Practice of telemedicine; prescribing. Provides that a health care practitioner who performs or has performed an appropriate examination of the patient, either physically or by the use of instrumentation and diagnostic equipment, for the purpose of establishing a bona fide practitioner-patient relationship may prescribe Schedule II through

VI controlled substances to the patient, provided that the prescribing of such controlled substance is in compliance with federal requirements for the practice of telemedicine. The bill also authorizes the Board of Pharmacy to register an entity at which a patient is treated by the use of instrumentation and diagnostic equipment for the purpose of establishing a bona fide practitioner-patient relationship and is prescribed Schedule II through VI controlled substances to possess and administer Schedule II through VI controlled substances when such prescribing is in compliance with federal requirements for the practice of telemedicine and the patient is not in the physical presence of a practitioner registered with the U.S. Drug Enforcement Administration. The bill contains an emergency clause. This bill is identical to HB 1767.

Patron - Dunnivant

SB1019 Board of Accountancy. Amends provisions governing the regulation of certified public accountants (CPAs) by the Board of Accountancy, including (i) clarifying that CPAs are subject to the continuing professional education requirements without regard to whether they use the CPA title when providing services to the public, (ii) prohibiting a CPA from practicing under an expired license, and (iii) requiring that employment experience reported on a license application be verified by a licensed CPA. The bill extends from three to five years the time for filing a complaint against an out-of-state CPA or CPA firm. The bill also requires a CPA firm to enroll in a peer review program only if the firm provides services that fall within the scope of a peer review program. Under current law, all CPA firms are required to enroll in a peer review program regardless of the type of services provided.

Patron - Barker

SB1020 Registration of peer recovery specialists and qualified mental health professionals. Authorizes the registration of peer recovery specialists and qualified mental health professionals by the Board of Counseling. The bill defines "qualified mental health professional" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative mental health services for adults or children. The bill requires that a qualified mental health professional provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services or a provider licensed by the Department of Behavioral Health and Developmental Services. The bill defines "registered peer recovery specialist" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative services to assist individuals in achieving sustained recovery from the effects of addiction or mental illness, or both. The bill requires that a registered peer recovery specialist provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services, a provider licensed by the Department of Behavioral Health and Developmental Services, a practitioner licensed by or holding a permit issued from the Department of Health Professions, or a facility licensed by the Department of Health. The bill adds qualified mental health professionals and registered peer recovery specialists to the list of mental health providers that are required to take actions to protect third parties under certain circumstances and notify clients of their right to report to the Department of

Health Professions any unethical, fraudulent, or unprofessional conduct. The bill directs the Board of Counseling and the Board of Behavioral Health and Developmental Services to promulgate regulations to implement the provisions of the bill within 280 days of its enactment. This bill is identical to HB 2095.

Patron - Barker

SB1024 Health care practitioners; reporting disabilities of drivers. Provides that any doctor of medicine, osteopathy, chiropractic, or podiatry or any nurse practitioner, physician assistant, optometrist, physical therapist, or clinical psychologist who reports to the Department of Motor Vehicles the existence, or probable existence, of a mental or physical disability or infirmity of any person licensed to operate a motor vehicle that the reporting individual believes affects such person's ability to operate a motor vehicle safely is not subject to civil liability or deemed to have violated the practitioner-patient privilege unless he has acted in bad faith or with malicious intent. This bill is identical to HB 1514.

Patron - Dunnivant

SB1027 Cannabidiol oil and THC-A oil; permitting of pharmaceutical processors to manufacture and provide. Authorizes a pharmaceutical processor, after obtaining a permit from the Board of Pharmacy (the Board) and under the supervision of a licensed pharmacist, to manufacture and provide cannabidiol oil and THC-A oil to be used for the treatment of intractable epilepsy. The bill sets limits on the number of permits that the Board may issue and requires that the Board adopt regulations establishing health, safety, and security requirements for permitted processors. The bill provides that only a licensed practitioner of medicine or osteopathy who is a neurologist or who specializes in the treatment of epilepsy may issue a written certification to a patient for the use of cannabidiol oil or THC-A oil. The bill also requires that a practitioner who issues a written certification for cannabidiol oil or THC-A oil, the patient issued such certification, and, if the patient is a minor or incapacitated, the patient's parent or legal guardian register with the Board. The bill requires further that a pharmaceutical processor shall not provide cannabidiol oil or THC-A oil to a patient or a patient's parent or legal guardian without first verifying that the patient, the patient's parent or legal guardian if the patient is a minor or incapacitated, and the practitioner who issued the written certification have registered with the Board. Finally, the bill provides an affirmative defense for agents and employees of pharmaceutical processors in a prosecution for the manufacture, possession, or distribution of marijuana. The bill contains an emergency clause.

Patron - Marsden

SB1031 Possession and administration of naloxone. Adds employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, and employees of the Department of General Services Division of Consolidated Laboratory Services to the list of individuals who may possess and administer naloxone or other opioid antagonist, provided that they have completed a training program. The bill contains an emergency clause. This bill is identical to HB 1642.

Patron - Marsden

[P]SB1046 Board of Medicine; requirements for licensure. Removes provisions related to licensure of graduates of an institution not approved by an accrediting agency recognized by the Board of Medicine. Under the bill, only graduates of institutions approved by an accrediting agency recognized by the Board of Medicine are eligible for licensure.

Patron - Stanley

[P]SB1062 Definition of mental health service provider. Adds physician assistant to the list of mental health service providers who have a duty to take precautions to protect third parties from violent behavior or other serious harm. This bill is identical to HB 1910.

Patron - Deeds

[P]SB1113 Board for Contractors; optional bonding for Class A and B contractors. Allows applicants for Class A and Class B contractor licenses to demonstrate financial responsibility by posting a surety bond for both initial application for licensure and subsequent renewals in lieu of providing a financial statement. The bill provides a process for recovery on a surety bond of a contractor who has elected to post such a bond. The bill also amends the Virginia Contractor Transaction Recovery Act (the Act) by providing that an informal fact-finding conference or formal hearing under the Administrative Process Act is not required as a part of the consideration of the claim against the Act unless requested by the claimant. Under current law, an informal fact-finding conference may be held at the discretion of the Department of Professional and Occupational Regulation.

Patron - McPike

[P]SB1178 Prescription of buprenorphine without naloxone; limitation. Provides that prescriptions for products containing buprenorphine without naloxone shall be issued only (i) for patients who are pregnant, (ii) when converting a patient from methadone to buprenorphine containing naloxone for a period not to exceed seven days, or (iii) as permitted by regulations of the Board of Medicine or the Board of Nursing. The bill contains an emergency clause and has an expiration date of July 1, 2022. This bill is identical to HB 2163. This bill received Governor's recommendations.

Patron - Chafin

[P]SB1180 Boards of Dentistry and Medicine; regulations for the prescribing of opioids and buprenorphine. Directs the Boards of Dentistry and Medicine to adopt regulations for the prescribing of opioids and products containing buprenorphine. The bill requires the Prescription Monitoring Program at the Department of Health Professions to annually provide a report to the Joint Commission on Health Care and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health on the prescribing of opioids and benzodiazepines in the Commonwealth that includes data on reporting of unusual patterns of prescribing or dispensing of a covered substance by an individual prescriber or dispenser or on potential misuse of a covered substance by a recipient. The bill contains an emergency clause.

Patron - Chafin

[P]SB1193 Board for Contractors; exemption from licensure; responsibility for contracting with unlicensed or unregistered person. Exempts from licensure work undertaken by a person providing construction, remodeling, repair, improvement, removal, or demolition valued at \$2,500 or less per project on behalf of a properly licensed contractor, provided that such contractor holds a valid license in the residential or commercial building contractor classification. The bill provides, however, that any construction services that require an individual license or certification shall be rendered only by an individual licensed or certified by the Board for Contractors. The bill also provides that any contractor that directly employs or otherwise contracts with a person who is not credentialed by the Board for Contractors for work requiring a credential shall be solely responsible for any monetary penalty or other sanction resulting from the act of employing or contracting with a person who lacks the proper credential based upon such person's failure to obtain or maintain the required credential. This bill is identical to HB 1979.

Patron - Stuart

[P]SB1230 Opiate prescriptions; electronic prescriptions. Requires a prescription for any controlled substance containing an opiate to be issued as an electronic prescription and prohibits a pharmacist from dispensing a controlled substance that contains an opiate unless the prescription is issued as an electronic prescription, beginning July 1, 2020. The bill defines electronic prescription as a written prescription that is generated on an electronic application in accordance with federal regulations and is transmitted to a pharmacy as an electronic data file. The bill requires the Secretary of Health and Human Resources to convene a work group of interested stakeholders to review actions necessary for the implementation of the bill's provisions, to evaluate hardships on prescribers and the inability of prescribers to comply with the deadline for electronic prescribing, and to make recommendations for any extension or exemption processes relative to compliance or disruptions due to natural or manmade disasters or technology gaps, failures, or interruptions of services. The work group shall report on the work group's progress to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2017, and a final report to such Chairmen by November 1, 2018.

Patron - Dunnavant

[P]SB1232 Limits on prescription of controlled substances containing opioids. Requires a prescriber registered with the Prescription Monitoring Program (the Program) to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than seven consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of treatment for a surgical or invasive procedure and such prescription is for no more than 14 consecutive days. Current law requires a registered prescriber to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than 14 consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of a course of treatment for a surgical or invasive procedure.

dures and such prescription is not refillable. The bill extends the sunset for this requirement from July 1, 2019, to July 1, 2022.

Patron - Dunnivant

SB1242 Qualified advance directive facilitators. Defines "qualified advance directive facilitator" as a person who has successfully completed a training program approved by the Department of Health for providing assistance in completing and executing a written advance directive; establishes requirements for training programs for qualified advance directive facilitators; and provides that distribution of a form for an advance directive that meets the requirements of § 54.1-2984 and the provision of ministerial assistance to a person with regard to the completion or execution of such form shall not constitute the unauthorized practice of law. This bill is identical to HB 1747.

Patron - Dunnivant

SB1321 Requirements for ophthalmic prescriptions. Requires, for ophthalmic prescriptions written on or after July 1, 2017, that an ophthalmologist or optometrist establish a bona fide provider-patient relationship with a patient prior to prescribing spectacles, eyeglasses, lenses, or contact lenses, and sets out requirements for establishing such relationship, which includes options for examination of the patient either in person or through face-to-face interactive, two-way, real-time communication or store-and-forward technologies. This bill is identical to HB 1497.

Patron - Carrico

SB1403 Board of Pharmacy to deschedule or reschedule controlled substances. Authorizes the Board of Pharmacy (Board) to designate, deschedule, or reschedule as a controlled substance any substance 30 days after publication in the Federal Register of a final or interim final order or rule designating such substance as a controlled substance or descheduling or rescheduling such substance. Under current law, the Board may act 120 days from such publication date. The bill also provides that a person is immune from prosecution for prescribing, administering, dispensing, or possessing pursuant to a valid prescription a substance approved as a prescription drug by the U.S. Food and Drug Administration on or after July 1, 2017, in accordance with a final or interim final order or rule despite the fact that such substance has not been scheduled by the Board. The immunity provided by the bill remains in effect until the earlier of (i) nine months from the date of the publication of the interim final order or rule or, if published within nine months of the interim final order or rule, the final order or rule or (ii) the substance is scheduled by the Board or by law. This bill is identical to HB 1799.

Patron - Dunnivant

SB1484 Prescription Monitoring Program. Provides that the information in the possession of the Prescription Monitoring Program disclosed by the Director of Health Professions about a specific recipient who is a member of a Virginia Medicaid managed care program to a physician or pharmacist employed by the Virginia Medicaid managed care program may be disclosed to such physician's or pharmacist's clinical designee who holds a multistate licensure privilege to practice nursing or a license issued by a health regulatory board within

the Department of Health Professions and is employed by the Virginia Medicaid managed care program.

Patron - Hanger

SB1511 Advance directives; mental health treatment; capacity determinations. Provides that in cases in which a person has executed an advance directive granting an agent the authority to consent to the person's admission to a facility for mental health treatment and the advance directive so authorizes, the person's agent may exercise such authority after a determination that the person is incapable of making an informed decision regarding such admission has been made by (i) the attending physician, (ii) a psychiatrist or licensed clinical psychologist, (iii) a licensed psychiatric nurse practitioner, (iv) a licensed clinical social worker, or (v) a designee of the local community services board as defined in § 37.2-809. The bill also provides that a person's agent may make a health care decision over the protest of the person if, in addition to other factors, at the time the advance directive was made, a licensed physician, licensed clinical psychologist, licensed physician assistant, licensed nurse practitioner, licensed professional counselor, or licensed clinical social worker who is familiar with the person attested in writing that the person was capable of making an informed decision and understood the consequences of the provision. This bill is identical to HB 1548.

Patron - Deeds

SB1535 Real Estate Appraiser Board; evaluations. Allows a licensed residential real estate appraiser, certified residential real estate appraiser, or certified general real estate appraiser to provide an evaluation of real estate or real property in connection with certain real estate-related financial transactions. This bill is identical to HB 1556.

Patron - Sturtevant

SB1546 Drug Control Act; Schedule I. Adds certain chemical substances to Schedule I of the Drug Control Act. The Board of Pharmacy has added these substances to Schedule I in an expedited regulatory process. A substance added via this process is removed from the schedule after 18 months unless a general law is enacted adding the substance to the schedule. The bill also removes two substances, benzylfentanyl and thienylfentanyl, from Schedule I. The bill contains technical amendments. This bill is identical to HB 1610.

Patron - Vogel

SB1573 Appraisal management companies; compensation to appraisers. Requires that an appraisal management company compensate the appraiser within 30 days of the initial delivery by the appraiser of the completed appraisal report, except in the case of breach of contract or noncompliance with the conditions of the engagement or performance of services that violate the Uniform Standards of Professional Appraisal Practice.

Patron - Wagner

Failed

HB1424 Labeling of prescription drugs; purpose. Requires pharmacists to include on any label placed on the

container in which any drug dispensed pursuant to a prescription is placed the purpose for which the drug has been prescribed and requires written prescriptions issued by prescribers to include the purpose for which the drug is prescribed.

Patron - Cole

HB1449 Dispensing of naloxone. Allows a person who is authorized by the Department of Behavioral Health and Developmental Services to train individuals on the administration of naloxone for use in opioid overdose reversal and who is acting on behalf of an organization that provides substance abuse treatment services to individuals at risk of experiencing opioid overdose or training in the administration of naloxone for overdose reversal and that has obtained a controlled substances registration from the Board of Pharmacy pursuant to § 54.1-3423 to dispense naloxone to a person who has completed a training program on the administration of naloxone for opioid overdose reversal, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber, (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, and (iii) without charge or compensation. The bill also provides that a person who dispenses naloxone shall not be liable for civil damages of ordinary negligence for acts or omissions resulting from the rendering of such treatment if he acts in good faith and that a person to whom naloxone has been dispensed pursuant to the provisions of the bill may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

Patron - Boysko

HB1531 Department of Health; regulations governing Other Do Not Resuscitate Orders. Directs the Department of Health to amend regulations governing Other Do Not Resuscitate Orders to require signed and witnessed informed consent to such orders.

Patron - Farrell

HB1566 Professions and occupations; regulatory boards. Establishes a statewide policy for the regulation of professions and occupations specifying criteria for government regulation with the objective of increasing opportunities, promoting competition, encouraging innovation, protecting consumers, and complying with applicable federal antitrust laws. The bill also establishes the position of professional and occupational regulatory analyst within the Division of Legislative Services to assist the Joint Commission on Administrative Rules in (i) evaluating at least three professions and occupations in each year and (ii) to the extent feasible, reviewing legislation establishing or modifying an occupational regulation to determine whether the legislation meets the state policy of using the least restrictive regulation necessary to protect or preserve the public health, safety, and welfare. The evaluation shall include recommendations for changes to occupational regulations to improve compliance with the state policy of using the least restrictive regulation necessary.

Patron - Webert

HB1584 Solicitation of professional employment; person charged with traffic infraction or reckless driving. Provides that it is unlawful for an attorney to solicit profes-

sional employment from a person charged with a traffic infraction or reckless driving until 30 days after a summons containing the charge is issued to such person.

Patron - Campbell

HB1824 Department of Professional and Occupational Regulation; deregulation of interior designers, landscape architects, and polygraph examiners. Eliminates the requirements for licensure of landscape architects and polygraph examiners and certification of interior designers. The bill contains numerous technical amendments to accomplish the deregulation of these professions.

Patron - LaRock

HB1898 Limits on prescription of controlled substances containing opioids. Prohibits a prescriber providing treatment for a patient in an emergency department of a corporation, facility, or institution licensed, owned, or operated by the Commonwealth to provide health care from prescribing a controlled substance containing an opioid in a quantity greater than a three-day supply, as determined in accordance with the prescriber's directions for use. The bill also prohibits a pharmacist from dispensing a controlled substance containing an opioid pursuant to a prescription issued by a prescriber providing treatment to a patient in the emergency department of a corporation, facility, or institution licensed, owned, or operated by the Commonwealth to provide health care unless the prescription complies with the requirements of the bill. The bill has an expiration date of July 1, 2020.

Patron - Bell, John J.

HB1956 Delivery of prescription drug order; shipping Schedule VI controlled substances. Clarifies requirements related to delivery of prescription drug orders, including delivery of such orders by mail, common carrier, or delivery service, and requires the Board of Pharmacy to adopt regulations for the delivery of prescription orders by mail, common carrier, or delivery service.

Patron - Helsel

HB2042 Suicide prevention; continuing education requirements for providers. Requires continuing education related to suicide assessment, treatment, and management for all licensed doctors of medicine, osteopathy, and chiropractic medicine; licensed physician assistants; licensed nurse practitioners; licensed occupational therapists; licensed registered nurses; licensed practical nurses; licensed physical therapists and physical therapy assistants; licensed counselors, substance abuse treatment practitioners, and marriage and family therapists; licensed psychologists; and licensed social workers.

Patron - Murphy

HB2060 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

HB2145 Department of Professional and Occupational Regulation; regulation of land surveyor photogram-

metrists. Provides for the licensure of land surveyor photogrammetrists by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. The bill defines "land surveyor photogrammetrists" and sets the criteria for their licensure. The bill provides that it will not become effective unless reenacted by the 2018 Session of the General Assembly.

Patron - LeMunyon

[F]HB2221 Joint Subcommittee to Evaluate Professional and Occupational Licensing Requirements. Creates the Joint Subcommittee to Evaluate Professional and Occupational Licensing Requirements of the various regulatory boards within the Department of Professional and Occupational Regulation. The bill sets out the membership of the Joint Subcommittee and enumerates its powers and duties. The bill also provides that to assist the Joint Subcommittee in carrying out its powers and duties, the General Assembly shall adopt a schedule for its timely review of the statutory and regulatory professional and occupational licensing requirements of the regulatory boards within the Department of Professional and Occupational Regulation. The schedule adopted shall require that no less than 20 percent of such licensing requirements be reviewed annually. The bill states that the General Assembly may delegate this function to the Joint Commission on Administrative Rules.

Patron - Cline

[F]HB2242 Department of Professional and Occupational Regulation; regulatory boards within the Department; expiration of regulations. Requires all proposed and final regulations promulgated by any regulatory board within the Department on or after July 1, 2017, to contain a sunset provision such that the regulations shall expire within five years of their effective date. The bill provides that on or before July 1, 2021, the Board for Professional and Occupational Regulation (the Board) shall review the regulations on such timetable as determined by the Board to enable it to make specific determinations outlined in the bill. The bill requires that by July 1, 2021, the Board shall submit a report of its findings, including any recommendations, to the Joint Commission on Administrative Rules (the Commission), which shall exercise the powers granted to it under the Administrative Process Act and the Commission's enabling law. Any recommendations of the Commission for the continuation, modification, suspension, or rescission of any such regulation shall be submitted to the Governor and the General Assembly by October 15, 2021.

Patron - Miyares

[F]HB2335 Board for Contractors; unlicensed activity; penalty. Provides that, in addition to existing penalties for unlicensed activity, any second or subsequent violation by any person who undertakes work without a valid Virginia contractor's license or certificate when a license or certificate is required shall constitute a Class 6 felony.

Patron - Watts

[F]HB2372 Firearm transactions; voluntary background checks; clarification. Clarifies the provisions that apply to voluntary background checks performed at a firearms

show by translating the Latin term of art *mutatis mutandis* into English.

Patron - Holcomb

[F]HB2387 Department of Professional and Occupational Regulation; waiver of first-time licensing fees for low-income applicants. Requires a regulatory board within the Department of Professional and Occupational Regulation to waive the initial application fee for any low-income individual applying for any license, certificate, or registration issued by the regulatory board or the Department. The bill defines "low-income individual" as any individual whose gross annual income is less than \$25,000 per year.

Patron - Yancey

[F]HB2394 Pawnbrokers; allowable late fees. Provides that a pawnbroker may charge a late fee, not to exceed 10 percent of the amount loaned, for each item that is not claimed by the pledged due date.

Patron - Bell, Richard P.

[F]HB2451 Professional and occupational licensing; restoration of rights. Includes consideration of whether a person's right to vote has been restored as part of a regulatory board's determination of whether a criminal conviction directly relates to an occupation or profession for which a license is sought.

Patron - Torian

[F]SB832 Firearm transactions; voluntary background checks; clarification. Clarifies the provisions that apply to voluntary background checks performed at a firearms show by translating the Latin term of art *mutatis mutandis* into English.

Patron - DeSteph

[F]SB1220 Practice of telemedicine; prescribing. Provides that a health care practitioner who performs or has performed an appropriate examination of the patient, either physically or by the use of instrumentation and diagnostic equipment, for the purpose of establishing a bona fide practitioner-patient relationship may prescribe Schedule II through VI controlled substances to the patient, provided that the prescribing of such controlled substance is in compliance with federal requirements for the practice of telemedicine. The bill also authorizes the Board of Pharmacy to register an entity at which a patient is treated by the use of instrumentation and diagnostic equipment for the purpose of establishing a bona fide practitioner-patient relationship and is prescribed Schedule II through VI controlled substances to possess and administer Schedule II through VI controlled substances when such prescribing is in compliance with federal requirements for the practice of telemedicine and the patient is not in the physical presence of a practitioner registered with the U.S. Drug Enforcement Administration.

Patron - Barker

[F]SB1244 Glucagon; administration by emergency medical services providers. Authorizes emergency medical services providers who are certified and authorized to administer drugs and devices and who hold an advanced life support

certificate or basic life support certificate issued by the Commissioner of Health to possess and administer glucagon for the emergency treatment of hypoglycemia in accordance with existing protocols.

Patron - Dunnivant

SB1327 Licensure of doctors of medical science. Establishes criteria for license as a doctor of medical science and establishes the Advisory Board on Doctors of Medical Science.

Patron - Carrico

SB1481 Judicial Candidate Evaluation Committee; Virginia State Bar. Codifies the procedures used by the State Bar to evaluate and recommend candidates for election by the General Assembly to the appellate courts, the federal courts, and the State Corporation Commission.

Patron - Sturtevant

SB1504 Virginia Health Workforce Development Authority; career pathway. Directs the Virginia Health Workforce Development Authority to develop a curriculum in the field of geriatric health care.

Patron - Favola

SB1572 Department of Professional and Occupational Regulation; regulation of land surveyor photogrammetrists. Provides for the licensure of land surveyor photogrammetrists by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. The bill defines "land surveyor photogrammetrists" and sets the criteria for their licensure.

Patron - Stanley

SB1575 Virginia Real Estate Appraiser Board; appraisal management companies; compensation of appraisers. Requires an appraisal management company to compensate appraisers at a rate that is customary and reasonable for appraisal services performed in the market area of the property being appraised. The bill provides that compliance with the fee requirement is presumed if an appraisal management company compensates appraisers in an amount that is reasonably related to recent rates paid for comparable appraisal services by entities other than appraisal management companies in the geographic market of the property being appraised. The bill also provides that an appraisal management company may use objective third-party information, such as government agency fee schedules, academic studies, and independent private sector surveys, as evidence to determine appraiser compensation.

Patron - Wagner

provided in the declaration of a property owners' association, a declaration may be amended by a two-thirds vote of the owners. The bill is in response to the Virginia Supreme Court decision in February 2016 in *Tvardek v. Powhatan Village Homeowners Association, Inc.*

Patron - Bulova

HB1623 Residential rental property. Removes a provision that allows a tenant to remain in a dwelling unit that has been foreclosed upon pursuant to the federal Protecting Tenants at Foreclosure Act because the Act expired on December 31, 2014, and is no longer in effect. The bill provides that the foreclosure of a residential rental property shall act as a termination of the rental agreement by the owner of such property. In such case, the tenant may remain in possession of such dwelling unit as a month-to-month tenant on the terms of the terminated rental agreement until the successor owner gives a notice of termination of such month-to-month tenancy. The bill also provides how rental payments may be made during the period of the month-to-month tenancy. In addition, the bill requires a current owner of rental property who has entered into a written property management agreement with a managing agent and who has subsequently entered into a purchase agreement with a new owner to give written notice to the managing agent requesting payment of security deposits to the current owner prior to settlement with the new owner. The bill requires the managing agent to transfer the security deposits to the current owner and provide written notice to each tenant that his security deposit has been transferred. This bill is identical to SB 991.

Patron - Yancey

HB1869 Virginia Residential Landlord and Tenant Act; tenant obligations. Provides that in addition to complying with the terms of a rental agreement, a tenant is obligated to be financially responsible for the added cost of treatment or extermination of any insects or pests due to the tenant's unreasonable delay in reporting the existence of the insects or pests or the tenant's fault in failing to prevent infestation of any insects or pests in the area occupied.

Patron - Lopez

HB2033 Landlord and tenant law; residential tenancies; landlord and tenant obligations and remedies. Provides that the Virginia Residential Landlord and Tenant Act (§ 55-248.2 et seq.) (the Act) shall apply to all residential tenancies; however, a landlord who is a natural person, an estate, or a legal entity that owns no more than two single-family residential dwelling units in its own name subject to a rental agreement may opt out of the Act by stating so in the rental agreement. The bill conforms general landlord and tenant law relating to residential tenancies to the Act, including the security deposits, lease terms, notice, and disclosure provisions. The bill also allows the landlord, for unclaimed security deposits, to submit such funds to the State Treasurer rather than the Virginia Housing Trust Fund and changes the requirement that a landlord make reasonable efforts to advise the tenant of the right to be present at the landlord's inspection to a requirement that written notice of the right be provided. The bill provides for a landlord to provide a tenant with a written statement of charges and payments over the previous 12 months rather than an accounting as required under current law. In addition, the

Property and Conveyances

Passed

HB1554 Property Owners' Association Act; amendment of declaration. Provides that except as otherwise

bill includes any activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety by the tenant or authorized occupants, guests, or invitees as an immediate nonremediable violation for which the landlord may terminate the tenancy. The bill also authorizes a landlord to dispose of the property of a deceased tenant if a personal representative has not been appointed by the circuit court. The landlord may proceed with the disposal after providing 10 days' notice. The bill (i) provides that authorized occupants, guests, or invitees must vacate the dwelling unit after the death of a sole tenant; (ii) allows a landlord to request during the pendency of an unlawful detainer action an order requiring the tenant to provide the landlord with access to the dwelling unit; (iii) adds oil to the utilities that may be included in ratio utility billing; (iv) requires the landlord to provide a written security deposit disposition statement following a move-out inspection and provides for the landlord to seek recovery for additional damages discovered after the security deposit disposition has been made, provided, however, that the tenant may present evidence of the move-out report to support the tenant's position that such additional damages did not exist at the time of the move-out inspection; and (v) authorizes a landlord to retain an attorney to prepare or provide any required written notice and permits the use of an electronic signature or an electronic notarization.

Patron - Miller

HB2034 Virginia Residential Property Disclosure Act. Adds two new disclosures required to be made by a seller of residential real property to a purchaser, one for whether the property is subject to one or more conservation or other easements and a second for whether the property is subject to a community development authority approved by a local governing body. The bill also (i) adds a definitions section for the Virginia Residential Property Disclosure Act, (ii) provides for electronic delivery of required disclosures, and (iii) provides that the required disclosures provided by the Real Estate Board appear on its website. The bill has numerous technical amendments.

Patron - Miller

HB2045 Property Owners' Association Act; designation of authorized representative by seller; association disclosure packet. Provides that unless expressly authorized by the Property Owners' Association Act (§ 55-508 et seq.) or the declaration or as otherwise provided by law, no association may require the use of any for sale sign that is (i) an association sign or (ii) a real estate sign that does not comply with the requirements of the Real Estate Board. An association may, however, prohibit the placement of signs in the common area and establish reasonable rules and regulations that regulate (a) the number of real estate signs, (b) the geographical location of real estate signs, (c) the manner in which real estate signs are affixed to real property, and (d) the period of time after settlement when the real estate signs must be removed. In addition, no property owners' association may require any lot owner to execute a formal power of attorney if the lot owner designates a person licensed by the Real Estate Board to serve as his authorized representative in the sale of a lot. The bill provides that if a request has been made to an association or its common interest community manager to furnish the disclosure packet and such packet is not provided within 14 days of the request,

it shall be deemed a waiver of any claim for delinquent assessments or of any violation of the declaration, bylaws, rules and regulations, or architectural guidelines existing as of the date of the request with respect to the subject lot. The bill also authorizes the Common Interest Community Board to assess a monetary penalty for failure to deliver the association disclosure packet within 14 days against the association or its common interest community manager. The bill also authorizes the Common Interest Community Board to receive a complaint directly from any person aggrieved by an association's failure to deliver a resale certificate or disclosure packet within the time period required under the Condominium Act, the Virginia Real Estate Cooperative Act, or the Property Owners' Association Act. This bill is identical to SB 1231.

Patron - Miller

HB2050 Severance of tenancy by the entireties by written instrument. Clarifies that a husband and wife may own real or personal property as tenants by the entirety for as long as they are married. The bill provides that, in order to sever a tenancy by the entireties by written instrument, the instrument must be a deed that is signed by both spouses as grantors of the property. This bill is in response to *Evans v. Evans*, Record No. 141277, 772 S.E.2d 576, 2015 Va. LEXIS 84 (2015), and, as introduced, was a recommendation of the Boyd-Graves Conference.

Patron - Adams

HB2203 Manufactured Home Lot Rental Act; notice to tenant of building code violation; renewal of lease. Requires the Department of Housing and Community Development to consider including in the current revision of the Uniform Statewide Building Code a provision designed to ensure that localities provide appropriate notice to residents of manufactured home parks of any Building Code violation by a park owner that jeopardizes the health and safety of those residents and to report to the General Assembly regarding the status of such efforts no later than November 1, 2017. The bill contains an emergency clause.

Patron - Torian

HB2274 Condominium Act; resale by purchaser; designation of authorized representative. Provides that unless expressly authorized by the Condominium Act or the condominium instruments or as otherwise provided by law, no unit owners' association may require the use of any for sale sign that is a unit owners' association sign, or a real estate sign that does not comply with the requirements of the Real Estate Board. A unit owners' association may, however, prohibit the placement of signs in the common area and establish reasonable rules and regulations that regulate (i) the number of real estate signs to be located on real property upon which the owner has a separate ownership interest or a right of exclusive possession, so long as at least one real estate sign is permitted; (ii) the geographical location of real estate signs on real property in which the owner has a separate ownership interest or a right of exclusive possession, so long as the location of the real estate signs complies with the requirements of the Real Estate Board; (iii) the manner in which real estate signs are affixed to real property; and (iv) the period of time after settlement when the real estate signs on such real property shall be removed. The bill also prohibits a unit owners' association from requiring

any unit owner to execute a formal power of attorney if the unit owner designates a person licensed by the Real Estate Board to serve as his authorized representative in the sale of a unit. In addition, the bill authorizes the Common Interest Community Board to assess a monetary penalty against a unit owners' association or common interest community manager for the failure to deliver the resale certificate within 14 days. This bill is identical to SB 1255.

Patron - Marshall, D.W.

SB991 Residential rental property. Removes a provision that allows a tenant to remain in a dwelling unit that has been foreclosed upon pursuant to the federal Protecting Tenants at Foreclosure Act because the Act expired on December 31, 2014, and is no longer in effect. The bill provides that the foreclosure of a residential rental property shall act as a termination of the rental agreement by the owner of such property. In such case, the tenant may remain in possession of such dwelling unit as a month-to-month tenant on the terms of the terminated rental agreement until the successor owner gives a notice of termination of such month-to-month tenancy. The bill also provides how rental payments may be made during the period of the month-to-month tenancy. In addition, the bill requires a current owner of rental property who has entered into a written property management agreement with a managing agent and who has subsequently entered into a purchase agreement with a new owner to give written notice to the managing agent requesting payment of security deposits to the current owner prior to settlement with the new owner. The bill requires the managing agent to transfer the security deposits to the current owner and provide written notice to each tenant that his security deposit has been transferred. This bill is identical to HB 1623.

Patron - Dance

SB1037 Virginia Residential Property Disclosure Act; required disclosures; local historic districts. Advises a prospective purchaser of residential property under the Virginia Residential Property Disclosure Act, upon delivery of the residential property disclosure statement wherein the owner makes no representations with respect to the presence of a historic district, to review any materials available from the locality that explain (i) any requirements to alter, reconstruct, renovate, restore, or demolish buildings or signs in the local historic district and (ii) the necessity of obtaining any local review board or governing body approvals prior to doing any work on a property located in a local historic district. This bill is a recommendation of the Virginia Housing Commission.

Patron - Locke

SB1123 Manufactured Home Lot Rental Act; failure of landlord to correct violations; notification of tenants. Provides that if a landlord does not remedy a violation of an ordinance involving the health and safety of tenants in a manufactured home park within seven days of receiving notice from the locality of such violation, the locality must notify tenants of the manufactured home park who are affected by the violation. The notification may consist of posting the notice of violation in a conspicuous place in the manufactured home park or mailing copies of the notice to affected tenants.

Patron - McPike

SB1231 Property Owners' Association Act; designation of authorized representative by seller; association disclosure packet. Provides that unless expressly authorized by the Property Owners' Association Act (§ 55-508 et seq.) or the declaration or as otherwise provided by law, no association may require the use of any for sale sign that is (i) an association sign or (ii) a real estate sign that does not comply with the requirements of the Real Estate Board. An association may, however, prohibit the placement of signs in the common area and establish reasonable rules and regulations that regulate (a) the number of real estate signs, (b) the geographical location of real estate signs, (c) the manner in which real estate signs are affixed to real property, and (d) the period of time after settlement when the real estate signs must be removed. In addition, no property owners' association may require any lot owner to execute a formal power of attorney if the lot owner designates a person licensed by the Real Estate Board to serve as his authorized representative in the sale of a lot. The bill provides that if a request has been made to an association or its common interest community manager to furnish the disclosure packet and such packet is not provided within 14 days of the request, it shall be deemed a waiver of any claim for delinquent assessments or of any violation of the declaration, bylaws, rules and regulations, or architectural guidelines existing as of the date of the request with respect to the subject lot. The bill also authorizes the Common Interest Community Board to assess a monetary penalty for failure to deliver the association disclosure packet within 14 days against the association or its common interest community manager. The bill also authorizes the Common Interest Community Board to receive a complaint directly from any person aggrieved by an association's failure to deliver a resale certificate or disclosure packet within the time period required under the Condominium Act, the Virginia Real Estate Cooperative Act, or the Property Owners' Association Act. This bill is identical to HB 2045.

Patron - Stanley

SB1255 Condominium Act; resale by purchaser; designation of authorized representative. Provides that unless expressly authorized by the Condominium Act or the condominium instruments or as otherwise provided by law, no unit owners' association may require the use of any for sale sign that is a unit owners' association sign, or a real estate sign that does not comply with the requirements of the Real Estate Board. A unit owners' association may, however, prohibit the placement of signs in the common area and establish reasonable rules and regulations that regulate (i) the number of real estate signs to be located on real property upon which the owner has a separate ownership interest or a right of exclusive possession, so long as at least one real estate sign is permitted; (ii) the geographical location of real estate signs on real property in which the owner has a separate ownership interest or a right of exclusive possession, so long as the location of the real estate signs complies with the requirements of the Real Estate Board; (iii) the manner in which real estate signs are affixed to real property; and (iv) the period of time after settlement when the real estate signs on such real property shall be removed. The bill also prohibits a unit owners' association from requiring any unit owner to execute a formal power of attorney if the unit owner designates a person licensed by the Real Estate Board to serve as his authorized representative in the sale of a unit. In addition, the bill authorizes the Common Interest Community Board to assess a monetary penalty against a unit owners' asso-

ciation or common interest community manager for the failure to deliver the resale certificate within 14 days. This bill is identical to HB 2274.

Patron - DeSteph

Failed

HB1553 Property Owners' Association Act; board of directors; actions taken without a meeting. Conforms the Property Owners' Association Act with the provisions of the Virginia Nonstock Corporation Act as the latter relates to authorized actions that may be taken by an association board of directors without a meeting. The bill sets out the requirements for written consent of the members of the board of directors to such action and provides the opportunity for comment by members of the association on any such action taken.

Patron - Bulova

HB1638 Virginia Residential Landlord and Tenant Act; insurance; early termination of rental agreement. Prohibits a landlord from requiring a tenant to agree to a waiver of subrogation for damage or renter's insurance. The bill also (i) requires a landlord to post a copy of a standard rental agreement and any addenda regularly used by the landlord on the landlord's public website, if any; (ii) allows for the early termination of a rental agreement by the surviving spouse of a decedent tenant under certain conditions; and (iii) provides that if a tenant makes a request for maintenance, the landlord is required to contact the tenant by telephone or electronic mail as provided by the tenant to arrange a time as may be mutually agreed upon by the landlord and tenant to remedy the condition for which the request for maintenance was made, unless there is a preexisting agreement between the parties to the contrary.

Patron - Leftwich

HB1639 Virginia Residential Landlord and Tenant Act; disclosure of relationship between landlord and insurance company. Requires a landlord, prior to the execution or renewal of a rental agreement, to provide a written disclosure to a tenant in cases where (i) there exists a business or financial relationship between the landlord and any insurance company (a) providing to the landlord any insurance coverage that under current law the landlord may require as a condition of tenancy or (b) referred by the landlord to a tenant to obtain such insurance coverage and (ii) any such coverage contains a waiver of subrogation provision. The bill defines the term "business or financial relationship."

Patron - Leftwich

HB1648 Notice by trustee required before foreclosure sale; tenant of property subject to sale. Requires a trustee to give written notice to any tenant living in property subject to foreclosure. The bill provides the contents of such written notice and requires the trustee to serve such notice at least 30 days prior to a foreclosure sale by mail or hand delivery.

Patron - Loupassi

HB1670 Property Owners' Association Act; amendment of declaration. Provides that except as otherwise

provided in the declaration of a property owners' association, a declaration may be amended by a two-thirds vote of the owners. The bill also provides that an action to challenge the validity of an amendment adopted by the association may not be brought more than one year after the amendment is recorded. Under current law, such a challenge must be brought within one year after the amendment is effective. The bill is in response to the Virginia Supreme Court decision in February 2016 in *Tvardek v. Powhatan Village Homeowners Association, Inc.*

Patron - Lindsey

HB2376 Property Owners' Association Act; fees for disclosure packets by associations not professionally managed. Provides that an association that is not professionally managed may act as a professionally managed association only upon complying with specific conditions set out in the bill. The bill also states that an association that is not professionally managed that satisfies each of these conditions and that performs the responsibilities of a professionally managed association shall have the liabilities and receive the compensation of a professionally managed association.

Patron - Watts

HB2382 Virginia Residential Landlord and Tenant Act; landlord to inspect vacated dwelling unit for abandoned animals; penalty. Requires a landlord who knows or should have known that a dwelling unit has been vacated to inspect such dwelling unit within two days of its being vacated for the presence of any abandoned animals. If an abandoned animal is discovered, the landlord is required to notify an animal control officer or law enforcement of the presence and condition of the animal but shall not be considered the owner or custodian of the animal. The bill also provides that any person who knowingly fails to comply with the bill's inspection and notification provisions shall be guilty of a Class 1 misdemeanor.

Patron - Lindsey

SB959 Virginia Residential Landlord and Tenant Act; abandoned animals; penalty. Prohibits a tenant from abandoning a companion animal either during the tenancy or after vacating the dwelling unit and provides that the penalty for such abandonment is a Class 3 misdemeanor.

Patron - Spruill

SB993 Lease agreements; late charge. Caps the amount of the late charge that a lessor may impose for the failure of the lessee to make timely payment of any periodic rent due under a lease of real property in the Commonwealth at five percent of the amount of the periodic rent due under the lease. The measure requires the late charge to be specified in the lease or rental agreement. A payment is timely if it is made within seven calendar days of the due date.

Patron - Stanley

SB1094 Manufactured Home Lot Rental Act; right of resident upon eviction from a manufactured home park. Provides that a manufactured home owned by an evicted resident of a manufactured home park when there is no secured party shall be held in trust for the resident by the park owner until such time as the home is sold. The bill further provides

that if the manufactured home is sold, the proceeds of the sale shall be remitted by the owner to the resident minus any costs for the sale and any amounts owed to the park.

Patron - Petersen

[F]SB1096 Virginia Property Owners' Association Act; home-based businesses; licensed child care provider. Provides that a lot owner who is a licensed child care provider operating within his personal residence pursuant to state law and in compliance with local ordinances shall be considered an accessory residential use and may not be prohibited by a property owners' association unless specifically prohibited by the declaration.

Patron - Petersen

[F]SB1368 Foreclosure advertisements; posted at courthouse and on local government or circuit court website. Provides that, in lieu of newspaper advertisements, foreclosure sales shall be advertised at the courthouse and on the website of the public government of the locality served by the court or of the circuit court for the county or city in which the property to be sold is located, and that the clerk shall place a small notice in a newspaper having a general circulation in the city or county in which the property to be sold is located informing the public of the location of such advertisements. The bill has a delayed effective date of January 1, 2018.

Patron - Norment

[F]SB1401 Virginia Property Owners' Association Act; lot owner representation on association board. Requires, unless the declaration expressly provides otherwise, that the membership of the board of directors of the association include lot owners other than the declarant until the transfer of the common area to the association by the declarant.

Patron - Dunnivant

Public Service Companies

Passed

[P]HB1671 Qualified projects of natural gas utilities. Exempts any natural gas utility serving fewer than 2,000 residential customers and fewer than 350 commercial and industrial customers in the year in which the utility makes an investment for qualifying projects from the provision that limits the amount of investment that a natural gas utility may make in qualifying projects to one percent of its net plant investment that was used in establishing base rates in its most recent rate case. The measure applies only to projects located in the coalfield region of Virginia. The existing exemption to the one percent cap was enacted in 2013 and applies to any natural gas utility serving fewer than 1,000 residential customers and fewer than 250 commercial and industrial customers in such year. Legislation enacted in 2012 established a mechanism for natural gas utilities to recover the eligible infrastructure development costs of a qualifying project through future rates. 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. This bill received Governor's recommendations.

Patron - Morefield

[P]HB1719 Wireless E-911 Fund; distribution percentages. Postpones from July 1, 2017, to July 1, 2018, the date by which the Department of Taxation is required to conduct its first recalculation of the percentage of funds in the Wireless E-911 Fund that is required to be distributed to each public safety answering point (PSAP). The recalculation is required to be based on the cost and call load data of each PSAP for the previous five fiscal years. This bill is identical to SB 1003.

Patron - Anderson

[P]HB1760 Electric utilities; costs of pumped hydro-electricity generation and storage facilities. Authorizes an investor-owned electric utility to petition the State Corporation Commission for approval of a rate adjustment clause for recovery of the costs of one or more pumped hydroelectricity generation and storage facilities that utilize associated on-site or off-site renewable energy resources as all or a portion of their power source and such facilities and associated resources are located in the coalfield region of the Commonwealth. The measure provides that the requirement that a utility demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process applies only to a generation facility that is described in clauses (i) and (ii) of subdivision A 6 of § 56-585.1.

Patron - Kilgore

[P]HB1766 Utility Facilities Act; associated facilities of an electrical transmission line. Provides that the issuance by the State Corporation Commission of a certificate of public convenience and necessity for construction of an electrical transmission line of 138 kilovolts and any associated facilities shall be deemed to satisfy local comprehensive plan requirements and all local zoning ordinances with respect to the transmission line and associated facilities. The measure defines "associated facilities" as including any station, substation, transition station, and switchyard facilities to be constructed outside of any county operating under the county executive form of government that is located in Planning District 8 (e.g., Prince William County) in association with the 138 kilovolt transmission line.

Patron - Habeeb

[P]HB2108 Virginia Wireless Services Authority Act; rates and charges. Provides that a wireless services authority may fix rates, fees, and charges for services provided, or facilities owned, operated, or maintained by the authority, for which the authority has received loan funding. Currently, an authority may do so only if it has issued revenue bonds. A similar change authorizes rates to be set at levels to provide for payment of loans. The measure also requires each authority to maintain records demonstrating compliance with certain provisions and to make the records available for inspection and copying by the public pursuant to the Virginia Freedom of Information Act.

Patron - Byron

HB2291 Electric utilities; costs of modifications to nuclear generation facilities. Authorizes an investor-owned electric utility to petition the State Corporation Commission for approval of a rate adjustment clause for recovery of the costs of a system or equipment upgrade, system or equipment replacement, or other cost reasonably appropriate to extend the combined operating license for, or the operating life of, nuclear generation facilities. The measure limits the scope of the requirement that a utility demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process to certain new generation facilities. The measure provides that a utility's costs incurred in extending the combined operating license for, or the operating life of, a nuclear generation facility, which costs are prudently incurred prior to the Commission's entry of a final order on the petition, shall be deferred on the books and records of the utility until the later of the entry of a final order in the proceeding or until the implementation of any applicable approved rate adjustment clauses. The measure prohibits a utility, prior to January 1, 2020, from recovering through a rate adjustment clause certain costs related to extensions of the combined operating license for or the operating life of a nuclear generation facility. An enactment clause provides that costs recovered through the utility's rates for generation and distribution services as of January 1, 2017, that are associated with a utility's existing nuclear generation facilities are not recoverable through a specified rate adjustment clause.

Patron - Kilgore

HB2303 Small agricultural generators. Establishes the parameters of a program under which small agricultural generators may sell the electricity generated from a small agricultural generating facility to its utility. Effective July 1, 2019, enrollment by eligible agricultural customer-generators in an existing net energy metering program conducted by an electric cooperative will cease, though a cooperative's customers who were participating as eligible agricultural customer-generators before that date are allowed to remain in the net metering program for not more than 25 years. A small agricultural generator is defined in this measure as a customer who operates an electrical generating facility as part of an agricultural business, which generating facility, among other conditions, has a capacity of not more than 1.5 megawatts, uses renewable energy as its total source of fuel, has a capacity that does not exceed 150 percent of the customer's expected annual energy consumption based on the previous 12 months of billing history, uses not more than 25 percent of contiguous land owned or controlled by the agricultural business for purposes of the renewable energy generating facility, and is a PURPA qualifying small power production facility. The program for small agricultural generators requires the generator to enter into a power purchase agreement with its supplier to sell all of the electricity generated at a rate not less than the supplier's State Corporation Commission-approved avoided cost tariff for energy and capacity. The program also provides for utilities to recover distribution service costs and costs incurred to purchase electricity, capacity, and renewable energy certificates from the small agricultural generator through its Renewable Energy Portfolio Standard (RPS) rate adjustment clause if the utility has a Commission-approved RPS plan and rate adjustment clause or, if the utility does not have a Commission-approved RPS rate adjustment clause, then the costs shall be recoverable through the supplier's fuel adjustment clause or through the utility's

cost of purchased power. Finally, the measure directs the Commission to conduct a single docketed proceeding to implement the provisions of this measure. This bill is identical to SB 1394.

Patron - Minchew

HB2358 Water utilities; temporary and interim rate increases. Extends the maximum period that the State Corporation Commission is authorized to suspend the implementation of a proposed rate increase rates from 150 to 180 days. The measure applies only to certain investor-owned water utilities.

Patron - Ransone

HB2390 Renewable energy power purchase agreements; pilot programs. Expands the pilot program for renewable energy power purchase agreements authorized under legislation enacted in 2013 by directing that a pilot program be conducted by Appalachian Power. Currently, a pilot program is authorized only within Dominion Power's service territory. The measure provides that within the certificated service territory of Appalachian Power, nonprofit, private institutions of higher education that are not being served under a specific renewable generation tariff provision are deemed to be customer-generators eligible to participate in the pilot program, without the requirement that they participate in the utility's net energy metering program. The aggregated capacity of all generation facilities that are subject to third party power purchase agreements in Appalachian Power's pilot program is capped at seven megawatts. This bill received Governor's recommendations.

Patron - Kilgore

SB990 Electric energy consumption reduction goal; progress reports. Directs the Department of Mines, Minerals and Energy, in consultation with the staff of the State Corporation Commission, to report annually, commencing no later than December 15, 2018, on the progress the Commonwealth is making toward meeting the goal adopted in 2007 of reducing the consumption of electric energy by retail customers by the year 2022 by an amount equal to 10 percent of the amount of electric energy consumed by retail customers in 2006. The bill requires the reports to be made to the General Assembly, the Governor, and the Governor's Executive Committee on Energy Efficiency.

Patron - Dance

SB1003 Wireless E-911 Fund; distribution percentages. Postpones from July 1, 2017, to July 1, 2018, the date by which the Department of Taxation is required to conduct its first recalculation of the percentage of funds in the Wireless E-911 Fund that is required to be distributed to each public safety answering point (PSAP). The recalculation is required to be based on the cost and call load data of each PSAP for the previous five fiscal years. This bill is identical to HB 1719.

Patron - Ebbin

SB1282 Wireless communications infrastructure. Provides a uniform procedure for the way in which small cell facilities on existing structures are approved by localities and approved and installed in public rights-of-way. The measure includes provisions that establish requirements applicable to the location of micro-wireless facilities. The measure also addresses restrictions by localities and the Department of

Transportation regarding the use of public rights-of-way or easements. This bill received Governor's recommendations.

Patron - McDougale

SB1289 Qualified projects of natural gas utilities. Exempts any natural gas utility serving fewer than 2,000 residential customers and fewer than 350 commercial and industrial customers in the year in which the utility makes an investment for qualifying projects from the provision that limits the amount of investment that a natural gas utility may make in qualifying projects to one percent of its net plant investment that was used in establishing base rates in its most recent rate case. The existing exemption to the one percent cap was enacted in 2013 and applies to any natural gas utility serving fewer than 1,000 residential customers and fewer than 250 commercial and industrial customers in such year. Legislation enacted in 2012 established a mechanism for natural gas utilities to recover the eligible infrastructure development costs of a qualifying project through future rates. 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 - Chafin

SB1393 Electric utilities; community solar pilot programs. Requires Dominion Virginia Power and Appalachian Power to conduct a community solar pilot program for retail customers. A pilot program will authorize the participating utility to sell electric power to subscribing customers under a voluntary companion rate schedule, and the utility will generate or purchase the electric power from eligible generation facilities selected for inclusion in the pilot program. An eligible generation facility is an electrical generation facility that (i) exclusively uses energy derived from sunlight; (ii) is placed in service on or after July 1, 2017; (iii) is not constructed by an investor-owned utility but is acquired by an investor-owned utility through an asset purchase agreement or is subject to a power purchase agreement under which the utility purchases the facility's output from a third party; and (iv) has a generating capacity not exceeding two megawatts, subject to an exception. Pilot programs will have a three-year duration unless renewed or made permanent by appropriate legislation. The measure requires an investor-owned utility to select eligible generating facilities for dedication to its pilot program through a request for proposal (RFP) process. The minimum generating capacity of the eligible generating facilities in Appalachian Power's pilot program is 0.5 MW and in Dominion's pilot program is 10 MW. The maximum generating capacity of the eligible generating facilities in Appalachian Power's pilot program is 10 MW and in Dominion's pilot program is 40 MW. The measure establishes a procedure through which an investor-owned utility may increase the generating capacity of facilities in its pilot program above the amount most recently approved by the State Corporation Commission. The measure provides that an investor-owned utility may recover pilot program costs that are not recovered through the voluntary companion rate schedule through variable-output contracts with participating third parties. A subscribing customer's usage above the amount subscribed for the voluntary companion rate schedule shall be

billed under the customer's applicable standard rate. The measure authorizes a utility consumer services cooperative to conduct a pilot program and gives the cooperative flexibility in designing its program and voluntary companion rate schedule. The measure declares that the participation of retail customers in a pilot program is in the public interest and that the voluntary companion rate schedules approved are necessary in order to acquire information that is in furtherance of the public interest. The measure requires the Commission to approve the recovery of pilot program costs that it deems to be reasonable and prudent, the pilot program design, the voluntary companion rate schedule, and the portfolio of participating generating facilities. Commission review or approval is not required for individual participating generating facilities, agreements, sites, or RFPs. The measure provides that an approved voluntary companion rate schedule shall not be considered a tariff for electric energy provided 100 percent from renewable energy. An enactment clause directs investor-owned utilities, prior to submitting a proposal for a pilot program, to examine, in cooperation with representatives of relevant governmental, non-profit, and for-profit entities, options to facilitate the subscribing by low-income customers to the utility's pilot program. Another enactment clause requires participating utilities to disclose to subscribing customers the cost difference between the voluntary companion rate schedule and rate the customer would pay if it was not a subscriber.

Patron - Wagner

SB1394 Small agricultural generators. Establishes the parameters of a program under which small agricultural generators may sell the electricity generated from a small agricultural generating facility to its utility. Effective July 1, 2019, enrollment by eligible agricultural customer-generators in an existing net energy metering program conducted by an electric cooperative will cease, though a cooperative's customers who were participating as eligible agricultural customer-generators before that date are allowed to remain in the net metering program for not more than 25 years. A small agricultural generator is defined in this measure as a customer who operates an electrical generating facility as part of an agricultural business, which generating facility, among other conditions, has a capacity of not more than 1.5 megawatts, uses renewable energy as its total source of fuel, has a capacity that does not exceed 150 percent of the customer's expected annual energy consumption based on the previous 12 months of billing history, uses not more than 25 percent of contiguous land owned or controlled by the agricultural business for purposes of the renewable energy generating facility, and is a PURPA qualifying small power production facility. The program for small agricultural generators requires the generator to enter into a power purchase agreement with its supplier to sell all of the electricity generated at a rate not less than the supplier's State Corporation Commission-approved avoided cost tariff for energy and capacity. The program also provides for utilities to recover distribution service costs and costs incurred to purchase electricity, capacity, and renewable energy certificates from the small agricultural generator through its Renewable Energy Portfolio Standard (RPS) rate adjustment clause if the utility has a Commission-approved RPS plan and rate adjustment clause or, if the utility does not have a Commission-approved RPS rate adjustment clause, then the costs shall be recoverable through the supplier's fuel adjustment clause or through the utility's cost of purchased power. Finally, the measure directs the Com-

mission to conduct a single docketed proceeding to implement the provisions of this measure. The bill incorporates SB 917 and is identical to HB 2303.

Patron - Wagner

[P]SB1418 Electric utilities; costs of pumped hydro-electricity generation and storage facilities. Authorizes an investor-owned electric utility to petition the State Corporation Commission for approval of a rate adjustment clause for recovery of the costs of one or more pumped hydroelectricity generation and storage facilities that utilize associated on-site or off-site renewable energy resources as all or a portion of their power source and such facilities and associated resources are located in the coalfield region of the Commonwealth. The measure provides that the requirement that a utility demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process does not apply to these generation and storage facilities. This bill received Governor's recommendations.

Patron - Chafin

[P]SB1473 Electric utilities; undergrounding distribution lines. Declares that the replacement of any subset of an investor-owned electric utility's existing overhead distribution tap lines that have, in the aggregate, an average of nine or more total unplanned outage events-per-mile over a preceding 10-year period with new underground facilities in order to improve electric service reliability is in the public interest. The measure also provides that there shall be a rebuttable presumption that (i) the conversion of such facilities will provide local and system-wide benefits, (ii) the new underground facilities are cost beneficial, and (iii) the costs associated with the new underground facilities are reasonably and prudently incurred. An enactment clause provides that the measure shall apply to any applications pending with the Commission regarding new underground facilities on or after January 1, 2017. Another enactment clause directs an investor-owned incumbent electric utility to provide written notice to any cable operator of a cable television system that has attached its facilities to its poles that will be replaced in a project to underground existing overhead distribution tap lines not less than 90 days prior to relocating the utility's overhead distribution lines. The clause also establishes a procedure for negotiating a common shared underground easement.

Patron - Saslaw

[P]SB1492 Water utilities; consolidated ratemaking. Requires that in any ratemaking proceeding for certain investor-owned water utilities that are part of a water utility network the State Corporation Commission shall ensure that equal fixed and volumetric rates are charged for each customer class of every water utility that is in the water utility network. In such proceeding, the Commission is authorized to aggregate the revenues and costs of the water utilities that are members of the applicable water utility network. This bill received Governor's recommendations.

Patron - Stuart

Failed

[F]HB1438 Natural gas companies; right of entry. Requires that a natural gas company's notice to the owner of property of the company's intent to enter upon the property set forth the "specific" date of the intended entry. Currently, a company's notice of intent to enter is required to set forth the date of the intended entry.

Patron - Head

[F]HB1465 Electric energy consumption reduction goal; progress reports. Directs the Department of Mines, Minerals and Energy, in consultation with the staff of the State Corporation Commission, to report annually, commencing no later than December 15, 2018, on the progress the Commonwealth is making toward meeting the goal adopted in 2007 of reducing the consumption of electric energy by retail customers by the year 2022 by an amount equal to 10 percent of the amount of electric energy consumed by retail customers in 2006. The bill requires the reports to be made to the General Assembly and the Governor's Executive Committee on Energy Efficiency or, if the Committee ceases operations, to the Governor.

Patron - Sullivan

[F]HB1636 Energy efficiency programs; total resource cost test. Defines the "total resource cost test" as a test to determine if the benefit-cost ratio of a proposed energy efficiency program or measure is greater than one. The measure defines "benefit-cost ratio" as the ratio of the net present value of the total benefits of a program or measure, including savings and non-energy benefits, to the net present value of the total incremental costs of implementing that program or measure as calculated over the lifetime of the measures implemented thereunder. An energy efficiency program or measure that meets the total resource cost test is declared to be in the public interest. The measure provides that an energy efficiency program or measure that fails the total resource cost test shall be reviewed by the State Corporation Commission (SCC) under other tests for approving energy efficiency. The total resource cost test is one of the four tests used by the SCC in assessing electricity and natural gas utility energy efficiency programs.

Patron - Sullivan

[F]HB1658 Electric utility customer account information confidential. Provides that an electric utility or any officer, agent, or employee of the electric utility, or for any other person the electric utility authorizes to receive customer account information in connection with any business of the electric utility, shall not without the consent of the customer knowingly disclose any customer account information to any person, subject to certain exceptions.

Patron - Marshall, R.G.

[F]HB1703 Electric and natural gas utilities; energy efficiency goals. Requires investor-owned electric utilities, cooperative electric utilities, and investor-owned natural gas distribution utilities to meet incremental annual energy efficiency goals. Electric utilities are required to implement cost-effective energy efficiency measures to achieve the goal of two

percent savings by 2032 and thereafter, with interim goals that start at 0.25 percent for 2018-2019 and increase in biennial increments of 0.25 percent until 2032. Gas utilities are required to achieve the goal of one percent savings by 2032 and thereafter, with interim goals that start at 0.125 percent for 2018-2019 and increase in biennial increments of 0.125 percent until 2032. The utilities are required to submit energy efficiency plans with the State Corporation Commission (SCC). The SCC (i) shall order changes to a plan submitted by a utility that does not demonstrate that the utility will achieve incremental annual energy efficiency goals; (ii) shall require utilities to commence compliance efforts with the incremental annual energy efficiency goals during calendar year 2018, though it may adjust the goal for 2018 if appropriate to address a partial year of implementation; (iii) may design performance incentives that reward utilities for exceeding efficiency goals; (iv) shall require utilities to report annually to the SCC on their efforts and progress in meeting the incremental annual energy efficiency goals; and (v) shall submit reports regarding compliance with the requirements of the incremental annual energy efficiency goals every five years.

Patron - Sullivan

HB1715 Virginia Highway Corporation Act of 1988. Gives the State Corporation Commission discretion to approve any request to increase tolls on the Dulles Greenway by a specified annual percentage increase. The measure also gives the Commission discretion to approve an additional increase in such tolls based on increases in local property taxes when requested by the operator. Currently, the Commission is required to approve such requests for toll increases.

Patron - Minchew

HB1800 Electric utility regulation; third party power purchase agreements. Authorizes individual retail customers of electric energy to own and operate, or contract with other persons to own, operate, or both, a renewable electrical generating facility under a third-party power purchase agreement, on the customer's premises that meets the "eligible customer-generator" requirements for nonresidential customers and agricultural customers under the Commonwealth's net energy metering program.

Patron - Toscano

HB1881 Toll rate approval by the State Corporation Commission under the Virginia Highway Corporation Act of 1988. Requires the State Corporation Commission to ensure that the cost of operating tolled roadways under the Virginia Highway Corporation Act of 1988 is reasonably apportioned across all users on the basis of the relative distance each class of user travels on the roadway.

Patron - Bell, John J.

HB1902 Public-Private Transportation Act of 1995; Public-Private Education Facilities and Infrastructure Act of 2002; affected local jurisdictions and public entities; consideration of economic impact. Requires a private entity requesting approval to develop and operate a qualifying transportation facility under the Public-Private Transportation Act of 1995 or a qualifying project under the Public-Private Education Facilities and Infrastructure Act of 2002 to include an economic impact analysis identifying any

potentially adverse economic or revenue impacts a potential comprehensive agreement may have on all affected local jurisdictions. The bill further provides that affected local jurisdictions be given reasonable opportunity to consult with the parties concerning the nature and scope of the impacts and regarding measures that may be taken to avoid or mitigate the impacts or make the agreement revenue-neutral. The bill directs that each responsible public entity must certify compliance with the review of the economic impact analysis provisions.

Patron - Heretick

HB2112 Electric utilities; community renewable projects. Requires the State Corporation Commission to adopt rules under which community renewable projects are authorized to operate. A community renewable project is a solar or wind-powered electric generation facility with a capacity of not more than 20 megawatts that is operated subject to requirements that the electricity generated by the facility belongs to the project's subscribers. The facility may be owned either by the investor-owned electric utility or distribution cooperative in whose service territory the facility is located or a for-profit or nonprofit entity, which may be an entity entirely owned by or consisting of subscribers, that contracts to sell the electricity generated by the facility to the retail utility. The measure provides that neither the owner of a project nor its subscribers are public utilities and that prices paid for subscriptions in projects shall not be subject to regulation by the Commission. The measure also requires the retail utility to purchase all of the electricity generated by the project and that the purchase of the electricity by the utility shall take the form of a credit against the utility's electric bill to each of the project's subscribers. Finally, the measure requires the Commission to formulate and implement policies that simultaneously encourage the ownership by customers of subscriptions in projects and of other forms of distributed generation to the extent the Commission finds there to be demand for such ownership; the development of projects with attributes that the Commission finds result in lower overall total costs for the retail utility's customers; and successful financing and operation of subscriber-owned projects.

Patron - Keam

HB2196 Wireless communications infrastructure. Provides a uniform procedure for the way in which wireless communications infrastructure is approved by localities and approved and installed in public rights-of-way.

Patron - Kilgore

SB813 Electric utility regulation; solar generation facilities. Exempts investor-owned electric utilities from the requirement that in a proceeding for approval to construct a generating facility they demonstrate that they have considered and weighed alternative options, including third-party market alternatives, in their selection process, if the proposed generating facility is located in the Commonwealth, uses energy derived from sunlight, and has been declared by statute to be in the public interest. The measure also directs that (i) any cost incurred or projected to be incurred by a utility in connection with such a generation facility is reasonable and prudent if the costs of the generation facility do not exceed by more than 10 percent the cost that would be incurred in the construction and

operation of a combined-cycle combustion turbine generation facility with the same capacity and (ii) any increase in rates paid by customers as a result of the construction and operation of such a generation facility is reasonable if the projected increase in rates resulting from the construction and operation of such facility does not exceed by more than two percent the projected increase in rates that would occur if the utility constructed and operated a combined-cycle combustion turbine generation facility with the same capacity.

Patron - Marsden

SB917 Electric utility regulation; agricultural net energy metering. Allows an otherwise eligible agricultural customer-generator to participate in an electric utility's net energy metering program if it is to be served by multiple meters located on one parcel or on multiple parcels. Currently, an agricultural customer-generator may be served by multiple meters that are located at separate but contiguous sites. The measure increases the generation capacity limit for agricultural net metering from 500 kilowatts to one megawatt and adds falling water as a type of generating facility that may be used in agricultural net metering. This bill is incorporated into SB 1394.

Patron - Edwards

SB918 Renewable energy; third-party power purchase agreements. Replaces the pilot program enacted in 2013 that authorized certain third-party power purchase agreements providing financing of certain renewable generation facilities. The measure requires the State Corporation Commission to establish third-party power purchase agreement programs for each electric utility. The existing pilot program applies only to Dominion Virginia Power and sets the maximum size of a renewable generation facility at one megawatt; the programs authorized by this measure apply to all electric utilities and do not set limits on the size of facilities. The measure also exempts sellers under third-party power purchase agreements from being defined as a public utility, public service corporation, public service company, or electric utility solely because of the sale of electricity or ownership or operation of a renewable generation facility.

Patron - Edwards

SB1014 Water public utilities; rate increases. Prohibits the State Corporation Commission from authorizing a water public utility, including a small water utility, from increasing its approved rates, fees, or charges through the use of a surcharge for non-revenue-generating infrastructure replacement or a similar surcharge pursuant to which the utility utilizes an automatic rate adjustment feature to increase its rates, fees, or charges. The measure further provides that the rates, fees, and charges that the Commission has approved for a utility to charge its customers shall not be authorized to increase above the amounts specified in an order of the Commission unless the Commission specifically increases such amounts in an order entered by the Commission.

Patron - Ebbin

SB1095 Electric utility regulation; suspension of reviews of earnings; Transitional Rate Period. Provides that the Transitional Rate Period will conclude on the date the carbon emission guidelines for existing electric power generation

facilities that the U.S. Environmental Protection Agency has issued pursuant to § 111(d) of the federal Clean Air Act are withdrawn, repealed, found to be invalid or unenforceable, or otherwise barred from being implemented, if that date precedes the date when the Transitional Rate Period is scheduled to conclude under existing law. Pursuant to legislation enacted in 2015, the State Corporation Commission (SCC) is barred from conducting a biennial review of the rates, terms, and conditions for any service of these electric utilities during the Transitional Rate Period. Under existing law, the Transitional Rate Period is scheduled to conclude on December 31, 2017, for Appalachian Power and on December 31, 2019, for Dominion Virginia Power.

Patron - Petersen

SB1110 Utility Facilities Act; associated facilities of an electrical transmission line. Provides that the issuance by the State Corporation Commission of a certificate of public convenience and necessity for construction of an electrical transmission line of 138 kilovolts and any associated facilities shall be deemed to satisfy local comprehensive plan requirements and all local zoning ordinances with respect to the transmission line and associated facilities. The measure defines "associated facilities" as including any station, substation, transition station, and switchyard facilities to be constructed in association with the 138 kilovolt transmission line.

Patron - Stanley

SB1197 Small renewable energy projects; State Corporation Commission jurisdiction. Restores the requirement for State Corporation Commission (SCC) review of the construction and operation of certain small renewable energy projects. In 2009, the General Assembly removed the requirement that the owner or operator of a small renewable energy project, defined as (i) an electrical generation facility with a rated capacity not exceeding 100 megawatts that generates electricity only from sunlight, wind, falling water, wave motion, tides, or geothermal power or (ii) an electrical generation facility with a rated capacity not exceeding 20 megawatts that generates electricity only from biomass or certain waste, obtain a certificate of public convenience and necessity approval for the project from the SCC. This measure restores the requirement for those small renewable energy projects that either will disturb an area of 100 acres or more or are located within five miles of a boundary between the political subdivision in which such project is located and another locality.

Patron - Deeds

SB1208 Electric utilities; community renewable projects. Requires the State Corporation Commission to adopt rules under which community renewable projects are authorized to operate. A community renewable project is a solar or wind-powered electric generation facility with a capacity of not more than 20 megawatts that is operated subject to requirements that the electricity generated by the facility belongs to the project's subscribers. The facility may be owned either by the investor-owned electric utility or distribution cooperative in whose service territory the facility is located or a for-profit or nonprofit entity, which may be an entity entirely owned by or consisting of subscribers, that contracts to sell the electricity generated by the facility to the retail utility. The measure provides that neither the owner of a project nor its subscribers are

public utilities and that prices paid for subscriptions in projects shall not be subject to regulation by the Commission. The measure also requires the retail utility to purchase all of the electricity generated by the project and that the purchase of the electricity by the utility shall take the form of a credit against the utility's electric bill to each of the project's subscribers. Finally, the measure requires the Commission to formulate and implement policies that simultaneously encourage the ownership by customers of subscriptions in projects and of other forms of distributed generation to the extent the Commission finds there to be demand for such ownership; the development of projects with attributes that the Commission finds result in lower overall total costs for the retail utility's customers; and successful financing and operation of subscriber-owned projects.

Patron - Wexton

[F]SB1388 Electric utilities; margin on solar energy power purchase agreements. Authorizes any investor-owned incumbent electric utility to enter into, recover the costs of, and earn a margin on power purchase agreements that (i) are executed between July 1, 2017, and July 1, 2018, and (ii) are for power generated by solar energy systems located in the Commonwealth and not constructed, owned, or operated by the utility (a) each of which systems has a capacity equal to or greater than two megawatts and (b) which systems in the aggregate have a capacity that is not more than one percent of the utility's adjusted Virginia peak-load forecast for the previous year. The costs and margin are recoverable through the utility's fuel factor proceeding. The measure provides that such agreements are in the public interest and that in reviewing the costs and the level of costs to be recovered, the State Corporation Commission shall liberally construe the provisions of this measure and shall presume that the costs associated with such agreements are reasonably and prudently incurred.

Patron - Wagner

[F]SB1423 Electric utilities; viewshed mitigation payments. Requires that any viewshed mitigation payment made by an electric utility be used by the recipient only to implement renewable energy projects, to conduct energy-related research and development programs or projects, or both.

Patron - Wagner

[F]SB1457 Utility vegetation management activities; civil penalties. Requires utilities to give notice by first-class mail of planned vegetation management activities to customers, landowners, and local governments. The notice, which is required to be sent not less than 10 days before the activities commence, shall include a map of the site or parcels where activities are proposed and a description of the procedures by which the person to whom the notice is mailed may appeal the conduct of the planned vegetation management activities. The State Corporation Commission (SCC) shall require utilities to establish reasonable criteria for the conduct of vegetation management activities, which shall be consistent with guidelines to be adopted by the SCC that establish standards for the conduct of vegetation management activities. Vegetation management activities by any utility shall not alter, trespass upon, or limit the rights of any property owner. The measure requires the SCC, upon receipt of a written complaint, to investigate the situation. The measure also authorizes the SCC to impose a civil

penalty against a utility that violates these requirements. One-half of the civil penalties collected by the SCC is to be paid to the owner of the property damaged by the violation that gave rise to the assessment of the civil penalty, and the other one-half is to be deposited in a special fund created by this bill and used for administration and enforcement activities.

Patron - Black

Religious and Charitable Matters; Cemeteries

Passed

[P]HB2025 Religious freedom; solemnization of marriage. Provides that no person shall be (i) required to participate in the solemnization of any marriage or (ii) subject to any penalty by the Commonwealth, or its political subdivisions or representatives or agents, solely on account of such person's belief, speech, or action in accordance with a sincerely held religious belief or moral conviction that marriage is or should be recognized as the union of one man and one woman. The bill defines "person" as any (a) religious organization; (b) organization supervised by or controlled by or operated in connection with a religious organization; (c) individual employed by a religious organization while acting in the scope of his paid or volunteer employment; (d) successor, representative, agent, agency, or instrumentality of any of the foregoing; or (e) clergy member or minister. The bill also defines "penalty." This bill is identical to SB 1324. This bill was vetoed by the Governor.

Patron - Freitas

[P]HB2090 Charitable solicitations; registration statement. Requires a charitable organization to include in its annual registration statement a statement indicating the percentage of contributions received that was dedicated to the charitable purpose of the charitable organization during the preceding fiscal year.

Patron - Kory

[P]SB1324 Religious freedom; solemnization of marriage. Provides that no person shall be (i) required to participate in the solemnization of any marriage or (ii) subject to any penalty by the Commonwealth, or its political subdivisions or representatives or agents, solely on account of such person's belief, speech, or action in accordance with a sincerely held religious belief or moral conviction that marriage is or should be recognized as the union of one man and one woman. The bill defines "person" as any (a) religious organization; (b) organization supervised by or controlled by or operated in connection with a religious organization; (c) individual employed by a religious organization while acting in the scope of his paid or volunteer employment; (d) successor, representative, agent, agency, or instrumentality of any of the foregoing; or (e) clergy member or minister. The bill also defines "penalty." This bill is identical to HB 2025. This bill was vetoed by the Governor.

Patron - Carrico

State Corporation Commission

Passed

HB2111 State Corporation Commission; charges for copies. Clarifies that the State Corporation Commission (Commission) may absorb some or all of the convenience fees paid by users of a Commission online filing system. The measure also grants the Commission the discretion not to charge a fee for providing certain copies.

Patron - Keam

Failed

HB1893 Youth-controlled online businesses; registered office. Establishes a procedure through which a youth-controlled online business is exempted from the requirement that it establish and maintain a registered office for its first year of existence. If it avails itself of this procedure, process will be delivered to the clerk of the State Corporation Commission (the Commission). Upon such delivery, the clerk of the Commission is required to contact the registered agent of the youth-controlled online business at his email address, and the registered agent is given 10 days to accept the service. The measure defines a youth-controlled online business as a domestic stock corporation in which a majority of the members of the board of directors were, on the effective date of its incorporation, between the ages of 18 and 25 or a domestic limited liability company in which a majority of the managers of a manager-managed limited liability company or a majority of the members of a member-managed limited liability company were, on the effective date of its formation, between the ages of 18 and 25, and which entity corporation or limited liability company conducts a commercial enterprise through which it sells products, services, or advertising online using the communications infrastructure of the Internet, and further provided that its commercial establishment is not operated from a specific, identifiable, or dedicated office or other structure.

Patron - Herring

Taxation

Passed

HB1415 Transient occupancy tax; Goochland, Powhatan, and Warren Counties. Adds the Counties of Goochland, Powhatan, and Warren to the list of counties authorized to impose a transient occupancy tax at a rate not to exceed five percent, provided that any excess over two percent is designated and spent solely for tourism purposes. Under current law, all counties are authorized to impose such tax at a rate not to exceed two percent, and specified counties may impose the tax at a rate not to exceed five percent.

Patron - Ware

HB1433 Neighborhood Assistance Act Tax Credit program. Modifies the requirement that at least 10 percent of all available Neighborhood Assistance Act tax credits be allocated to organizations that have not previously received tax credits by providing that the allocation for such organizations is required only if the General Assembly increases the amount of available credits year over year. The bill requires that the allocation be at least 10 percent of credits created by the increase rather than 10 percent of all available credits. Current law limits credits to \$9 million for education proposals approved by the Superintendent of Public Instruction and \$8 million for proposals approved by the Commissioner of Social Services. The bill contains an emergency clause.

Patron - Farrell

HB1455 Real property tax; partial exemption for certain commercial and industrial structures. Reduces from 20 years to 15 years the minimum age of a structure in a technology zone that is rehabilitated for commercial use that qualifies the rehabilitated structure for a partial exemption from real property taxes. Under current law, a 15-year age minimum applies only to structures located in an enterprise zone designated by the Commonwealth, and a 20-year age minimum applies in all other situations. The bill contains technical amendments.

Patron - Ware

HB1463 Delinquent taxes; publication by treasurer and locality. Authorizes the governing body of a locality and the treasurer to publish lists of certain local delinquent taxes whether or not they are based on information as it exists at the end of the fiscal year.

Patron - Sullivan

HB1476 Real property tax; special assessment for land preservation. Prohibits any locality from requiring any taxpayer who is the lessor of real property to produce the lease for the purpose of determining whether the property is eligible for special assessment for land preservation.

Patron - Orrock

HB1478 Recordation tax; exemption. Exempts from recordation tax deeds of trust given by utility consumer services cooperatives. This bill is identical to SB 875.

Patron - Orrock

HB1515 Circuit court clerks; electronic transfer of certain documents. Permits circuit court clerks to transfer electronically, or provide electronic access to, documents related to certain real property information to certain public officials.

Patron - Leftwich

HB1518 Sales and use tax; automotive repair supplies. Requires that sales and use tax be collected on the separately stated charges of supplies used during the repair of automobiles, whether or not title or possession of the supplies passes to the customer. Under current law, the tax is paid on such supplies at the time the supplies are purchased by the automobile repairer.

Patron - Knight

HB1521 Commonwealth's tax code; conformity with federal law; emergency. Advances conformity with the federal tax code to December 31, 2016. The bill contains an emergency clause. This bill is identical to SB 977.

Patron - Ware

HB1529 Temporary exemption periods from retail sales and use taxes for qualifying items; sunset dates. Extends from July 1, 2017, to July 1, 2022, the sunset dates for the sales tax holiday periods for school supplies and clothing, Energy Star and WaterSense products, and hurricane preparedness products. This bill is identical to SB 1018.

Patron - Ward

HB1543 Sales and use tax exemption; audiovisual productions and equipment. Extends the sunset date from July 1, 2019, to July 1, 2022, for the sales and use tax exemption on the transfer of certain audio or visual productions and equipment used in making such productions.

Patron - Robinson

HB1565 Local tax and regulatory incentives; green development zones. Authorizes localities to create green development zones that provide certain tax incentives and regulatory flexibility for up to 10 years to a business operating in an energy-efficient building or to a business that produces products used to reduce negative impact on the environment.

Patron - Webert

HB1626 License tax on peddlers and itinerant merchants; adhesive license display. Provides that any locality requiring an itinerant merchant to display its license at its temporary place of business shall provide to the itinerant merchant an adhesive label that satisfies such requirement.

Patron - Robinson

HB1665 Motion picture production tax credit. Extends the sunset date of the motion picture production tax credit from January 1, 2019, to January 1, 2022. This bill is identical to SB 982.

Patron - Robinson

HB1668 Sales and use tax exemption; legal tender coins. Exempts legal tender coins whose total transaction sales price exceeds \$1,000 from sales and use tax and extends from January 1, 2019, to June 30, 2022, the same exemption for gold, silver, or platinum bullion. The bill has a delayed effective date of January 1, 2018. The provisions of the bill expire on June 30, 2022. This bill is identical to SB 934.

Patron - Stolle

HB1699 City of Danville; recordation of deeds subject to liens for unpaid taxes. Authorizes the City of Danville to establish by ordinance a pilot project requiring that no deed with an assessed value of \$50,000 or less be recorded by the clerk unless the city director of finance certifies that there are no liens against the property for unpaid taxes, interest, or fines owed to the City of Danville. The bill requires the City of Danville to make a written report to the Virginia Housing Commission by May 31, 2020, and it expires on July 1, 2021. As

introduced, the bill is a recommendation of the Virginia Housing Commission.

Patron - Marshall, D.W.

HB1738 Retail sales and use tax; aviation parts, engines, and supplies. Creates an exemption from the retail sales and use tax for parts, engines, and supplies used for maintaining, repairing, or reconditioning aircraft, including unmanned aerial systems. The exemption does not apply to tools and other equipment not attached to or that does not become a part of the aircraft. The exemption is effective from July 1, 2018, to July 1, 2022.

Patron - Anderson

HB1810 Sales and use tax; online access to certain information. Requires the Department of Taxation to provide online access by registered dealers to the names and certificate of registration numbers of dealers who are currently registered for the retail sales and use tax.

Patron - Knight

HB1814 Tax credits for worker retraining and telework expenses. Extends from taxable years prior to January 1, 2018, to taxable years prior to January 1, 2022, the sunset date for the worker retraining tax credit and transfers the certification of eligible worker retraining programs from the Department of Small Business and Supplier Diversity to the Virginia Economic Development Partnership Authority. The bill also extends from taxable years prior to January 1, 2017, to taxable years prior to January 1, 2022, the sunset date for the telework expenses tax credit. This bill is identical to SB 1576.

Patron - Ware

HB1838 Neighborhood Assistance Act Tax Credit program; Board of Education. Requires any neighborhood organization submitting a proposal to the Superintendent of Public Instruction for an allocation of tax credits for the program year beginning July 1, 2017, to include with its proposal a list of all of the localities in which the organization provided services during the 2016 program year. The Department of Education shall aggregate the information and submit it to the Chairmen of the House Committees on Appropriations and Finance, the Senate Committee on Finance, and the Joint Subcommittee to Evaluate Tax Preferences.

Patron - Orrock

HB1884 Real property tax exemption; certain surviving spouses. Authorizes localities to exempt the primary residence of the surviving spouse of a law-enforcement officer, firefighter, search and rescue personnel, and emergency medical services personnel who is killed in the line of duty. The exemption does not apply to that portion of the value of the residence in excess of the average assessed value of dwellings in the locality. The bill is pursuant to Article X, Section 6-B of the Constitution of Virginia, which was adopted by the voters in 2016.

Patron - Hugo

HB1889 Local license taxes; exemption for certain defense production businesses. Clarifies that the exemption for wholesale manufacturers from local license taxes includes a

manufacturer that is also a defense production business selling manufacturing, rebuilding, repair, and maintenance services at the place of manufacture to the United States or for which consent of the United States is required. This bill is identical to SB 1274.

Patron - Hugo

HB1890 Collection of sales and use tax. Removes the exception that persons selling certain products, such as window shades, kitchen equipment, and countertops, are deemed to be retailers and not consuming contractors for purposes of collecting sales and use tax, even if they intend to install such items for contractors. Generally, tangible personal property incorporated into real property is deemed to have been purchased for consumption by the contractor. This bill is identical to SB 1308.

Patron - Hugo

HB1909 Real property tax; nonjudicial sale of tax delinquent property. Permits the nonjudicial sale of unimproved real property valued at less than \$5,000 if taxes are delinquent for at least three years. The bill also permits the nonjudicial sale of real property valued at no less than \$5,000 but no greater than \$20,000 if taxes are delinquent for at least three years, the property is not subject to a recorded mortgage or deed of trust lien, and the property (i) is unimproved and measures less than 4,000 square feet; (ii) is unimproved and has been determined to be unsuitable for building (the bill expands the bases on which unsuitability may rest); (iii) has a structure on it that has been condemned by the local building official; (iv) has been declared a nuisance by the locality; (v) contains a derelict building; or (vi) has been declared to be blighted by the locality. The bill also modifies current law regarding notice of the sale, redemption of the property, and application of excess proceeds. Current law permits the nonjudicial sale of unimproved real property valued at less than \$10,000 if taxes are delinquent for at least three years and the property (a) measures less than 4,000 square feet or (b) has been determined to be unsuitable for building.

Patron - Yost

HB1913 Purchase of cigarettes for resale; penalties. Creates a new requirement that purchasers of cigarettes for resale must apply for a special cigarette exemption certificate from the Department of Taxation in order to not be liable for the payment of sales tax at the time of purchase. The bill sets forth numerous requirements that a taxpayer must meet in order to qualify for a cigarette exemption certificate and establishes processes and procedures for the application, renewal, denial, and revocation of the certificates. The bill creates new recordkeeping requirements for the sale or distribution of any quantity of cigarettes in excess of 50 cartons, or with a value greater than \$10,000 in any single sale. The bill also contains technical amendments. The provisions of the bill requiring the use of a cigarette exemption certificate have a delayed effective date of January 1, 2018. This bill is identical to SB 1390.

Patron - Anderson

HB1950 Local cigarette tax. Requires localities that impose a local cigarette tax and require stamps as evidence of

payment to provide a refund for any stamps that are returned to the locality.

Patron - Peace

HB1961 Local license tax; methodology for deducting certain gross receipts. Requires the Department of Taxation to promulgate regulations that clarify the appropriate methodology for determining deductible gross receipts attributable to business conducted in another state or a foreign country. The bill requires the regulations to be based on previous Rulings of the Tax Commissioner and the decision of the Supreme Court of Virginia in *The Nielsen Company, LLC v. County Board of Arlington County*, 289 Va. 79 (2015). In that decision, the Court endorsed the Tax Commissioner's ruling to require manual accounting but to allow payroll apportionment in the event that manual accounting is impossible to use in order to calculate the deduction.

Patron - Hugo

HB2058 Sales and use tax; nexus for out-of-state businesses. Provides that storage of inventory in the Commonwealth is sufficient nexus to require out-of-state businesses to collect sales and use tax on sales to customers in the Commonwealth. This bill is identical to SB 962.

Patron - Watts

HB2074 Income tax; subtraction for Virginia venture capital account investment. Establishes an individual and corporate income tax subtraction for income derived from an investment in a Virginia venture capital account, defined in the bill as an investment fund that is certified by the Department of Taxation as investing at least 50 percent of its investments in qualified portfolio companies and employing at least one investor with at least four years' experience in venture capital investment or substantially equivalent experience. The bill defines "qualified portfolio company" as a company that has its principal place of business in the Commonwealth and that has a primary purpose of production, sale, research, or development of a product or service and provides equity in exchange for the investment. An income tax subtraction would be available only for an investment made on or after January 1, 2018, but before December 31, 2023.

Patron - Rush

HB2113 Notification requirement; breach of payroll data. Requires employers and payroll service providers to notify the Office of the Attorney General without unreasonable delay after discovery of a breach of computerized employee payroll data that compromises the confidentiality of such data, regardless of whether the breach triggers other database breach notification requirements. The bill requires such notice to provide the affected employer's name and federal employer identification number. Upon receipt of such notice, the Office of the Attorney General is required to notify the Department of Taxation of the breach. This bill is identical to SB 1033.

Patron - Keam

HB2169 Gas severance tax. Extends the sunset date from January 1, 2018, to January 1, 2020, for the local gas severance tax that is dedicated to (i) the local Coal and Gas Road Improvement Fund, (ii) the Virginia Coalfield Economic

Development Fund, and (iii) water, sewer, and natural gas systems and lines. This bill is identical to SB 886.

Patron - Pillion

HB2193 Personal property tax; business property. Requires localities to permit taxpayers to provide an aggregate estimate of the total cost of all personal property used in a business that has an original cost of less than \$500, in lieu of a specific, itemized list. Under current law, localities are permitted to allow taxpayers to provide such estimate of aggregate cost for property whose original cost is less than \$250.

Patron - Rush

HB2198 Coal tax credits. Reinstates the Virginia coal employment and production incentive tax credit. The credit, which expired on July 1, 2016, could be earned on and after January 1, 2017, but before January 1, 2022. The bill limits the aggregate amount of credits that may be allocated or claimed for the coal employment and production incentive tax credit in each fiscal year to \$7.3 million. An electricity generator must file an application with the Department of Taxation each year to determine the amount of credits that it may claim or allocate, including credits earned in prior taxable years. If the total amount of credits earned in a taxable year exceeds \$7.3 million, the Department of Taxation shall apportion the credits on a pro rata basis. The bill also extends the sunset date of the coalfield employment enhancement tax credit through taxable years beginning before January 1, 2022. This bill is identical to SB 1470. This bill was vetoed by the Governor.

Patron - Kilgore

HB2219 Real property tax; deferral; Stafford County. Allows Stafford County, by ordinance, to restrict the deferral of real property taxes authorized under current law to a taxpayer's sole dwelling whose tax levy for 2016 exceeded the tax levy for 2015 by at least 25 percent due to improvements made to adjacent property by Stafford County. The amount of the deferral shall not exceed 95 percent of such excess. This bill is identical to SB 1248.

Patron - Dudenhefer

HB2246 Virginia Tax Amnesty Program. Establishes the Virginia Tax Amnesty Program to be administered by the Department of Taxation (the Department) during the 2017-2018 fiscal year for not less than 60 nor more than 75 days, as determined by the Tax Commissioner. The Program will be open to any taxpayer that is required but has failed to file a return or to pay any tax administered by the Department. All civil or criminal penalties assessed or assessable and one-half of the interest assessed or assessable, resulting from nonpayment, underpayment, nonreporting, or underreporting of tax liabilities, will be waived upon payment of the taxes and interest. For purposes of implementing the Program, the Department is exempt from the project management and procurement oversight of the Virginia Information Technologies Agency. This bill is identical to SB 1438.

Patron - Jones

HB2377 Sales and use tax exemption; certain textbooks and other educational materials. Extends the sunset date from July 1, 2017, to July 1, 2022, for the sales and use tax exemption for textbooks and other educational materials that

are withdrawn from inventory at book-publishing distribution facilities for free distribution to professors and other individuals who have an educational focus.

Patron - Freitas

HB2455 Tangible personal property tax; list of uncollected balances. Expands the uncollected personal property tax on vehicles for which the treasurer is required to compile a list to include the personal property tax on trailers, semitrailers, watercraft, and manufactured homes.

Patron - Hodges

HB2460 Historic rehabilitation tax credit. Limits the amount of historic rehabilitation tax credits that may be claimed by each taxpayer to \$5 million per year, including any amounts carried over from prior taxable years, for taxable years beginning on and after January 1, 2017, but before January 1, 2019. This bill is identical to SB 1034.

Patron - Bloxom

SB793 Waiver of tax penalties for small businesses. Waives any penalties related to taxes administered by the Department of Taxation for a small business during its first two years of operation as long as the business enters into an installment agreement with the Tax Commissioner for the payment of taxes. However, the bill provides that the Department of Taxation shall not be required to waive penalties for conversion of trust taxes or failure to remit state sales or withholding taxes.

Patron - Sturtevant

SB804 Retail sales and use tax; media-related exemptions. Extends from July 1, 2017, to July 1, 2022, the expiration of the retail sales and use tax exemption for printing purchased by an advertising business from a printer in the Commonwealth, so long as such material is distributed outside of the Commonwealth.

Patron - Hanger

SB875 Recordation tax; exemption. Exempts from recordation tax deeds of trust given by utility consumer services cooperatives. This bill is identical to HB 1478.

Patron - Ruff

SB886 Gas severance tax. Extends the sunset date from January 1, 2018, to January 1, 2020, for the local gas severance tax that is dedicated to (i) the local Coal and Gas Road Improvement Fund, (ii) the Virginia Coalfield Economic Development Fund, and (iii) water, sewer, and natural gas systems and lines. This bill is identical to HB 2169.

Patron - Chafin

SB912 Virginia taxable income of residents; reorganization of additions, subtractions, and deductions. Reorganizes the provisions of the Code of Virginia related to the calculation of Virginia taxable income of residents. Current law sets out the additions, subtractions, deductions, and other modifications in one lengthy section. The reorganization creates four new, smaller sections for additions, subtractions, deductions, and other modifications, respectively, but does not make any substantive changes to the calculation of Virginia taxable income. The bill contains numerous technical amend-

ments. This bill is a recommendation of the Virginia Code Commission.

Patron - Edwards

SB934 Sales and use tax exemption; legal tender coins. Exempts legal tender coins whose total transaction sales price exceeds \$1,000 from sales and use tax and extends from January 1, 2019, to June 30, 2022, the same exemption for gold, silver, or platinum bullion. The bill has a delayed effective date of January 1, 2018. The provisions of the bill expire on June 30, 2022. This bill is identical to HB 1668.

Patron - Wagner

SB962 Sales and use tax; nexus for out-of-state businesses. Provides that storage of inventory in the Commonwealth is sufficient nexus to require out-of-state businesses to collect sales and use tax on sales to customers in the Commonwealth. This bill is identical to HB 2058. This bill received Governor's recommendations.

Patron - Hanger

SB963 Land preservation tax credit; per taxpayer limitation. Extends to taxable year 2017 the \$20,000 limit on the amount that a taxpayer may claim per year under the land preservation tax credit. The bill retains the \$50,000 limit for each subsequent taxable year.

Patron - Hanger

SB977 Commonwealth's tax code; conformity with federal law; emergency. Advances conformity with the federal tax code to December 31, 2016. The bill contains an emergency clause. This bill is identical to HB 1521.

Patron - Hanger

SB982 Motion picture production tax credit. Extends the sunset date of the motion picture production tax credit from January 1, 2019, to January 1, 2022. This bill is identical to HB 1665.

Patron - Stanley

SB1018 Temporary exemption periods from retail sales and use taxes for qualifying items; sunset dates. Extends from July 1, 2017, to July 1, 2022, the sunset dates for the sales tax holiday periods for school supplies and clothing, Energy Star and WaterSense products, and hurricane preparedness products. This bill is identical to HB 1529.

Patron - Barker

SB1025 Payment of estimated taxes by certain public service corporations; repeal. Repeals provisions requiring that certain public service corporations make payments of estimated state licenses taxes to the State Corporation Commission. The bill has a delayed effective date of January 1, 2019.

Patron - Dunnivant

SB1033 Notification requirement; breach of payroll data. Requires employers and payroll service providers to notify the Office of the Attorney General without unreasonable delay after discovery of a breach of computerized employee payroll data that compromises the confidentiality of such data,

regardless of whether the breach triggers other database breach notification requirements. The bill requires such notice to provide the affected employer's name and federal employer identification number. Upon receipt of such notice, the Office of the Attorney General is required to notify the Department of Taxation of the breach. This bill is identical to HB 2113.

Patron - Howell

SB1034 Historic rehabilitation tax credit. Limits the amount of historic rehabilitation tax credits that may be claimed by each taxpayer to \$5 million per year, including any amounts carried over from prior taxable years, for taxable years beginning on and after January 1, 2017, but before January 1, 2019. This bill is identical to HB 2460.

Patron - Howell

SB1165 Neighborhood Assistance Act Tax Credit program; allocation of credits. Requires the Commissioner of Social Services and the Superintendent of Public Instruction to consider, in allocating credits under the Neighborhood Assistance Act tax credit program, the past performance of organizations requesting credits, pursuant to accountability measures established in regulations and guidelines.

Patron - DeSteph

SB1168 Neighborhood Assistance Act Tax Credit program. Reorganizes the provisions of the Neighborhood Assistance Act Tax Credit program to set out separate sections for the portions of the program administered by the State Department of Social Services and the Department of Education. The requirements of the two components of the program differ slightly, and separating the provisions provides clarity in understanding the application and allocation process.

The bill modifies the requirement that at least 10 percent of all available tax credits be allocated to organizations that have not previously received tax credits by providing that the allocation for such organizations is required only if the General Assembly increases the amount of available credits year over year. The bill requires that the allocation be at least 10 percent of credits created by the increase rather than 10 percent of all available credits. Current law limits credits to \$9 million for education proposals approved by the Superintendent of Public Instruction and \$8 million for proposals approved by the Commissioner of Social Services.

The bill provides that, for proposals to the Department of Education, expenditures for teacher salaries shall count toward the requirement that at least 50 percent of a neighborhood organization's revenues be used to provide services to low-income persons or to eligible students with disabilities.

Patron - DeSteph

SB1205 Tangible personal property; commercial fishing vessels. Classifies commercial fishing vessels and property permanently attached to such vessels as a separate class of property for the purpose of local personal property tax.

Patron - Lewis

SB1248 Real property tax; deferral; Stafford County. Allows Stafford County, by ordinance, to restrict the deferral of real property taxes authorized under current law to a taxpayer's sole dwelling whose tax levy for 2016 exceeded the

tax levy for 2015 by at least 25 percent due to improvements made to adjacent property by Stafford County. The amount of the deferral shall not exceed 95 percent of such excess. This bill is identical to HB 2219.

Patron - Stuart

SB1274 Local license taxes; exemption for certain defense production businesses. Clarifies that the exemption for wholesale manufacturers from local license taxes includes a manufacturer that is also a defense production business selling manufacturing, rebuilding, repair, and maintenance services at the place of manufacture to the United States or for which consent of the United States is required. This bill is identical to HB 1889.

Patron - McDougale

SB1286 Land preservation tax credits; withholding tax of nonresident owners. Provides that the two percent transfer fee for land preservation tax credits shall not apply to a distribution of credits to a nonresident owner of a pass-through entity when such credits are applied by the pass-through entity to the withholding tax of the nonresident owner.

Patron - Obenshain

SB1296 County food and beverage tax; referendum. Prohibits a county from holding a new referendum on the levy of a food and beverage tax in the three calendar years subsequent to its electoral defeat, but only if such referendum is initiated by a resolution of the board of supervisors. The bill also requires the ballot for any such referendum to state the total tax, as a percentage, that would be imposed on food and beverage if the referendum were to pass, based upon a four percent food and beverage tax and any other ad valorem taxes applicable to the purchase of prepared food and beverage in the county. This bill received Governor's recommendations.

Patron - Vogel

SB1308 Collection of sales and use tax. Removes the exception that persons selling certain products, such as window shades, kitchen equipment, and countertops, are deemed to be retailers and not consuming contractors for purposes of collecting sales and use tax, even if they intend to install such items for contractors. Generally, tangible personal property incorporated into real property is deemed to have been purchased for consumption by the contractor. This bill is identical to HB 1890.

Patron - McDougale

SB1320 Admissions tax; Washington County. Authorizes Washington County to impose a tax on admissions to a multi-sports complex and entertainment venue that (i) is located on land that contains at least 250 acres and (ii) is in business on or before June 30, 2027. For purposes of the tax, "entertainment venue" does not include a movie theater. The tax shall not exceed 10 percent of the amount of charge for admission to any such venue. The bill expires on July 1, 2027, if no such venue is in business on or before June 30, 2027.

Patron - Carrico

SB1350 Motor vehicle sales and use tax; refund. Allows a purchaser to be refunded any motor vehicle sales and

use tax paid if the vehicle is returned pursuant to the Virginia Motor Vehicle Warranty Act, or if the vehicle is returned within 45 days of purchase, and the purchase price is refunded, due to a mechanical defect or failure. The bill requires a person claiming the refund due to a mechanical defect or failure to submit an affidavit to the Commissioner of the Department of Motor Vehicles stating that the vehicle was returned due to a mechanical defect or failure, the purchase price was refunded, the title was assigned to the person accepting the return, and the purchaser no longer has possession of the vehicle.

Patron - Deeds

SB1390 Purchase of cigarettes for resale; penalties. Creates a new requirement that purchasers of cigarettes for resale must apply for a special cigarette exemption certificate from the Department of Taxation in order to not be liable for the payment of sales tax at the time of purchase. The bill sets forth numerous requirements that a taxpayer must meet in order to qualify for a cigarette exemption certificate and establishes processes and procedures for the application, renewal, denial, and revocation of the certificates. The bill creates new recordkeeping requirements for the sale or distribution of more than 50 cartons of cigarettes, or with a value greater than \$10,000. The bill also makes technical changes. The provisions of the bill requiring the use of a cigarette exemption certificate have a delayed effective date of January 1, 2018. This bill is identical to HB 1913.

Patron - Howell

SB1438 Virginia Tax Amnesty Program. Establishes the Virginia Tax Amnesty Program to be administered by the Department of Taxation (the Department) during the 2017-2018 fiscal year for not less than 60 nor more than 75 days, as determined by the Tax Commissioner. The Program will be open to any taxpayer that is required but has failed to file a return or to pay any tax administered by the Department. All civil or criminal penalties assessed or assessable and one-half of the interest assessed or assessable, resulting from nonpayment, underpayment, nonreporting, or underreporting of tax liabilities, will be waived upon payment of the taxes and interest. For purposes of implementing the Program, the Department is exempt from the project management and procurement oversight of the Virginia Information Technologies Agency. This bill is identical to HB 2246.

Patron - Norment

SB1459 Discharge of treasurer; legal pleadings. Provides that the attorney for a locality may prepare and file any pleadings necessary in a proceeding to discharge the treasurer. If the locality does not have an attorney, or the attorney declines or is unable to perform this task, the circuit court shall assign legal counsel.

Patron - Edwards

SB1470 Coal tax credits. Reinstates the Virginia coal employment and production incentive tax credit. The credit, which expired on July 1, 2016, could be earned on and after January 1, 2017, but before January 1, 2022. The bill limits the aggregate amount of credits that may be allocated or claimed for the coal employment and production incentive tax credit in each fiscal year to \$7.3 million. An electricity generator must file an application with the Department of Taxation each year

to determine the amount of credits that it may claim or allocate, including credits earned in prior taxable years. If the total amount of credits earned in a taxable year exceeds \$7.3 million, the Department of Taxation shall apportion the credits on a pro rata basis. The bill also extends the sunset date of the coalfield employment enhancement tax credit through taxable years beginning before January 1, 2022. This bill is identical to HB 2198. This bill was vetoed by the Governor.

Patron - Chafin

[F]SB1576 Tax credits for worker retraining and telework expenses. Extends from taxable years prior to January 1, 2018, to taxable years prior to January 1, 2022, the sunset date for the worker retraining tax credit and transfers the certification of eligible worker retraining programs from the Department of Small Business and Supplier Diversity to the Virginia Economic Development Partnership Authority. The bill also extends from taxable years prior to January 1, 2017, to taxable years prior to January 1, 2022, the sunset date for the telework expenses tax credit. This bill is identical to HB 1814.

Patron - Hanger

Failed

[F]HB1397 Income tax subtraction for National Guard pay. Increases from \$3,000 to \$5,000 the maximum individual income tax subtraction for National Guard pay. Under current law, the maximum annual subtraction for wages or salary received for service in the National Guard of the Commonwealth of Virginia is the lesser of \$3,000 or the amount of income derived by the person from 39 calendar days of such service. Under the bill, the maximum annual subtraction is the lesser of \$5,000 or the amount of income derived from 39 calendar days of National Guard service. The income tax subtraction will continue to be available only to persons in the ranks of O3 and below. The provisions of the bill apply to taxable years beginning on or after January 1, 2017.

Patron - Fowler

[F]HB1439 Income tax; small business job creation tax credit. Provides a personal and corporate income tax credit in the amount of \$1,500 for each job, as defined in the bill, created by a small business, for taxable years beginning on or after January 1, 2017, but before January 1, 2022.

Patron - Head

[F]HB1470 Land preservation tax credits; limitations. Imposes a \$2 million limit on the amount of credits that may be claimed for each land conveyance and a \$20,000 limit on the annual amount of credits that may be claimed by each taxpayer. The bill establishes a \$50,000 cap on the annual amount of credits that may be claimed for a fee simple donation of land to the Commonwealth. The bill provides that the maximum annual amount of credits that may be issued to all taxpayers shall not exceed \$50 million. The bill increases the fee imposed upon any transfer arising from the sale of land preservation tax credits by any taxpayer from two to 2.5 percent of the value of the donated interest.

Patron - Ware

[F]HB1488 Collection of delinquent local taxes; period of delinquency. Reduces from six months to three months the minimum period of time that a tax has been delinquent before a locality may refer the delinquency to an attorney, collection agency, or the sheriff for collection.

Patron - Albo

[F]HB1489 Recordation tax exemption; certain limited liability companies and limited or general partnerships. Provides a recordation tax exemption for deeds transferring property (i) to a subsidiary limited liability company or partnership from its parent limited liability company or partnership, (ii) from a subsidiary limited liability company or partnership to a parent limited liability company or partnership, (iii) to a limited liability company or partnership from a commonly owned limited liability company or partnership, or (iv) to a limited liability company or limited or general partnership from a commonly owned limited liability company or limited or general partnership, if the transaction qualifies for nonrecognition of gain or loss under the Internal Revenue Code.

Patron - Miyares

[F]HB1499 Apportionment of income; corporate income tax. Makes several changes to the current method used by multistate corporations to apportion income to Virginia for purposes of the corporate income tax, including (i) establishing sales as the sole factor to be used in apportioning income, with such single sales factor apportionment phased in and first effective beginning with taxable year 2020; (ii) adopting market-based sourcing as the approach for sourcing sales of services and nontangible personal property to Virginia; and (iii) eliminating the requirements placed on manufacturing companies electing single sales factor apportionment to maintain certain employment and wage levels.

In general, current law requires multistate corporations to apportion taxable income to Virginia using a double-weighted sales factor formula, which consists of a sales factor that is double-weighted, a property factor, and a payroll factor to apportion the income. Under single sales factor apportionment, only the sales factor will be used by a multistate corporation to apportion taxable income to Virginia. Under the bill, most multistate corporations will be required to use single sales factor apportionment beginning with taxable year 2020, with manufacturing companies being one exception as discussed below.

Currently, manufacturing companies are allowed to elect single sales factor apportionment in lieu of double-weighted sales factor apportionment. However, manufacturing companies electing single sales factor apportionment must meet certain employment and wage levels for the first three taxable years in which single sales factor apportionment is used. A monetary penalty is imposed upon any manufacturing company that has elected to apportion income using a single sales factor but that fails to meet the employment and wage level requirements. Under the bill, manufacturing companies may adopt single sales factor apportionment or continue to use double-weighted sales factor apportionment. The bill provides that a manufacturing company that adopts single sales factor apportionment in a taxable year beginning on or after July 1, 2017, will not be subject to any monetary penalty but may not revoke the election to use single sales factor apportionment.

The bill implements market-based sourcing for attributing sales to Virginia other than sales of tangible personal property

beginning with taxable year 2018. The bill provides that sales made by certain communications services or Internet access services providers, other than sales of tangible personal property, that are attributable to Virginia under market-based sourcing will be multiplied by a factor of 0.5 for purposes of computing such companies' sales factors. The multiplication factor of 0.5 will be applied to such sales if the provider, or an affiliated group that includes a communications services or Internet access services provider, during the taxable year expended at least \$100 million relating to communications services or Internet access services in the form of tangible personal property placed in service in Virginia or salaries and wages paid for its employees in Virginia. In addition, the bill provides that certain sales of national defense contractors will be excluded from such contractors' sales factor under market-based sourcing. Sales of a national defense contractor other than sales of tangible personal property that are attributable to a federal defense acquisition contract for a sale other than a sale of tangible personal property will be excluded if (a) a greater proportion of the income-producing activity is performed outside Virginia, based on costs of performance; (b) the laws of another state require that the sale be included in the numerator of the fraction used in apportioning the contractor's income to that state for income tax purposes; and (c) the laws of such other state require that the sale be included in such numerator only if the greater proportion of the income-producing activity is performed in that state, based on costs of performance.

With the exception of the elimination of the employment and wage level requirements placed on manufacturing companies electing single sales factor apportionment that becomes effective for taxable years beginning on or after July 1, 2017, all other provisions in the bill will become effective only if the bill's provisions are not estimated by the Department of Taxation to reduce the official forecasted general fund revenues by more than \$50 million for any fiscal year. The bill requires the Department to prepare a fiscal impact statement on general fund revenues from implementation of the bill. The fiscal impact statement is required to be provided to the Governor and the Chairmen of the House Committee on Appropriations, House Committee on Finance, and Senate Committee on Finance by December 1, 2017. To facilitate the Department's preparation of the fiscal impact statement, every corporation having income from business activity that is taxable both within and without Virginia and that had Virginia taxable income before apportionment of at least \$50 million for taxable year 2015 will be required to recalculate its 2015 sales factor using market-based sourcing. The bill requires that the recalculated sales factor be submitted to the Department by July 1, 2017, and imposes a \$5,000 penalty for the failure to do so.

The bill requires the Tax Commissioner by September 1 of each year beginning in 2019 to make a written certification to the Governor and the General Assembly reporting any net additional revenues attributable to the bill's provisions, if any, that were received in the state treasury for the immediately prior fiscal year. The next regular session of the General Assembly would be required to provide an amount of tax relief that is at least equal to the amount certified by the Tax Commissioner.

Patron - Davis

[F]HB1501 Virginia Retail Sales and Use Tax Act. Conforms the Commonwealth's sales and use tax laws to the provisions of the Streamlined Sales and Use Tax Agreement. The bill has a delayed effective date of July 1, 2018.

Patron - Davis

[F]HB1502 Communications sales and use tax; sales price. Provides that the sales price for the communications sales and use tax shall be reduced by any separately identified universal-service fund fees.

Patron - Davis

[F]HB1503 Membership in Multistate Tax Commission. Requires the Tax Commissioner to take such steps as are necessary for Virginia to become an associate member of the Multistate Tax Commission and to participate in Multistate Tax Commission discussions and meetings concerning model tax legislation and uniform tax policies. The Commission was formed in 1967 and charged under the Multistate Tax Compact with, among other things, facilitating the proper determination of state and local tax liability of multistate taxpayers, promoting uniformity or compatibility in significant components of tax systems, facilitating taxpayer convenience and compliance in the filing of tax returns, and avoiding duplicative taxation.

Patron - Davis

[F]HB1581 Made in Appalachia tax credits. Establishes beginning in taxable year 2017 refundable tax credits for certain investments in the localities of the Appalachian region. The bill defines the "Appalachian region" to include the localities of the Cumberland Plateau, LENOWISCO, and Mount Rogers planning districts. Any person may claim a credit in the amount of (i) 10 percent of any capital investment in the Appalachian region, (ii) \$6,000 per full-time job created in the Appalachian region that pays at or above the locality's median wage, and (iii) the sales tax paid by the person in purchasing materials directly used in the manufacture of products in the Appalachian region. The bill authorizes the Department of Taxation to issue up to \$40 million in credits per taxable year. Any person who earns credits would be allowed to transfer unused credits to another taxpayer; however, such transfer would be subject to a fee of one percent of the dollar amount of the credits.

Patron - Campbell

[F]HB1593 Sales and use tax; personal hygiene products; "the dignity act." Exempts from sales and use tax toilet paper, adult diapers, and the following feminine hygiene products: sanitary napkins, tampons, sanitary towels, menstrual cups, and sanitary pads.

Patron - Boysko

[F]HB1632 Renewable energy property tax credit. Establishes beginning in taxable year 2017 a tax credit for renewable energy property placed in service. The bill defines renewable energy property as certain biomass equipment that uses renewable biomass resources, combined heat and power systems using waste heat to produce electricity or thermal or mechanical energy, certain geothermal equipment, hydroelectric generators located at existing dams or in free-flowing waterways, solar energy equipment, and wind equipment that is required to capture and convert wind energy into electricity or mechanical power.

The credit would equal 35 percent of the installed cost of the renewable energy property. However, the aggregate amount of credit allowed to each person for placing into service renewable energy property during the taxable year would not exceed the lesser of (i) 50 percent of the amount of the state corporate

income tax, license tax on certain public utility companies, or license tax on insurance companies imposed upon the person for the year or (ii) \$15,000. Only the ultimate consumer or user of the renewable energy property would be allowed to claim the credit.

The credit would be required to be claimed in five equal annual installments beginning with the taxable year in which the property was placed in service. The credit would expire and no further credit could be claimed if the renewable energy property was disposed of, taken out of service, or moved out of the Commonwealth during any of the installment years.

The Department of Taxation would issue the tax credits. The Department would be authorized to issue \$5 million in tax credits each fiscal year. Any unused credit could be carried forward for five taxable years. The credit would sunset in 2022.

Patron - Sullivan

HB1635 Historic rehabilitation tax credit. Limits the amount of historic rehabilitation tax credits that may be claimed by each taxpayer to \$5 million per year, including any amounts carried over from prior taxable years. The limit is in effect for taxable years beginning on and after January 1, 2017.

Patron - Sullivan

HB1669 Gas severance tax. Extends the sunset date from January 1, 2018, to January 1, 2020, for the local gas severance tax that is dedicated to (i) the local Coal and Gas Road Improvement Fund, (ii) the Virginia Coalfield Economic Development Fund, and (iii) water, sewer, and natural gas systems and lines.

Patron - Morefield

HB1672 Coalfield region public education tax credit. Establishes a tax credit for taxable years 2017 through 2021 for donations to public schools in the coalfield region. The credit would equal 65 percent of the value of the donation. The Department of Taxation would be authorized to issue \$5 million in tax credits each fiscal year.

Patron - Morefield

HB1676 Individual income tax; subtraction for National Guard wages. Provides that a Virginia resident shall be eligible for a subtraction for wages earned in service in the National Guard of another state if the resident's out-of-state service is due to the taxpayer's military occupational specialty requirements.

Patron - Collins

HB1681 Transient occupancy tax; state parks. Permits localities to impose transient occupancy taxes on transient room rentals and travel campgrounds in state parks.

Patron - Bloxom

HB1707 Certain tax credits; elimination of state-level charitable contribution deductions when such credits are claimed. Prohibits a taxpayer from claiming a charitable contribution deduction in calculating Virginia taxable income if a neighborhood assistance tax credit or an education improvement scholarships tax credit is claimed for the same

donation. The prohibition is effective for taxable years beginning on and after January 1, 2017.

Patron - Filler-Corn

HB1710 Sales tax exemption; gun safes. Establishes an exemption from retail sales tax for the purchase of a gun safe with a selling price of \$1,000 or less. The bill defines a gun safe as a safe or vault that is (i) commercially available, (ii) secured with a digital or dial combination locking mechanism or biometric locking mechanism, and (iii) designed for the storage of a firearm or ammunition for use in a firearm. Under the bill, a gun safe does not include a glass-faced cabinet.

Patron - Filler-Corn

HB1714 Corporate income tax; rate of taxation. Lowers the corporate income tax rate from six percent to five percent for taxable years beginning on and after January 1, 2018.

Patron - Minchew

HB1717 Individual income tax; subtraction for interest and dividends from Virginia-based corporations. Allows residents of Virginia to subtract from their Virginia taxable income any interest or dividends received from a corporation with its principal place of business in Virginia. The subtraction would be available for taxable years beginning January 1, 2017.

Patron - Minchew

HB1756 Education improvement scholarships tax credit; eligibility requirements. Eliminates the requirement that a student currently or recently have attended public school in order to qualify for a scholarship from a scholarship foundation that provides tax-credit-derived scholarships. The bill increases the maximum annual scholarship amount from 100 percent of the per pupil amount distributed to the local school division as its share of standards of quality costs (i) for a student with a disability, to 400 percent of such amount and (ii) for a student who has an autism spectrum disorder, to \$26,000. The bill adds to the definition of "qualified educational expenses" expenditures made in connection to summer education.

Patron - Davis

HB1772 Low-income taxpayer tax credit. Allows low-income individuals and married persons to claim a refundable income tax credit equal to 20 percent of the federal earned income tax credit claimed by the individual or married persons for the year in lieu of the current options available for claiming the credit. Under current law, low-income individuals and married persons may claim (i) a nonrefundable income tax credit equal to \$300 for each of the individual, his spouse, and any dependents or (ii) a nonrefundable income tax credit equal to 20 percent of the federal earned income tax credit claimed by the individual or married persons for the year. The provisions of the bill apply to taxable years beginning on and after January 1, 2017.

Patron - Plum

HB1806 Income tax subtractions and credits for investments in technology businesses. Modifies the qualified equity and subordinated debt investments tax credit by (i) increasing the maximum amount of credits that can be issued each year from \$5 million to \$7.5 million, (ii) allocating the \$2.5 million annual increase in credits to cybersecurity businesses, and (iii) allowing credit for investments in technology businesses with no more than 50 full-time employees.

Currently, credit is allowed for an equity or debt investment in a technology business if the business (a) has annual gross revenues of no more than \$3 million in its most recent fiscal year, (b) has its principal office or facility in the Commonwealth, (c) is engaged in business primarily in or does substantially all of its production in the Commonwealth, and (d) has not obtained during its existence more than \$3 million in aggregate gross cash proceeds from the issuance of its equity or debt investments. Under the bill, in lieu of having no more than \$3 million in annual gross revenues for its most recent fiscal year, a business can be a qualifying business if it has no more than 50 full-time employees for such year.

The bill also modifies an income tax subtraction that is similar to the tax credit by allowing the subtraction for an investment in a technology business if the business had no more than 50 full-time employees in its most recent fiscal year.

The bill is effective beginning with taxable year 2017.

Patron - Bell, John J.

HB1823 Property tax exemptions in Frederick County. Repeals the property tax exemption in Frederick County for the Potomac Appalachian Trail Club, Nature Conservancy, People-to-People Health Foundation, Inc., Westminster-Canterbury of Winchester, Inc., Frederick United Methodist Housing Development Corporation, Cedar Creek Battlefield Foundation, Inc., Northern Shenandoah Valley Association for Retarded Citizens, Stone House Foundation, Winchester Chapter of The Izaak Walton League of America, Northwestern Workshop, Inc., Wayside Foundation for the Arts, Inc., Shenandoah Valley Community Residences, Inc., Special Love, Inc., Wayside Museum of American History and Arts, National Wildlife Federation, Robert E. Rose Memorial Foundation, Inc., and Shalom Et Benedictus, Inc.

Patron - LaRock

HB1830 Artificial intelligence industry tax deductions. Establishes additional corporate and individual income tax deductions beginning January 1, 2017, for artificial intelligence industry employers for (i) compensation paid to employees and independent contractors who have earned an undergraduate or graduate degree in a program accredited by the Accreditation Board for Engineering and Technology (ABET) and (ii) tuition payments or reimbursements on behalf of employees and independent contractors earning an undergraduate or graduate degree in a program accredited by ABET while employed by, or performing services under a contract with, such employers. The deduction for compensation paid equals (a) 20 percent of such compensation paid for the first through fifth years of employment if the employee or independent contractor graduated from an ABET-accredited program located in the Commonwealth or (b) 10 percent of the compensation paid for the first through fifth years of employment if the qualified employee or independent contractor graduated from an ABET-accredited program located outside the Common-

wealth. In no event would the deduction allowed for compensation exceed \$4,000 each year of employment for each employee or independent contractor. In no event would the deduction allowed for tuition payments or reimbursements on behalf of each employee or independent contractor for the relevant year of employment exceed 50 percent of the average annual amount for enrollment and instruction in an ABET-accredited program at a public institution of higher education in the Commonwealth.

Patron - Yancey

HB1867 Virginia Housing Trust Fund; revenue deposits. Provides that 20% of annual recordation tax revenue in excess of \$325 million shall be deposited into the Virginia Housing Trust Fund.

Patron - Lopez

HB1891 Geothermal heat pump property expenditure credit. Establishes a tax credit, for taxable years 2017 through 2021, for geothermal heat pump property expenditures at a residence in Virginia. The bill defines "geothermal heat pump property expenditure" as any expenditure for equipment that uses the ground or groundwater as a thermal energy source to heat a residence or as a thermal energy sink to cool a residence. The credit would equal 25 percent of purchase or installation expenditures. An eligible individual taxpayer could claim a maximum of 50 percent of his tax liability or \$2,500, whichever is less, and carry over unused credit for up to 10 years. In addition, a taxpayer could claim only 25 percent of the total cost of geothermal heat pump property at a single residence, up to a maximum of \$10,000. The bill authorizes the Department of Taxation to issue up to \$10 million in credits each fiscal year.

Patron - Hugo

HB1917 Coalfield region energy production tax credit. Establishes a tax credit for taxable years 2017 through 2021 for a capital investment in an energy production facility in the coalfield region. The credit would equal 25 percent of (i) any expenditure for the construction or improvement of an energy production facility or (ii) the cost of machinery, tools, and equipment used at an energy production facility and directly related to energy production. The Department of Taxation would be authorized to issue \$7.3 million in tax credits each fiscal year.

Patron - Morefield

HB1925 Local cigarette tax. Authorizes all counties to impose a cigarette tax. Under current law, only the Counties of Fairfax and Arlington are authorized to impose a cigarette tax.

Patron - Campbell

HB1959 Worker retraining tax credit; student internships; College Savings Plan contributions. Provides a \$1,000 tax credit to an employer for each intern hired as part of a qualified internship program. The bill defines "qualified internship program" as an internship in which the student works at least 20 hours per week for at least 10 weeks; the intern receives at least minimum wage; the intern receives training that enhances job-related skills; and such training is in the field of electrical work, engineering, manufacturing, or

mechanical work. An employer would be required to obtain approval of its internship program from a school division or community college of the Commonwealth and the Department of Small Business and Supplier Diversity. The bill also provides a credit of 30 percent of the value of any matching contribution made by the employer, up to \$1,000, for a student intern's contribution to his Virginia College Savings Plan.

Patron - Yancey

HB1962 Education Improvement Scholarships tax credit. Increases the Education Improvement Scholarships tax credit from 65 percent to 90 percent of the value of donations made to nonprofit scholarship foundations, beginning in taxable year 2018.

Patron - Massie

HB1963 Educational Improvement Scholarships tax credit; pre-kindergarten eligibility. Expands the educational improvement scholarships tax credit program by including as eligible scholarship recipients children enrolled in or attending nonpublic pre-kindergarten programs. The maximum annual scholarship that a child enrolled in or attending a nonpublic pre-kindergarten program will receive is the lesser of the child's actual educational expenses or the state share of the grant per child under the Virginia Preschool Initiative for the locality in which the child resides.

Under current law, tax credits are awarded to individuals and businesses making donations to nonprofit scholarship foundations using the donated funds to award scholarships to certain students in grades K-12 attending nonpublic schools. Eligible scholarship recipients are students in grades K-12 with a finalized individualized education program (IEP) in place or whose annual household income is not in excess of 300 percent of the federal poverty guidelines.

The bill defines an eligible pre-kindergarten child as a child who is (i) a resident of Virginia, (ii) an at-risk four-year-old unserved by Head Start programs, and (iii) enrolled in or attending a nonpublic pre-kindergarten program. In addition, the family of the child (a) cannot have annual household income in excess of 300 percent of the current poverty guidelines or 400 percent of such guidelines if an IEP has been written and finalized for the child, (b) must be homeless as defined in 42 U.S.C. § 11302, or (c) must include parents or guardians of the child who are school dropouts.

The bill defines a nonpublic pre-kindergarten program as a preschool program designed for child development and kindergarten preparation (1) that complies with nonpublic school accreditation requirements administered by the Virginia Council for Private Education (VCPE) or (2) that is participating in Virginia Quality (a partnership between the Virginia Early Childhood Foundation and the Office of Early Childhood Development of the Department of Social Services) with a current designation of at least Level 3 under such rating system. The bill includes several other curriculum and administrative requirements that must be met by a nonpublic pre-kindergarten program in order for children attending the program to be eligible to receive scholarships under the tax credit program. Under the bill, VCPE or the Virginia Early Childhood Foundation will certify nonpublic pre-kindergarten programs meeting such curriculum and administrative requirements.

Patron - Massie

HB1966 Education improvement scholarships tax credit; eligibility requirements and benefits for students with a disability. Expands the education improvement scholarships tax credit program by removing the requirement that a child with a disability be a student enrolled or recently enrolled in public school in order to be eligible. The bill reduces the penalty for failure to fully disburse all donations received from 200 percent to 100 percent of unused donations. The bill increases the scholarship amount available for an eligible child with a disability from 100 percent to 400 percent of the per-pupil amount distributed to the local school division as the state's share of the standards of quality costs.

Patron - Massie

HB2010 Virginia Lottery; repeal prohibition against sale of lottery tickets over Internet. Repeals the prohibition against the sale of lottery tickets over the Internet.

Patron - Robinson

HB2027 Certain adoption fees and expenses; income tax deduction and credit. Creates, for taxable years beginning on and after January 1, 2017, a refundable income tax credit for mandatory fees paid to the Commonwealth related to the adoption of a child within the Virginia foster care system and a deduction for any other costs or fees associated with the adoption of such child.

Patron - Freitas

HB2038 Recordation tax; refinancing deeds of trust. Exempts from recordation tax deeds of trust or mortgages that refinance an existing deed of trust or mortgage on which the recordation tax was paid within the last two years.

Patron - Murphy

HB2056 Vapor product taxes. Imposes a state tax on vapor products, defined in the bill, including electronic cigarettes or similar products or devices and the consumable liquid, vapor cartridge, or other container of solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. The bill authorizes cities and towns and certain counties to impose a tax on vapor products. The state tax rate is \$0.05 per fluid milliliter of consumable vapor product and 10 percent of the retail price for electronic cigarettes or similar products or devices. The bill requires revenues from the state tax on vapor products to be deposited into the Virginia Tobacco Settlement Fund. The bill also requires that dealers and sellers of vapor products apply for distributor's licenses issued by the Virginia Department of Taxation. Cities and towns may impose the tax at a rate of a number of cents per fluid milliliter of the consumable vapor product or a percentage of the retail cost of the device. The bill authorizes Arlington and Fairfax Counties to impose a vapor product tax at a rate that does not exceed the state tax on vapor products created under the bill. Under current law, Arlington and Fairfax Counties may impose a tax on cigarettes at a rate that does not exceed the state cigarette tax. The bill has a delayed effective date of January 1, 2018.

Patron - Kory

HB2070 Additional powers of certain counties. Grants counties with a population density greater than 2,000

persons per square mile certain powers related to taxation, borrowing, and payments for highway maintenance. Such powers currently are generally granted to cities and towns.

Patron - Watts

HB2104 Machinery and tools tax; valuation; appeal of certain local taxes. Permits a commissioner of the revenue to utilize any method that may reasonably be expected to determine actual fair market value of machinery and tools, in addition to specific methods required under current law. The bill also requires a commissioner of the revenue, upon request, to take into account the condition of the machinery and tools, obsolescence, and any other factor that is not adequately taken into account by the valuation method otherwise used. The bill requires a commissioner of the revenue to provide to taxpayers upon request a description of his valuation methods, any adjustments that have been made to reflect the taxpayer's appraisal or written concerns, and the factual and legal bases on which the commissioner relies for disagreeing with the taxpayer's qualified appraisal. The bill also gives the Tax Commissioner authority to issue advisory written opinions in specific cases to interpret the law related to valuations involving independent appraisals of manufacturers' machinery and tools that are presented by the taxpayer to the commissioner of the revenue. In appeals to the Tax Commissioner of the valuation of machinery and tools, the bill permits the taxpayer to value the property by allocating the total value of all machinery and tools at a facility among individual items of property according to the percentage of the original cost that each such item of property bears to the total original cost of all of the property. The bill also requires the Tax Commissioner to make certain determinations and findings related to the appeal. In appeals of tangible personal property tax on airplanes, boats, campers, recreational vehicles, and trailers and on tangible business personal property, the bill requires a commissioner of the revenue to identify any statement of fact submitted by the taxpayer that the commissioner of the revenue believes to be incorrect.

Patron - Byron

HB2114 Motion picture production tax credit; digital interactive media production. Provides that digital interactive media productions will no longer be eligible for motion picture film production tax credits beginning with taxable year 2018.

Patron - Keam

HB2130 Motor vehicle fuels sales tax in certain transportation districts. Provides that the tax that is imposed on the sales price of motor fuel in Northern Virginia shall be imposed on the regional price of gas, defined and computed as a six-month average price of fuel. The regional price has an initial floor of January 11, 2017. If a newly averaged regional price is higher than the preceding regional price, the tax is imposed on the new regional price, but if a newly averaged regional price is less than the preceding regional price, the higher of the two remains the regional price. If the regional price is at any time equal to or greater than the statewide average wholesale price of unleaded regular gasoline on February 20, 2013, then the tax is imposed on the regional price, which moving forward shall not be less than the statewide average wholesale price of unleaded regular gasoline on February 20,

2013, and shall not be more than a price of \$4 per gallon of unleaded regular gasoline. The bill also raises the rate of taxation of motor fuel in Northern Virginia from 2.1% to 3%. The bill also changes the regional gas tax in Hampton Roads from a percentage to a cents-per-gallon tax that decreases as the price of gas increases. The regional gas tax in Hampton Roads would have a floor of \$0.05 per gallon and a ceiling of \$0.14 per gallon and would be determined on the basis of the average wholesale price of unleaded regular gasoline.

Patron - Levine

HB2150 Land preservation tax credit; per taxpayer limitation. Extends to taxable year 2017 the \$20,000 limit on the amount that a taxpayer may claim per year under the land preservation tax credit. The bill retains the \$50,000 limit for each subsequent taxable year.

Patron - Aird

HB2175 Income tax; subtraction for military veterans with a service-connected disability. Establishes for taxable years beginning January 1, 2017, an individual income tax subtraction, for purposes of computing Virginia adjusted gross income, for the military retirement income of veterans with a 100 percent service-connected disability. The bill provides that the subtraction is available only for taxpayers whose federal adjusted gross income does not exceed 250 percent of the federal poverty level for a four-person household.

Patron - Miyares

HB2189 Sales and use tax exemption; feminine hygiene products. Adds feminine hygiene products to items of school supplies, clothing, and footwear that are exempt from sales and use tax each year during a three-day period that begins on the first Friday in August. The bill specifies that feminine hygiene products include sanitary napkins, tampons, sanitary towels, menstrual cups, and sanitary pads.

Patron - Boysko

HB2226 Individual income tax rate reduction. Reduces the top marginal individual income tax rate from 5.75 percent on income in excess of \$17,000 to five percent on income in excess of \$5,000 beginning with taxable year 2018.

Patron - Cline

HB2393 Income tax credit; purchase of gun safe. Establishes an individual income tax credit beginning January 1, 2017, for the purchase of a gun safe. The credit would equal 50 percent of the purchase price paid for any gun safe with a selling price of \$500 or less. The bill defines a gun safe as a safe or vault that is (i) commercially available, (ii) secured with a digital or dial combination locking mechanism or biometric locking mechanism, and (iii) designed for the storage of a firearm or ammunition for use in a firearm. An individual may not claim more than \$100 in tax credits for all taxable years. The Department would be authorized to issue up to \$250,000 in tax credits each year. The credit would expire on January 1, 2022.

Patron - Cline

HB2461 Neighborhood Assistance Act Tax Credit program. Reduces the amount of the tax credit from 65 per-

cent of the value of donations to neighborhood organizations for taxable years 2012 through 2017 to (i) 60 percent of such donations for taxable year 2018, (ii) 55 percent of such donations for taxable year 2019, and (iii) 50 percent of such donations for taxable years 2020 and thereafter.

Patron - Bloxom

HB2475 Real property tax; payments in lieu of taxes for exempt organizations. Permits localities to enter into mutually agreeable terms with entities that are exempt from real property tax, for the payment of service charges.

Patron - LaRock

SB787 Accelerated sales and use tax payments. Prohibits the accelerated collection of sales and use tax payments from retail merchants and other dealers who collect and return sales and use tax payments.

Patron - Sturtevant

SB788 Individual income tax; rate of taxation. Lowers the rate of taxation for each income bracket by one-quarter percent each year for four years beginning in taxable year 2018. For taxable years beginning on and after January 1, 2021, income will be taxed as follows: (i) one percent on income not exceeding \$3,000, (ii) two percent on income in excess of \$3,000 but not in excess of \$5,000, (iii) four percent on income in excess of \$5,000 but not in excess of \$17,000, and (iv) 4.75 percent on income in excess of \$17,000.

Patron - Sturtevant

SB789 Corporate income tax; rate of taxation. Lowers the corporate income tax rate from six percent to 5.5 percent for taxable years beginning on or after January 1, 2018.

Patron - Sturtevant

SB798 Virginia adjusted gross income; sale of certain crops to craft breweries. Provides an income tax subtraction, for purposes of computing Virginia adjusted gross income, for the income attributable to the sale of crops grown by a farmer to a brewery licensed in Virginia.

Patron - Stanley

SB835 Corporate income tax; rate of taxation. Lowers the corporate income tax rate from six percent to 2.5 percent for taxable years beginning on or after January 1, 2017.

Patron - Chase

SB836 License taxes; Virginia taxable income. Provides that if a locality imposes a license tax upon a business, the tax shall be based upon the Virginia taxable income of the business. Current law allows a locality to impose the tax upon gross receipts or Virginia taxable income.

Patron - Chase

SB849 Virginia taxable income; deduction for small business owners. Creates an income tax deduction for taxable years beginning on and after January 1, 2017, for income attributable to the ownership and operation of a small business. For purposes of the deduction, a small business is defined as a business that has its primary place of business in the Commonwealth, generates less than \$100,000 of taxable income in the

taxable year, and has fewer than 50 employees. A small business owner would only be eligible to take the deduction for the first five years that the business is in operation.

Patron - Chase

SB925 Plastic bag tax in the Chesapeake Bay Watershed. Imposes a five-cent per bag tax on plastic bags provided to customers by certain retailers in localities located wholly within the Chesapeake Bay Watershed and directs revenues to be used to support the Chesapeake Bay Watershed Implementation Plan. The bill also allows every retailer that collects the tax to retain one cent of the five-cent tax.

Patron - Petersen

SB956 County food and beverage tax. Increases from four percent to eight percent the maximum tax that any county is authorized to impose on food and beverages sold by a restaurant, commonly referred to as the meals tax. The bill also removes the requirement that a county hold a referendum before imposing a meals tax.

Patron - Locke

SB1012 Lottery Board; regulation of casino gaming; penalties. Authorizes casino gaming in the Commonwealth to be regulated by the Virginia Lottery Board (the Board). The bill specifies the licensing requirements for casino gaming and imposes penalties for violations of the casino gaming law. Casino gaming shall be limited to localities that have passed a referendum on the question of allowing a casino gaming establishment in the locality. The bill requires the Board to establish and implement a voluntary exclusion program allowing individuals to voluntarily list themselves as being barred from entering a casino gaming establishment or other facility under the jurisdiction of the Board. In addition, the bill establishes the Problem Gambling Treatment and Support Fund administered by the Commissioner of Behavioral Health and Developmental Services to provide counseling and other support services for compulsive and problem gamblers, develop problem gambling treatment and prevention programs, and provide grants to supporting organizations that provide assistance to compulsive gamblers. The bill requires proceeds of the gross receipts tax and admission tax imposed on casino gaming operators to be paid as follows: (i) one percent into the Problem Gambling Treatment and Support Fund, (ii) 10 percent to the locality in which the casino gaming operation is located, and (iii) 89 percent into the Toll Mitigation Fund, which shall be used to mitigate the tolls established to support construction and maintenance of the Dominion Boulevard Bridge and Roadway Improvement Project and the Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project.

Patron - Lucas

SB1029 Virginia taxable income; deduction for personal exemptions. Increases the deduction, for purposes of computing Virginia taxable income, for personal exemptions. For taxable years beginning on and after January 1, 2018, a taxpayer may deduct \$1,000 for each personal exemption allowable to the taxpayer on federal income taxes; current law allows a deduction of \$930 per exemption. A blind or aged taxpayer may deduct an additional personal exemption in the

amount of \$900; current law allows an additional deduction of \$800.

Patron - Dunnivant

SB1092 Motor vehicle fuels sales tax in certain transportation districts; price floor. Establishes a floor on the 2.1 percent tax imposed on motor vehicle fuels sold in Northern Virginia by requiring that the average sales price upon which the tax is based be no less than the statewide average sales price on July 1, 2013. This bill was incorporated into SB 1456.

Patron - Petersen

SB1106 Made in Appalachia Initiative; tax credits. Establishes beginning in taxable year 2017 refundable tax credits for certain investments in the localities of the Appalachian region. The bill defines the "Appalachian region" to include the localities of the Cumberland Plateau, LENOWISCO, and Mount Rogers planning districts. Any person may claim a credit in the amount of (i) 10 percent of any capital investment in the Appalachian region, (ii) \$6,000 per full-time job created in the Appalachian region that pays at or above the locality's median wage, and (iii) the sales tax paid by the person in purchasing materials directly used in the manufacture of products in the Appalachian region. The bill authorizes the Department of Taxation to issue up to \$40 million in credits per taxable year. Any person who earns credits would be allowed to transfer unused credits to another taxpayer; however, such transfer would be subject to a fee of one percent of the dollar amount of the credits.

Patron - Chafin

SB1107 Accelerated sales and use tax payments. Prohibits any requirement that a dealer remit sales and use tax payments except under the following circumstances: (i) if payments are required for dealers with sales of \$15 million or less, such threshold may only be lowered by 10 percent the next year; (ii) if the Department of Taxation fails to notify dealers that accelerated payments are due at least nine months in advance, no penalty may be assessed for late payments; and (iii) no penalty may be assessed on a dealer subject to an accelerated payment due to a lowered threshold in the calendar year. The bill prohibits requiring accelerated payments after June 30, 2020.

Patron - Sturtevant

SB1109 Certain tax credits; elimination of state-level charitable contribution deductions when such credits are claimed. Prohibits a taxpayer from claiming a charitable contribution deduction in calculating Virginia taxable income if a neighborhood assistance tax credit or an education improvement scholarships tax credit is claimed for the same donation. The prohibition is effective for taxable years beginning on and after January 1, 2017.

Patron - Saslaw

SB1137 Neighborhood Assistance Act Tax Credit program. Reduces the amount of the tax credit from 65 percent of the value of donations to neighborhood organizations for taxable years 2012 through 2017 to (i) 60 percent of such donations for taxable year 2018, (ii) 55 percent of such dona-

tions for taxable year 2019, and (iii) 50 percent of such donations for taxable years 2020 and thereafter.

Patron - Mason

SB1167 Tax credits related to education; aggregate cap. Allocates 20 percent of any unissued credits in a fiscal year under the Education Improvement Scholarships tax credit program to the Superintendent of Public Instruction to be allocated to education programs under the Neighborhood Assistance Act tax credit program during the next fiscal year. The 20 percent of unissued credits would be added to the current \$9 million cap for education programs under the Neighborhood Assistance Act tax credit program.

Patron - DeSteph

SB1186 Taxation of all-terrain vehicles, mopeds, and off-road motorcycles. Provides that all-terrain vehicles, mopeds, and off-road vehicles shall be subject to the motor vehicle sales and use tax but exempt from the retail sales and use tax. Current law provides that such vehicles are subject to the retail sales and use tax but exempt from the motor vehicle sales and use tax. The motor vehicle sales and use tax would be imposed at the same rate as the state and local sales and use tax: at a rate of 6.0% in Planning Districts 8 and 23 and 5.3% in the rest of the state. The revenues collected from the motor vehicle sales tax on all-terrain vehicles, mopeds, and off-road vehicles would be distributed in the same manner as the state and local retail sales and use tax.

Patron - Dance

SB1249 Income tax credit. Provides a refundable income tax credit in the amount of \$4,000 to any disabled veteran and his surviving spouse, and to the surviving spouse of a member of the armed services killed in action, who are otherwise eligible for the real property tax exemption on their primary residence except that they do not own their primary residence.

Patron - Stuart

SB1268 Localities; public hearings for tax rate increases. Authorizes localities to hold hearings on tax rate increases at the same time as the annual budget hearing. Current law requires a hearing on a tax rate increase to occur at a separate proceeding.

Patron - Ebbin

SB1314 Retail sales and use tax; spirits sold at government stores. Imposes a new one percent retail sales and use tax on the sale of spirits at Alcoholic Beverage Control Commission-operated stores in the Commonwealth. The revenues would be deposited into a new fund to be used to support law-enforcement personnel and law-enforcement duties in the Commonwealth, as may be specified in a general appropriation act.

Patron - Carrico

SB1329 Local cigarette taxes. Allows all localities to impose a cigarette tax by removing the requirement that only those localities that had such authority prior to 1977 are eligible. The bill sets a maximum rate on the cigarette tax imposed

by counties of five cents per pack or the amount levied under state law, whichever is greater.

Patron - Carrico

SB1336 School supplies and hurricane preparedness sales tax holidays. Adds to the existing sales tax holiday for school supplies, clothing, and footwear an exemption for computers sold at \$700 or less. The bill removes from the hurricane preparedness sales tax holiday the exemption for generators. The bill extends the sunset dates for the school supplies and hurricane preparedness sales tax holidays from 2017 to 2022.

Patron - Surovell

SB1361 Food donation tax credit. Allows restaurants that donate prepared food or meals to a nonprofit food bank to claim the food donation tax credit. Under current law, only farmers that donate food crops to a nonprofit food bank are eligible for the credit. Current law allows a maximum of \$5,000 in credits to be issued per taxpayer per year and an aggregate maximum of \$250,000 in credits to be issued by the Tax Commissioner per fiscal year.

Patron - Carrico

SB1386 Rate of individual income tax; small businesses. Creates a new tax bracket for small businesses filing taxes as individuals in Virginia. The standard tax rates would be lowered one-quarter of a percent over four years, to establish tax rates of one percent for income not in excess of \$3,000, two percent for income between \$3,001 and \$5,000, four percent for income between \$5,001 and \$17,000, and 4.75 percent for income over \$17,000. The bill defines "small business" as a sole proprietorship or pass-through entity with 25 or fewer employees.

Patron - Sturtevant

SB1392 Geothermal heat pump property expenditure credit. Establishes a tax credit, for taxable years 2017 through 2021, for geothermal heat pump property expenditures at a residence in Virginia. The bill defines "geothermal heat pump property expenditure" as any expenditure for equipment that uses the ground or groundwater as a thermal energy source to heat a residence or as a thermal energy sink to cool a residence. The credit would equal 25 percent of purchase or installation expenditures. An eligible individual taxpayer could claim a maximum of 50 percent of his tax liability or \$2,500, whichever is less, and carry over unused credit for up to 10 years. In addition, a taxpayer could claim only 25 percent of the total cost of geothermal heat pump property at a single residence, up to a maximum of \$10,000. The bill authorizes the Department of Taxation to issue up to \$10 million in credits each fiscal year.

Patron - Wagner

SB1426 Education Improvement Scholarships tax credit. Increases the Education Improvement Scholarships tax credit from 65 percent to 90 percent of the value of donations made to nonprofit scholarship foundations, beginning in taxable year 2018.

Patron - Stanley

SB1427 Educational Improvement Scholarships tax credit; pre-kindergarten eligibility. Expands the educational improvement scholarships tax credit program by including as eligible scholarship recipients children enrolled in or attending nonpublic pre-kindergarten programs. The maximum annual scholarship that a child enrolled in or attending a nonpublic pre-kindergarten program will receive is the lesser of the child's actual educational expenses or the state share of the grant per child under the Virginia Preschool Initiative for the locality in which the child resides. Under current law, tax credits are awarded to individuals and businesses making donations to nonprofit scholarship foundations using the donated funds to award scholarships to certain students in grades K-12 attending nonpublic schools. Eligible scholarship recipients are students in grades K-12 with a finalized individualized education program (IEP) in place or whose annual household income is not in excess of 300 percent of the federal poverty guidelines. The bill defines an eligible pre-kindergarten child as a child who is (i) a resident of Virginia, (ii) an at-risk four-year-old unserved by Head Start programs, and (iii) enrolled in or attending a nonpublic pre-kindergarten program. In addition, the family of the child (a) cannot have annual household income in excess of 300 percent of the current poverty guidelines or 400 percent of such guidelines if an IEP has been written and finalized for the child, (b) must be homeless as defined in 42 U.S.C. § 11302, or (c) must include parents or guardians of the child who are school dropouts. The bill defines a nonpublic pre-kindergarten program as a preschool program designed for child development and kindergarten preparation (1) that complies with nonpublic school accreditation requirements administered by the Virginia Council for Private Education (VCPE) or (2) that is participating in Virginia Quality (a partnership between the Virginia Early Childhood Foundation and the Office of Early Childhood Development of the Department of Social Services) with a current designation of at least Level 3 under such rating system. The bill includes several other curriculum and administrative requirements that must be met by a nonpublic pre-kindergarten program in order for children attending the program to be eligible to receive scholarships under the tax credit program. Under the bill, VCPE or the Virginia Early Childhood Foundation will certify nonpublic pre-kindergarten programs meeting such curriculum and administrative requirements.

Patron - Stanley

SB1428 Education improvement scholarships tax credit; eligibility requirements and benefits for students with a disability. Expands the education improvement scholarships tax credit program by removing the requirement that a child with a disability be a student enrolled or recently enrolled in public school in order to be eligible. The bill reduces the penalty for failure to fully disburse all donations received from 200 percent to 100 percent of unused donations.

Patron - Stanley

SB1451 Motion picture production tax credit. Amends the motion picture production tax credit by allowing a 20% credit for a production for which 80% of the filming or production takes place in the Commonwealth at a federally designated Historically Underutilized Business Zone, at a federal landmark, or in a federal historic district. There would be no sunset for the credits that meet these criteria, and the credits would not be subject to the \$6.5 million aggregate cap. The bill

also clarifies that the Department of Taxation shall annually publish certain information about the credit regardless of the number of taxpayers that claim the credit.

Patron - Lucas

SB1456 Motor vehicle fuels sales tax in certain transportation districts; price floor. Places a floor on the 2.1 percent tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by ensuring that the tax is not imposed on a price that is less than the statewide average wholesale price of gasoline or diesel fuel on February 20, 2013, which is the date used as a floor on the statewide motor vehicle fuels sales tax. This bill incorporates SB 1092.

Patron - Wagner

SB1485 Expiration of certain tax credits. Adds a sunset date of January 1, 2022, to all existing tax credits that do not currently have a sunset date.

Patron - Sturtevant

SB1520 Increase in property tax; public hearing. Changes the notice required by a governing body for a public hearing when a reassessment of real property in a locality would result in an increase of one percent or more in the property tax levied. Current law requires notice to be published at least 30 days in advance of a public hearing through both publication in a newspaper of general circulation and posting in a prominent location in the building where the government body conducts its business. The bill would require newspaper publication at least 25 days in advance and would continue to require notice in the government building to be posted at least 30 days in advance.

Patron - Ebbin

SB1526 Income-producing realty; income data. Authorizes the owner of certain income-producing realty to submit documents other than statements of income and expenses to a real estate assessor, board of assessors, or department of real estate assessments for purposes of valuation of the property. The bill specifies that such other documents include appraisals, tax returns that demonstrate the income generated by the property, or other documents relevant to the valuation of the property.

Patron - Obenshain

SB1531 Dependent care tax credit for qualified teachers. Creates a tax credit for the household and dependent care expenses of teachers who teach at public elementary or secondary schools in the Commonwealth at which at least 40% of the students qualify for free or reduced lunch. The credit would be equal to the federal household and dependent care tax credit and would be in addition to the state income tax deduction for such expenses. The total amount of credits available would be capped at \$1 million per year. The credit would be available for taxable years beginning on and after January 1, 2017, but before January 1, 2022.

Patron - Lewis

SB1540 Certain tax credits; aggregate caps. Reduces the total aggregate caps of the historic rehabilitation tax credit, the research and development expenses tax credit,

the major research and development expenses tax credit, and the land preservation tax credit over a period of 10 years, so that no credits are available for any of the credits beginning in 2027.

Patron - Sturtevant

SB1544 County food and beverage tax; York County. Authorizes York County to impose a food and beverage tax at a rate of up to eight percent. The Board of Supervisors would be required to hold a public hearing and adopt an ordinance implementing the tax by a unanimous vote, but would not be required to hold a referendum.

Patron - Norment

SB1545 Individual income tax credit; return of budget surplus. Requires several actions relating to Virginia taxable income if a general fund surplus is recorded in a fiscal year. First, the bill establishes a refundable individual income tax credit that is a portion of the general fund surplus for the corresponding fiscal year. If \$50 million or more in general fund surplus remains after assignments of the surplus for the Revenue Stabilization Fund, the Virginia Water Quality Improvement Fund, the Transportation Trust Fund, and other mandatory assignments, then a refundable income tax credit would be allowed for the corresponding taxable year equal to the remaining surplus divided by the number of individual income tax returns filed for the most recent taxable year. If less than \$50 million in general fund surplus remains after such mandatory assignments, no tax credit would be available and the remaining surplus would be assigned by the Comptroller for nonrecurring expenditures. The credit could be claimed only by those individuals who were required under Virginia law to file an individual income tax return and filed such return. Second, if actual general fund revenues exceed the official general fund forecast by at least \$500 million in a fiscal year, the income tax rate for Virginia taxable income in excess of \$17,000 shall be lowered by one-quarter of one percent for the subsequent taxable year, until all income in excess of \$5,000 is taxed at a rate of five percent. Finally, if actual general fund revenues exceed the official general fund forecast by at least \$50 million in a fiscal year, the corporate income tax rate shall be lowered by one percent for the subsequent taxable year.

Patron - Vogel

SB1562 Medicaid Supplemental Rate Fund. Creates the Medicaid Supplemental Rate Fund (the Fund) as a subfund of the Virginia Health Care Fund. Moneys in the Fund will be used to raise base Medicaid reimbursement rates for hospitals and health care providers in the Commonwealth. The bill requires nonprofit hospitals with over \$300 million in annual revenues to pay state and local sales and use taxes, and such sales tax revenues will be deposited into the Fund. Nonprofit hospitals are currently exempt from paying state and local sales and use tax.

Patron - Dunnavant

Trade and Commerce

Passed

HB1422 Virginia Consumer Protection Act; storm-related repairs. Provides that it is a prohibited practice under the Virginia Consumer Protection Act for a supplier to engage in fraudulent or improper or dishonest conduct while engaged in a transaction that was initiated (i) during a declared state of emergency or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is a licensed contractor. This bill is identical to SB 839.

Patron - Ware

HB1542 Home service contract providers. Shifts responsibility for regulating home service contract providers from the State Corporation Commission to the Commissioner of the Department of Agriculture and Consumer Services. The measure provides that home service contracts are not contracts of insurance and are not subject to regulation under the Commonwealth's insurance laws. Home service contracts are agreements to perform the service repair, replacement, or maintenance, or indemnification therefor, with regard to components, parts, appliances, or systems of a residential home property. Providers of such contracts are required to register with the Commissioner, which registration shall not require filing of forms or rate information. Providers are required to maintain a funded reserve account for their obligations under the contracts that is not less than 40 percent of gross consideration received, less claims paid, on the sale of the home service contract for all in-force home service contracts sold in the Commonwealth. Providers are also required to file a bond with the Commissioner. In lieu of the requirements for a reserve account and bond, a provider may demonstrate financial responsibility by filing a copy of a liability insurance policy that covers 100 percent of the provider's home service contract liabilities. The measure includes provisions addressing the adoption of regulations, investigations, production of records, and penalties for violations that are similar to the existing provisions applicable to extended service contract providers. Providers with a net worth in excess of \$100 million are exempt from the provisions of the measure. Certain maintenance and service agreements are exempted. The measure includes a minimum tax provision that requires such entities to pay income tax at a level that provides the same revenue as is currently paid in gross premium tax. The minimum tax is in lieu of all other state and local license fees or license taxes on providers and home service contracts. The measure has a delayed effective date of January 1, 2018.

Patron - Kilgore

HB1825 Rights to resell tickets; civil penalty. Prohibits any person that issues tickets for admission to a professional concert, professional sporting event, or professional theatrical production, open to the public for which tickets are ordinarily sold, from issuing the ticket solely through a delivery method that substantially prevents the ticket purchaser from lawfully reselling the ticket on the Internet ticketing platform of the ticket purchaser's choice. The measure also prohib-

its a person from being discriminated against or denied admission to an event solely on the basis that the person resold a ticket, or purchased a resold ticket, on a specific Internet ticketing platform. A person violating these prohibitions is subject to a civil penalty of not less than \$1,000 nor more than \$5,000. This bill is identical to SB 1425.

Patron - Albo

SB839 Virginia Consumer Protection Act; storm-related repairs. Provides that it is a prohibited practice under the Virginia Consumer Protection Act for a supplier to engage in fraudulent or improper or dishonest conduct while engaged in a transaction that was initiated (i) during a declared state of emergency or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is a licensed contractor. This bill is identical to HB 1422.

Patron - Sturtevant

SB1309 Transacting business under assumed name; filing certificate; penalty. Prohibits a person from conducting or transacting business under any assumed or fictitious name unless such person files in the office of the clerk of the State Corporation Commission a certificate of assumed or fictitious name. The measure specifies the requirements for a certificate of assumed or fictitious name. A person who signs a certificate the person knows is false in any material respect with intent that the certificate be delivered to the Commission for filing is guilty of a Class 1 misdemeanor. The measure eliminates the existing requirement that a person conducting business under an assumed or fictitious name file a certificate with the clerk of the circuit court where the business is to be conducted. An enactment clause provides that the act shall be applied prospectively only, does not affect the validity of a certificate filed prior to the act's effective date, and does not require any person who was in compliance with applicable laws regarding fictitious or assumed name certificates prior to the act's effective date to take any action to comply with the act's requirements. The measure has a delayed effective date of May 1, 2019.

Patron - Norment

SB1328 Enterprise zone grants and tax credits; qualified real property improvement expenditures. Provides that an expenditure for an improvement to real property may qualify for a grant or tax credit regardless of whether it is capitalized or deducted as a business expense under federal Treasury Regulations.

Patron - Carrico

SB1425 Rights to resell tickets; civil penalty. Prohibits any person that issues tickets for admission to a professional concert, professional sporting event, or professional theatrical production, open to the public for which tickets are ordinarily sold, from issuing the ticket solely through a delivery method that substantially prevents the ticket purchaser from lawfully reselling the ticket on the Internet ticketing platform of the ticket purchaser's choice. The measure also prohibits a person from being discriminated against or denied admission to an event solely on the basis that the person resold a ticket, or purchased a resold ticket, on a specific Internet ticketing platform. A person violating these prohibitions is subject

to a civil penalty of not less than \$1,000 nor more than \$5,000. This bill is identical to HB 1825.

Patron - Stanley

Failed

HB2266 Retail establishments and restaurants; posting of signs relating to firearms policy. Provides that if a retail establishment or restaurant has a policy that permits the carrying of firearms onto the premises, the proprietor or other person in charge of the retail establishment or restaurant must post in an appropriate place, in a clear, conspicuous, and sufficient manner, a "Firearms Permitted" sign. The bill imposes a civil penalty of not more than \$25 for failure to post such signs, to be paid into the Literary Fund.

Patron - Filler-Corn

HB2375 Virginia Home Solicitation Sales Act; prohibited solicitation; penalty. Provides that no seller or person acting for him shall make or attempt to make a home solicitation sale on residential property to any person that displays a no soliciting sign on one or more entry doors on such property, except as may be permissible under the Solicitation of Contributions Act. The bill defines "residential property" and "no soliciting sign" and provides that any seller who knowingly violates this provision is guilty of a trespass. The bill also sets out exceptions to its applicability.

Patron - Watts

HB2430 Automatic renewal offers and continuous service offers; penalties. Prohibits a supplier making an automatic renewal or continuous service offer to a consumer in the Commonwealth from (i) failing to present the automatic renewal or continuous service offer terms in a clear and conspicuous manner, (ii) charging the consumer for an automatic renewal or continuous service without first obtaining the consumer's affirmative consent, and (iii) failing to provide an acknowledgment that includes the automatic renewal or continuous service offer terms, cancellation policy, and information regarding how to cancel in a manner that is capable of being retained by the consumer. In the case of a material change in the terms of the automatic renewal or continuous service offer, the bill would require the supplier to provide the consumer with a clear and conspicuous notice of the material change and information regarding how to cancel. The measure provides that in any case in which a supplier sends any goods, wares, merchandise, or products to a consumer under a continuous service agreement or automatic renewal of a purchase without first obtaining the consumer's affirmative consent, the goods, wares, merchandise, or products shall for all purposes be deemed an unconditional gift to the consumer. The bill exempts certain services and businesses from its provisions. A violation is a prohibited practice under the Virginia Consumer Protection Act. The measure has a delayed effective date of December 1, 2017.

Patron - Simon

SB1010 Virginia Casino Gaming Commission; regulation of casino gaming; penalties. Creates the Virginia Casino Gaming Commission (the Commission) as the licensing body for casino gaming. The bill specifies the licensing

requirements for casino gaming and imposes penalties for violations of the casino gaming law. The bill also requires the Commission to establish a voluntary exclusion program allowing persons to voluntarily exclude themselves from the gaming areas of facilities under the jurisdiction of the Commission. Under the bill, casino gaming is limited to localities in which at least 40 percent of the land area is exempt from local real property taxation pursuant to federal law or subdivisions (a) (1) through (a) 5 and (a) 7 of Article X, Section 6 of the Constitution of Virginia. In addition, the bill establishes the Problem Gambling Treatment and Support Fund administered by the Commissioner of Behavioral Health and Developmental Services to provide counseling and other support services for compulsive and problem gamblers, develop problem gambling treatment and prevention programs, and provide grants to supporting organizations that provide assistance to compulsive gamblers. The bill requires proceeds of the gross receipts tax and admission tax imposed on casino gaming operators to be paid as follows: (i) one percent into the Problem Gambling Treatment and Support Fund, (ii) 10 percent to the locality in which the casino gaming operation is located, and (iii) 89 percent into the Toll Mitigation Fund, which shall be used to mitigate the tolls established to support construction and maintenance of the Dominion Boulevard Bridge and Roadway Improvement Project and the Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project.

Patron - Lucas

SB1011 Virginia Casino Gaming Commission; regulation of casino gaming; penalties. Creates the Virginia Casino Gaming Commission (the Commission) as the licensing body for casino gaming. The bill specifies the licensing requirements for casino gaming and imposes penalties for violations of the casino gaming law. Casino gaming shall be limited to localities that have passed a referendum on the question of allowing casino gaming in the locality. The bill also requires the Commission to establish a voluntary exclusion program allowing persons to voluntarily exclude themselves from the gaming areas of facilities under the jurisdiction of the Commission. In addition, the bill establishes the Problem Gambling Treatment and Support Fund administered by the Commissioner of Behavioral Health and Developmental Services to provide counseling and other support services for compulsive and problem gamblers, develop problem gambling treatment and prevention programs, and provide grants to supporting organizations that provide assistance to compulsive gamblers. The bill requires proceeds of the gross receipts tax and admission tax imposed on casino gaming operators to be paid as follows: (i) one percent into the Problem Gambling Treatment and Support Fund, (ii) 10 percent to the locality in which the casino gaming operation is located, and (iii) 89 percent into the Toll Mitigation Fund, which shall be used to mitigate the tolls established to support construction and maintenance of the Dominion Boulevard Bridge and Roadway Improvement Project and the Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project.

Patron - Lucas

SB1125 Virginia Consumer Protection Act; open-end credit plans. Makes a violation of the requirements appli-

cable to open-end credit plan lending a prohibited practice under the Virginia Consumer Protection Act.

Patron - Surovell

[E]SB1264 Virginia Telephone Privacy Protection Act. Provides that a seller may be held liable for violations of the Virginia Telephone Privacy Protection Act that are committed by a third-party telemarketer under common law principles of agency when the third-party telemarketer initiates telephone solicitation calls on behalf of or for the benefit of the seller. A seller shall not be held liable if the third-party telemarketer fails to follow its contractual obligations with the seller or fails to adhere to any guidelines, directions, practices, or policies of the seller for conducting telephone solicitations and communications. The measure defines "seller" as any entity that benefits from the sale of property or services marketed by a telephone solicitation call, including an entity that engages in the marketing or selling of names or data containing the identity of potential customers or sales leads. The measure also provides that a telephone solicitation call includes a telephone call made to a wireless phone registered to any natural person who is a resident of the Commonwealth if the purpose of the telephone call is the offering or advertising of any goods or services for sale, lease, license, or investment, including the offering or advertising of an extension of credit.

Patron - Black

[E]SB1499 Virginia Riverboat Gaming Commission; regulation of riverboat gaming; penalties. Creates the Virginia Riverboat Gaming Commission as the licensing body for riverboat gaming. The bill specifies the licensing requirements for riverboat gaming and imposes penalties for violations of the riverboat gaming law, and it directs that riverboat gaming shall be limited to localities that have passed a referendum on the question of allowing riverboat gaming in the locality. The bill requires proceeds of the adjusted gross receipts tax and admission tax imposed on riverboat gaming licensees to be paid as follows: (i) 50 percent to the locality in which the riverboat gaming operation is located and (ii) 50 percent into the Transportation Trust Fund.

Patron - Lucas

Unemployment Compensation

Passed

[P]SB988 Virginia Employment Commission; population projections. Eliminates the requirement that the Virginia Employment Commission prepare population projections for the Commonwealth for use by the General Assembly and certain state agencies.

Patron - Dance

Failed

[F]HB1436 Unemployment compensation; wage offset. Provides that the weekly unemployment benefit to which an eligible individual is entitled shall be reduced by one-half of

the amount of any wages payable to the individual. Currently, such individual's weekly benefit amount is reduced on a dollar-for-dollar basis by any wages in excess of \$50 that the individual earns in that week.

Patron - Head

[F]HB1980 Virginia Employment Commission; jobs reports. Requires the Virginia Employment Commission to state, in any public report providing data on the number of jobs created or filled in the Commonwealth, whether the jobs are permanent full-time positions. If the jobs are not permanent full-time positions, the Commission shall set out the number of those jobs that are permanent full-time positions and those that are not.

Patron - Poindexter

[F]HB2126 Family and Medical Leave Insurance Program. Entitles individuals to a family and medical leave insurance (FMLI) benefit payment for each month they are engaged in qualified caregiving, not to exceed 60 qualified caregiving days per year. Qualified caregiving means an activity, except regular employment, for a reason an individual is entitled to leave under the federal Family and Medical Leave Act of 1993. Benefits would amount to 66 percent of an individual's monthly wages, based on highest annual earnings from the prior three years, up to a capped monthly amount, and would be indexed to the national average wage index. If a person takes the maximum number of days, the benefits would range from a minimum benefit of \$580 to a maximum benefit of \$4,000 per month in the program's first year. To be eligible for benefits, an individual is required to (i) be insured for disability insurance benefits under the Social Security Act at the time his application is filed; (ii) have earned income from employment during the 12 months before filing the application; (iii) have filed an application for an FMLI benefit; and (iv) have been engaged in qualified caregiving, or anticipate being so engaged, during the 90-day period before the application is filed or within 30 days thereafter. The measure establishes the Family and Medical Insurance Leave Fund and requires FMLI benefit payments to be made only from this Fund. A tax of 0.2 percent is imposed on the wages received by every individual, and an excise tax of 0.2 percent of the wages paid in any calendar year by the employer with respect to their employment is imposed on employers. The measure has a delayed effective date of January 1, 2018.

Patron - Levine

Virginia Energy Plan

Passed

[P]SB1258 Virginia Solar Energy Development and Energy Storage Authority. Continues the Virginia Solar Energy Development Authority and renames it the Virginia Solar Energy Development and Energy Storage Authority. The measure expands the purposes of the authority to include positioning the Commonwealth as a leader in research, development, commercialization, manufacturing, and deployment of energy storage technology. The powers of the Authority are

expanded to include (i) promoting collaborative efforts among Virginia's public and private institutions of higher education in research, development, and commercialization efforts related to energy storage; (ii) monitoring relevant developments nationally and globally; and (iii) identifying and working with the Commonwealth's industries and nonprofit partners. The size of the Authority is expanded from 11 to 15 members. This bill received Governor's recommendations.

Patron - Ebbin

Failed

[F]HB2018 Virginia Alternative Energy and Coastal Protection Act. Requires the Governor to seek to join the Regional Greenhouse Gas Initiative or other carbon trading program with an open auction of carbon allowances. The Department of Environmental Quality is directed to establish a carbon dioxide cap and trade program to reduce emissions released by electric generation stations. The revenues from the sale of carbon allowances are to be deposited in the Virginia Shoreline Resiliency Fund, a revolving fund established in 2016 for the purposes of mitigating future flood damage and creating a low-interest loan program to help residents and businesses that are subject to recurrent flooding.

Patron - Villanueva

Waters of the State, Ports and Harbors

Passed

[P]HB1597 Local stormwater management utility; waiver of charges; stormwater retained on site. Requires any locality establishing a stormwater management utility to provide a full or partial waiver of charges for a person whose approved stormwater management plan indicates that the stormwater produced by his property is retained and treated on site.

Patron - Webert

[P]HB1619 Watershed discharge permits; review of allocations. Directs the State Water Control Board to incorporate into the general permit procedures by which it will, every 10 years beginning in 2020, (i) review load allocations to determine whether changes in the use of a facility have halted or reduced nutrient discharges and (ii) determine, prior to reissuing the general permit, the need for reallocations based on a variety of factors, including changes in treatment technologies and land use.

Patron - Bulova

[P]HB1774 Stormwater and erosion control; work group; stormwater laws. Directs the Commonwealth Center for Recurrent Flooding Resiliency (the Center) to convene a work group to consider alternative methods of stormwater management in rural Tidewater localities. The bill provides that the group is to be facilitated by the Virginia Coastal Policy

Center at William and Mary Law School and is to include representatives of institutions of higher education, state agencies, local governments, private industry, and other groups. The bill provides that the work group is to review and consider the creation of rural development growth areas, the development of a volume credit program, the payment of fees to support regional best management practices, and the allowance of the use of stormwater in highway ditches to generate volume credits. The bill requires the Center to report the results of the work group's examination to the Governor and the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources by January 1, 2018, which is the date the work group provisions of the bill are set to expire. The bill also delays from July 1, 2017, to July 1, 2018, the effective date of new stormwater laws enacted during the 2016 Session of the General Assembly.

Patron - Hodges

[P]HB2009 Stormwater and erosion management; administration of program by certified third party. Authorizes the hiring of certified third-party professionals to administer any or all aspects of a program for the management of stormwater and erosion, including plan review and inspection but not including enforcement, on behalf of (i) an erosion and stormwater management program authority, which is the State Water Control Board or a locality approved by the State Water Control Board, or (ii) a stormwater management program authority, which can be a locality, a state entity, or another type of entity.

Patron - Hodges

[P]HB2076 State Water Control Board; stormwater management programs; regulations; professional license. Directs the State Water Control Board to adopt regulations requiring that all final plan elements, specifications, or calculations whose preparation requires a license in engineering, architecture, soil science, or a related profession be signed and sealed by a licensed professional. The bill requires the regulations to be effective no later than July 1, 2018, and exempts them from certain provisions of the Administrative Process Act. This bill is identical to SB 1127.

Patron - Wilt

[P]HB2367 Virginia Port Authority; Board of Commissioners. Provides that the 11 members of the Board of Commissioners of the Virginia Port Authority appointed by the Governor no longer serve at the pleasure of the Governor and may be removed prior to the expiration of a five-year term only for cause. This bill is identical to SB 1415. This bill received Governor's recommendations.

Patron - Lindsey

[P]HB2383 Department of Environmental Quality (DEQ); combined sewer overflow (CSO) outfalls; Chesapeake Bay Watershed. Directs DEQ to identify the owner of any combined sewer overflow outfall that discharges into the Chesapeake Bay Watershed and to determine what actions by the owner, if it is not under a state order, are necessary to bring such an outfall into compliance with Virginia law, the federal Clean Water Act, and the Presumption Approach described in the CSO Control Policy of the U.S. Environmental Protection

Agency (EPA). The bill requires any owner of such an outfall to initiate construction activities by July 1, 2023, to bring it into compliance by July 1, 2025. Until compliance is achieved, the bill requires the outfall owner to annually report its progress to DEQ. The bill requires DEQ to provide all such reports to certain legislative committees, the Virginia delegation to the Chesapeake Bay Commission, the Secretary of Natural Resources, and the Governor. The bill does not apply to any outfall for which a higher level of control is necessary to comply with a Total Maximum Daily Load (TMDL). This bill is identical to SB 898. This bill received Governor's recommendations.

Patron - Lingamfelter

[P]SB898 Department of Environmental Quality (DEQ); combined sewer overflow (CSO) outfalls; Chesapeake Bay Watershed. Directs DEQ to identify the owner of any combined sewer overflow outfall that discharges into the Chesapeake Bay Watershed and to determine what actions by the owner, if it is not under a state order, are necessary to bring such an outfall into compliance with Virginia law, the federal Clean Water Act, and the Presumption Approach described in the CSO Control Policy of the U.S. Environmental Protection Agency (EPA). The bill requires any owner of such an outfall to initiate construction activities by July 1, 2023, to bring it into compliance by July 1, 2025. Until compliance is achieved, the bill requires the outfall owner to annually report its progress to DEQ. The bill requires DEQ to provide all such reports to certain legislative committees, the Virginia delegation to the Chesapeake Bay Commission, the Secretary of Natural Resources, and the Governor. The bill does not apply to any outfall for which a higher level of control is necessary to comply with a Total Maximum Daily Load (TMDL). This bill incorporates SB 818 and is identical to HB 2383. This bill received Governor's recommendations.

Patron - Stuart

[P]SB1127 State Water Control Board; stormwater management programs; regulations; professional license. Directs the State Water Control Board to adopt regulations requiring that all final plan elements, specifications, or calculations whose preparation requires a license in engineering, architecture, soil science, or a related profession be signed and sealed by a licensed professional. The bill requires the regulations to be effective no later than July 1, 2018, and exempts them from certain provisions of the Administrative Process Act. This bill is identical to HB 2076.

Patron - Obenshain

[P]SB1270 Ohio River Basin Commission; repeal. Repeals two sections of the Code of Virginia relating to the participation by the Commonwealth in the Ohio River Basin Commission. The Commission, established by federal executive order in 1971, was terminated by executive order in 1981. This bill is a recommendation of the Virginia Code Commission.

Patron - McDougle

[P]SB1415 Virginia Port Authority; Board of Commissioners. Provides that the 11 members of the Board of Commissioners of the Virginia Port Authority appointed by the Governor no longer serve at the pleasure of the Governor and

may be removed prior to the expiration of a five-year term only for cause. This bill is identical to HB 2367. This bill received Governor's recommendations.

Patron - Spruill

Failed

[F]HB1423 Department of Environmental Quality (DEQ); combined sewer overflow (CSO) outfalls; Potomac River Watershed. Directs DEQ to identify the owner of any combined sewer overflow outfall that discharges into the Potomac River Watershed and to determine what actions by the owner are necessary to bring the outfall into compliance with Virginia law, the federal Clean Water Act, and the Presumption Approach described in the CSO Control Policy of the U.S. Environmental Protection Agency (EPA). The bill requires any owner of such an outfall to bring it into compliance with the EPA policy by July 1, 2027. The bill does not apply to any outfall for which a higher level of control is necessary to comply with a Total Maximum Daily Load.

Patron - Albo

[F]HB1860 Aboveground storage tanks; fund; civil and criminal penalties. Directs the State Water Control Board (the Board) to regulate aboveground storage tanks that measure more than 5,000 gallons in capacity and are used to contain dangerous substances other than oil. The bill directs the Board to adopt regulations that establish construction standards, requirements for registration, certification, and inspection, and other requirements of tank owners and establish a schedule of fees. The bill authorizes the Board to require the owner to undertake corrective action, or to undertake its own corrective action, in the event of a release of a regulated substance. The bill requires tank owners to register their tanks, develop release response plans, upgrade certain older tanks, install containment infrastructure for certain tanks, notify certain parties in the event of a release of a regulated substance, and demonstrate their financial responsibility. The bill also creates the Aboveground Storage Tank Fund and provides for civil and criminal penalties for violations of requirements of the bill.

Patron - Lopez

[F]HB1870 Discharge of deleterious substance into state waters; notice. Requires any person who unlawfully discharges any deleterious substance into state waters to give written notice to the State Water Control Board. Current law requires written notice to be given only to the Department of Environmental Quality. The bill also requires the Board or the Department to give the reported discharge information to local newspapers, television stations, and radio stations as soon as practicable after receiving it.

Patron - Lopez

[F]HB2008 Stormwater; erosion and sediment control; 10,000 square foot minimum disturbance. Increases from 2,500 square feet to 10,000 square feet the minimum area of land disturbance within a Chesapeake Bay Preservation Area that triggers the applicability of erosion or stormwater management programs. Current law establishes a 10,000-

square-foot threshold for land-disturbing activities that are located outside of Chesapeake Bay Preservation Areas.

Patron - Hodges

[F]HB2012 Stormwater; failed best management practice. Directs the State Water Control Board to adopt regulations that (i) define a failed best management practice (Failed BMP), (ii) establish criteria for determining whether a particular installed BMP qualifies as a Failed BMP, and (iii) direct the Department of Environmental Quality, at the request of the locality, to assume, by contract with the locality, the responsibility for enforcing the operation and maintenance obligations of the owner of a Failed BMP. The bill defines a BMP for purposes of the Stormwater Management Act (§ 62.1-44.15:24 et seq.) as a structural practice, nonstructural practice, or other management practice used to prevent or reduce nutrient loads associated with stormwater from reaching surface waters or the adverse effects thereof.

Patron - Hodges

[F]SB818 Department of Environmental Quality (DEQ); combined sewer overflow (CSO) outfalls; Potomac River Watershed. Directs DEQ to identify the owner of any combined sewer overflow outfall that discharges into the Potomac River Watershed and to determine what actions by the owner are necessary to bring the outfall into compliance with Virginia law, the federal Clean Water Act, and the Presumption Approach described in the CSO Control Policy of the U.S. Environmental Protection Agency (EPA). The bill requires any owner of such an outfall to bring it into compliance with the EPA policy by July 1, 2027. The bill does not apply to any outfall for which a higher level of control is necessary to comply with a Total Maximum Daily Load. This bill was incorporated into SB898.

Patron - Surovell

[F]SB819 City of Alexandria; Combined Sewer Overflow (CSO) system permit; Potomac River outfall. Directs the State Water Control Board to include in the next renewal of the Virginia Pollutant Discharge Elimination System permit for the Combined Sewer Overflow (CSO) system of the City of Alexandria (City) a requirement that the City complete by January 1, 2029, an assessment of the discharges from Combined Sewer Outfall Number 001 into the Potomac River. The bill requires the assessment to incorporate any improvements meant to address discharges from any part of the City's CSO system and to determine what control technologies may be required to meet applicable regulations.

Patron - Ebbin

[F]SB1399 Coal combustion by-product impoundments; closure requirements. Directs the Department of Environmental Quality to require the closure of surface impoundments of coal combustion by-products, commonly called coal ash ponds, by July 1, 2021. The bill applies to impoundments that managed such by-products from the generation of electricity by an electric utility or independent power producer prior to December 22, 2016, including those impoundments that, prior to December 22, 2016, have been closed by capping in place or have received Department approval for closure by capping in place. The bill requires that the coal combustion by-products be removed for disposal in a

permitted landfill meeting federal criteria and that the impoundment site be reclaimed in a manner consistent with federal mine reclamation standards for the closure to be deemed complete. The bill allows an investor-owned public electric utility to recover the costs of closure from customers.

Patron - Surovell

Welfare (Social Services)

Passed

[P]HB1451 Department of Social Services; survey for children aging out of foster care. Directs the Department of Social Services, in coordination with the Commission on Youth, to develop a process and standardized survey to gather feedback from children aging out of foster care.

Patron - Farrell

[P]HB1568 Child care providers; criminal history background check; penalty. Requires the following individuals to undergo a fingerprint-based national criminal history background check: (i) applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any licensed family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, or family day home approved by a family day system; (ii) applicants for licensure as a family day system, registration as a family day home, or approval as a family day home by a family day system, as well as their agents and any adult living in such family day home; and (iii) individuals who apply for or enter into a contract with the Department of Social Services under which a child day center, family day home, or child day program will provide child care services funded by the Child Care and Development Block Grant, as well as the applicant's current or prospective employees and volunteers, agents, and any adult living in the child day center or family day home. The bill also mandates that all background checks required pursuant to §§ 63.2-1720.1 and 63.2-1721.1 be completed by September 30, 2017, or by the date specified on any federal waiver obtained by the Commonwealth, and every five years thereafter. The bill has an expiration date of July 1, 2018. The bill further provides that if any provision of the federal Child Care and Development Block Grant Act of 2014 establishing a corresponding requirement is repealed prior to July 1, 2018, the provision of the bill establishing such requirement shall expire upon the date of such repeal. This bill is identical to SB 897.

Patron - Orrock

[P]HB1604 Foster care; reasonable efforts to prevent removal of child. Allows a local board of social services to take a child into immediate custody pursuant to an emergency removal order in cases in which the child is alleged to have been abused or neglected and allows a court to issue certain orders in such cases, without requiring that reasonable efforts be made to prevent removal of the child from his home if (i) the parental residual rights of the child's parent over a sibling were involuntarily terminated; (ii) the parent was convicted of murder or voluntary manslaughter, or a felony attempt, con-

spiracy, or solicitation to commit any such offense, if the victim was a child of or resided with the parent or was the other parent of the child; (iii) the parent was convicted of felony assault resulting in serious bodily injury or felony bodily wounding resulting in serious bodily injury or felony sexual assault, if the victim was a child of or resided with the parent; or (iv) on the basis of clear and convincing evidence, the parent has subjected any child to aggravated circumstances or abandoned a child under circumstances that would justify the termination of residual parental rights. The bill provides that, in each permanency planning hearing and in any hearing regarding the transition of the child from foster care to independent living, the court shall consult with the child, unless the court finds that such consultation is not in the best interests of the child. The bill makes other changes related to foster care to comply with federal requirements.

Patron - Bell, Richard P.

HB1786 In utero exposure to a controlled substance. Requires local departments of social services to collect information during a family assessment to determine whether the mother of a child who was exposed in utero to a controlled substance sought substance abuse counseling or treatment prior to the child's birth. The bill requires mandated reporters of suspected child abuse or neglect to make a report if a finding is made by a health care provider (i) within six weeks following a child's birth that the child was born affected by substance abuse or experiencing withdrawal symptoms resulting from in utero drug exposure; (ii) within four years following a child's birth that the child has an illness, disease, or condition that is attributable to maternal abuse of a controlled substance during pregnancy; or (iii) within four years following a child's birth that the child has a fetal alcohol spectrum disorder attributable to in utero exposure to alcohol. The bill provides that if a local department of social services receives a report or complaint of suspected child abuse or neglect on the basis of one or more of the aforementioned factors, the local department shall (a) conduct a family assessment, unless an investigation is required by law or is necessary to protect the safety of the child, and (b) develop a plan of safe care in accordance with federal law. The bill directs the State Board of Social Services to promulgate regulations to implement the provisions of the bill. This bill is identical to SB 1086.

Patron - Stolle

HB1795 Adoptive and foster placements; Mutual Family Assessment home study. Requires that home studies conducted by local boards of social services to determine the appropriateness of an adoptive or foster placement comply with the Mutual Family Assessment home study template and any addenda thereto developed by the Department of Social Services. The bill authorizes the Department to amend or update its Mutual Family Assessment home study template and any addenda thereto when necessary to improve the process of adoptive and foster placements, provided that such amendments or updates do not lessen the requirements of the home study process.

Patron - Bell, Richard P.

HB1837 Licensure exemptions; private preschool programs. Modifies the licensure exemption requirements for certified preschool programs operated by a private school that

is accredited by an organization recognized by the Board of Education. The bill removes the list of accrediting associations from the licensure exemption language and provides a reference to the Code section that establishes the process for recognition of accrediting organizations by the Board of Education. The bill removes certain licensure exemption requirements that such preschool programs must meet and modifies others, including (i) increasing the amount of time children may attend such programs per day from four hours to five hours and (ii) lowering the minimum age of children permitted to attend the programs from age four to age three. The bill also allows the Commissioner of Social Services to inspect such preschool programs to ensure compliance with applicable requirements, either annually or in response to a complaint, and requires such schools to report all incidents involving serious injury to or death of a child attending the school.

Patron - Orrock

HB1919 Assisted living facilities; cap on civil penalties. Increases the aggregate amount of civil penalties that the Commissioner of Social Services may assess against an assisted living facility for noncompliance with the terms of its license from \$10,000 per 24-month period to \$10,000 per 12-month period. This bill is identical to SB 1191.

Patron - Robinson

HB1922 Financial exploitation of adults; reporting to local law enforcement. Clarifies that all cases involving suspected financial exploitation of an adult shall be immediately referred to a local law-enforcement agency for investigation. The bill directs local law-enforcement agencies to provide a preferred point of contact for referrals. This bill is identical to SB 1462.

Patron - Bell, Robert B.

HB1942 Fostering Futures program; background check. Requires any individual participating in the Fostering Futures program to undergo a background check, which includes submitting to fingerprinting and a national criminal history record check. The bill provides that the results of such background check shall be used for the sole purpose of determining whether other children should be placed or remain in the same foster home as the individual subject to the background check. The bill defines "individual participating in the Fostering Futures program" as a person who is 18 years of age or older but has not reached 21 years of age and is receiving foster care services through the Fostering Futures program.

Patron - Peace

HB1945 Adult exploitation. Broadens the definition of "adult exploitation" for the purposes of social services laws to include the unauthorized, improper, or fraudulent use of an adult 60 years of age or older, or 18 years of age or older who is incapacitated, or his funds, property, benefits, or other assets for the benefit of another, including a caregiver or person serving in a fiduciary capacity, or that deprives the adult of his rightful use of or access to such funds, property, benefits, or other assets. The bill provides that "adult exploitation" includes (i) an intentional breach of a fiduciary obligation to an adult to his detriment or an intentional failure to use the financial resources of an adult in a manner that results in neglect of such adult; (ii) the acquisition, possession, or control of an adult's

financial resources or property through the use of undue influence, coercion, or duress; and (iii) forcing or coercing an adult to pay for goods or services or perform services against his will for another's profit, benefit, or advantage if the adult did not agree, or was tricked, misled, or defrauded into agreeing, to pay for such goods or services or to perform such services. In addition, the requirement that such adult 60 years of age or older be incapacitated is removed from the definition, and the bill amends the definitions of "adult abuse," "adult neglect," and "adult protective services" to apply to adults 60 years of age or older, or 18 years of age or older who are incapacitated. The bill also broadens the definition of "financial institution staff" for the purposes of protecting aged or incapacitated adults to include any employee, agent, qualified individual, or representative of a bank, trust company, savings institution, loan association, consumer finance company, credit union, investment company, investment advisor, securities firm, accounting firm, or insurance company.

Patron - Peace

[P]HB2002 Department of Social Services; refugee and immigrant resettlements; report. Requires nonprofit resettlement agencies and their local affiliates that provide refugee or other immigrant resettlement services in the Commonwealth to annually report to the Department of Social Services nonidentifying information regarding (i) the total number of individuals resettled in Virginia by such nonprofit resettlement agency or affiliate; (ii) the locality in which each individual was placed; (iii) the age, gender, and national origin of each individual; and (iv) whether each individual was placed through the U.S. Refugee Resettlement Program and, if so, the eligibility status of such individuals. The bill requires the Department to collate and annually submit such information to the Governor and the General Assembly. This bill was vetoed by the Governor.

Patron - Poindexter

[P]HB2092 Application for public assistance; eligibility; review of records. Requires entities processing applications for medical assistance and other public assistance to conduct a review of death records and records relating to incarceration status, employment status, and income of the applicant to determine whether the applicant is eligible for assistance and to review the records of the Virginia Lottery to determine whether the applicant has received any winnings from the Virginia Lottery that may constitute income or resources for purposes of determining eligibility for medical assistance or public assistance. The bill also requires the Department of Social Services to report annually on the types and sources of information reviewed in verifying eligibility and the number of applications for public assistance approved, denied, or referred for investigation. This bill was vetoed by the Governor.

Patron - LaRock

[P]HB2156 Licensure of facilities operated by agencies of the Commonwealth. Provides for licensure of child welfare agencies operated by agencies of the Commonwealth.

Patron - Rasoul

[P]HB2207 Food stamp program; excessive requests for replacement of electronic benefit transfer card. Requires the Department of Social Services (the Department)

to monitor all requests for replacement of electronic benefit transfer (EBT) cards issued to food stamp program recipients. The bill provides that a request for replacement of an EBT card shall be deemed excessive if a food stamp program recipient or a member of his household has made four such requests within 12 months prior to the request. The bill requires the Department, upon receipt of a fourth request for replacement of an EBT card within a 12-month period, to give written notice to the recipient household that it has reached the threshold allowance for replacement requests, its account is being monitored for suspicious activity, and future replacement requests will require contact with the Department to provide an explanation before a replacement card will be issued. The bill requires the Department, upon receipt of a fifth replacement request within a 12-month period, to give written notice to the recipient household that it has exceeded the threshold allowance for replacement requests and that the replacement EBT card is being withheld until the household contacts the Department to provide an explanation for the high volume of replacement requests. The bill provides the terms under which a replacement card will be issued or withheld, delineates factors that require the Department to investigate excessive card replacement requests, and sets forth requirements for notices sent under the provisions of the bill. This bill was vetoed by the Governor.

Patron - Robinson

[P]HB2215 Adoption assistance for children with special needs. Moves the requirement that a child be a citizen or legal resident of the United States from the definition of "child with special needs" to the eligibility criteria for the adoptive parents of such child to receive adoption assistance. The bill modifies the exception to the eligibility requirement that efforts be made to place the child in an adoptive home without the provision of adoption assistance to include consideration of the child's best interest due to factors such as the child's development of significant emotional ties with his foster parents while in their care, provided that the foster parents wish to adopt the child. Under current law, the exception is limited to situations in which the child has developed emotional ties with his foster parents and the foster parents wish to adopt the child. The bill modifies other requirements for a child with special needs to receive certain types of adoption assistance and for a child who is between the ages of 18 and 21 to receive adoption assistance. The bill also provides that a representative of the Department of Social Services shall negotiate all adoption assistance agreements with both existing and prospective adoptive parents on behalf of local departments of social services.

Patron - Toscano

[P]HB2216 Putative Father Registry. Changes the name of the Putative Father Registry to the Virginia Birth Father Registry and modifies certain registration and notice provisions associated with such registry.

Patron - Toscano

[P]HB2279 Child-protective services; complaints involving members of the United States Armed Forces. Requires local departments of social services to transmit information regarding reports, complaints, family assessments, and investigations involving children of active duty members of the United States Armed Forces or members of their household to

family advocacy representatives of the United States Armed Forces. Under current law, local departments of social services may transmit such information but are only required to transmit information regarding founded complaints or family assessments. This bill is identical to SB 1164.

Patron - Hester

SB868 State Board of Social Services; complaints of child abuse or neglect where child is under the age of two. Requires the State Board of Social Services to promulgate regulations that require local departments of social services to respond to valid reports and complaints alleging suspected abuse or neglect of a child under the age of two within 24 hours of receiving such reports or complaints.

Patron - Favola

SB897 Child care providers; criminal history background check; penalty. Requires the following individuals to undergo a fingerprint-based national criminal history background check: (i) applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any licensed family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, or family day home approved by a family day system; (ii) applicants for licensure as a family day system, registration as a family day home, or approval as a family day home by a family day system, as well as their agents and any adult living in such family day home; and (iii) individuals who apply for or enter into a contract with the Department of Social Services under which a child day center, family day home, or child day program will provide child care services funded by the Child Care and Development Block Grant, as well as the applicant's current or prospective employees and volunteers, agents, and any adult living in the child day center or family day home. The bill also mandates that all background checks required pursuant to §§ 63.2-1720.1 and 63.2-1721.1 be completed by September 30, 2017, or by the date specified on any federal waiver obtained by the Commonwealth, and every five years thereafter. The bill has an expiration date of July 1, 2018. The bill further provides that if any provision of the federal Child Care and Development Block Grant Act of 2014 establishing a corresponding requirement is repealed prior to July 1, 2018, the provision of the bill establishing such requirement shall expire upon the date of such repeal. This bill is identical to HB 1568.

Patron - Wexton

SB1008 Criminal history records checks; barrier crimes. Clarifies the individual crimes that constitute a barrier for (i) individuals seeking employment 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; (ii) applicants for licensure, registration, or approval as assisted living facilities, child welfare agencies, or family day homes approved by family day systems; (iii) 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; (iv) foster and adoptive homes seek-

ing approval from child-placing agencies; and (v) providers of adult services and adult foster care seeking approval by the Department of Social Services. The bill also adds certain offenses to the list of barrier crimes. This bill received Governor's recommendations.

Patron - Hanger

SB1086 In utero exposure to a controlled substance. Requires local departments of social services to collect information during a family assessment to determine whether the mother of a child who was exposed in utero to a controlled substance sought substance abuse counseling or treatment prior to the child's birth. The bill requires mandated reporters of suspected child abuse or neglect to make a report if a finding is made by a health care provider (i) within six weeks following a child's birth that the child was born affected by substance abuse or experiencing withdrawal symptoms resulting from in utero drug exposure; (ii) within four years following a child's birth that the child has an illness, disease, or condition that is attributable to maternal abuse of a controlled substance during pregnancy; or (iii) within four years following a child's birth that the child has a fetal alcohol spectrum disorder attributable to in utero exposure to alcohol. The bill provides that if a local department of social services receives a report or complaint of suspected child abuse or neglect on the basis of one or more of the aforementioned factors, the local department shall (a) conduct a family assessment, unless an investigation is required by law or is necessary to protect the safety of the child, and (b) develop a plan of safe care in accordance with federal law. The bill directs the State Board of Social Services to promulgate regulations to implement the provisions of the bill. This bill is identical to HB 1786.

Patron - Wexton

SB1122 Applicants for public assistance; contact information. Requires local departments of social services to collect from every applicant for public assistance alternative contact information, such as the applicant's email address and cell phone number, and the applicant's preferred method of contact, including direct mail, email, text message, or phone call. Under current law, local departments of social services are required to obtain only the applicant's best available address and telephone number.

Patron - McPike

SB1164 Child-protective services; complaints involving members of the United States Armed Forces. Requires local departments of social services to transmit information regarding reports, complaints, family assessments, and investigations involving children of active duty members of the United States Armed Forces or members of their household to family advocacy representatives of the United States Armed Forces. Under current law, local departments of social services may transmit such information but are only required to transmit information regarding founded complaints or family assessments. This bill is identical to HB 2279.

Patron - Reeves

SB1191 Assisted living facilities; cap on civil penalties. Increases the aggregate amount of civil penalties that the Commissioner of Social Services may assess against an assisted living facility for noncompliance with the terms of its

license from \$10,000 per 24-month period to \$10,000 per 12-month period. This bill is identical to HB 1919.

Patron - Sturtevant

SB1239 Child day programs; exemptions from licensure. Repeals requirements that child day centers operated by religious institutions must comply with in order to be exempt from licensure, including the requirements that such child day centers (i) be inspected by the local health department and fire marshal for basic health and safety requirements; (ii) abide by specified staff-to-child ratios; (iii) are staffed by persons who are at least 16 years of age and are supervised if less than 18 years of age; (iv) require staff members in supervisory positions to be certified by a physician to be free from any disability that would prevent them from caring for children; (v) provide certain disclosures to parents and the general public; and (vi) establish and implement procedures for hand washing, intake and dismissal, daily health screenings and exclusion of sick children, ensuring children are in compliance with immunization requirements, keeping the premises free of obvious injury hazards, and ensuring that all staff members are able to recognize signs of child abuse and neglect. The bill also removes certain programs from the list of child day programs exempt from licensure and clarifies that such programs are not considered child day programs and therefore are not subject to licensure. The bill also modifies the terms of certain child day programs that remain listed as exempt from licensure, including religious-exempt programs, and requires that such programs (a) file with the Commissioner of Social Services (the Commissioner) a statement indicating the intent to operate a child day program, identifying the Code provision relied upon for exemption from licensure, and certifying that the program has disclosed to all the parents the fact that it is exempt from licensure; (b) report all incidents involving serious injury to or death of children attending the program; (c) have a person trained and certified in first aid and cardiopulmonary resuscitation (CPR) present; (d) comply with background check requirements; (e) maintain daily attendance records; (f) have an emergency preparedness plan in place; (g) comply with all applicable laws governing transportation of children; (h) comply with certain safe sleep practices for infants; and (i) post in a visible location notice that the program is exempt from licensure. The bill adds to the list of child day programs exempt from licensure programs offered by local school divisions, operated for no more than four hours per day, staffed by local school division employees, and attended by school-age children who are enrolled in public school within such school division. The bill directs the Commissioner to establish a process to inspect child day programs exempt from licensure and a process to gather and track aggregate data regarding child injuries and deaths that occur at such child day programs. The bill has a delayed effective date of July 1, 2018, except for the provisions related to religious-exempt child day programs and certain directives to the Commissioner, which shall become effective July 1, 2017. This bill received Governor's recommendations.

Patron - Hanger

SB1315 Foster care; possession of firearm. Requires that possession of any firearms or other weapons in a foster home comply with federal and state laws and that the individual providing foster care services store all firearms, other weapons, and ammunition in a locked closet or cabinet

unless they are being lawfully carried on the individual's person. The bill requires that the key or combination to the locked closet or cabinet be maintained out of the reach of all children in the home. This bill received Governor's recommendations.

Patron - Carrico

SB1434 Assisted living facilities and adult day care centers; background checks. Allows licensed assisted living facilities and adult day care centers to continue to employ a person convicted of one misdemeanor barrier crime not involving abuse or neglect if five years have elapsed following the conviction.

Patron - Wexton

SB1461 Foster care; enrollment in the Commonwealth's program of medical assistance. Directs local departments of social services to ensure that any individual who was in foster care on his eighteenth birthday is enrolled, unless the individual objects, in the Commonwealth's program of medical assistance, provided that such individual is eligible to receive such health care services and was enrolled in such program on his eighteenth birthday. The bill requires local departments to provide basic information about such health care services and inform such individuals that, if eligible, they will be enrolled in the Commonwealth's program of medical assistance unless they object. The bill directs the State Board of Social Services to promulgate regulations to implement the provisions of the bill.

Patron - McPike

SB1462 Financial exploitation of adults; reporting to local law enforcement. Clarifies that all cases involving suspected financial exploitation of an adult shall be immediately referred to a local law-enforcement agency for investigation. The bill directs local law-enforcement agencies to provide a preferred point of contact for referrals. This bill is identical to HB 1922.

Patron - McPike

Failed

HB1435 Department of Social Services; pilot program for substance abuse screening and assessment for VIEW; report. Requires the Department of Social Services to develop a pilot program for screening and assessing participants in the Virginia Initiative for Employment not Welfare (VIEW) program for use of illegal substances. The bill requires the Department to provide an interim report on implementation of the pilot program to the Governor and the General Assembly no later than December 1, 2017, and a final report on the results of the pilot program to the Governor and the General Assembly no later than December 1, 2018.

Patron - Head

HB1863 Temporary Assistance for Needy Families and Virginia Initiative for Employment Not Welfare; hardship exception. Requires the Department of Social Services to (i) keep records of the number of Virginia Initiative for Employment Not Welfare participants that receive an exception to the time limitations on Temporary Assistance for Needy

Families due to hardship and the specific circumstances relied upon to grant such exceptions and (ii) annually publish non-identifying statistics regarding such information.

Patron - Lopez

HB1999 Office of Immigrant Assistance created. Establishes in the Department of Social Services (the Department) an Office of Immigrant Assistance (the Office) to assist persons lawfully entering the United States and the Commonwealth for the purpose of becoming citizens. The Office shall provide online (i) advice and assistance regarding the citizenship application process and (ii) information regarding employment and housing services for which such persons may be eligible. The bill provides that the Office shall be funded by such funds currently appropriated to the Department and any existing or available federal grants.

Patron - Lingamfelter

HB2041 Department of Social Services; Temporary Assistance for Needy Families Scholarship Pilot Program. Directs the Department of Social Services (the Department) to establish and administer a three-year Temporary Assistance for Needy Families (TANF) Scholarship Pilot Program (the Program) for the purpose of providing access to postsecondary educational opportunities to students living in poverty. The Program would provide prepaid scholarships to select community colleges in the amount of \$2,000 per year, to be applied toward the costs of tuition and books, to 50 to 75 selected students who meet TANF eligibility requirements. The Program would be funded by the unexpended balance in federal TANF block grant funds. The bill directs the Commissioner of the Department of Social Services to report to the Governor and the General Assembly no later than December 1 of each year regarding the effectiveness of and other information about the Program.

Patron - Murphy

HB2061 Adult protective services; statistics regarding reports of adult abuse, neglect, or exploitation. Requires the Department of Social Services (the Department) to (i) keep records of the number of reports filed alleging suspected adult abuse, neglect, or exploitation and the disposition of such reports and (ii) annually publish nonidentifying statistics regarding such information. The bill also requires the Department to annually disseminate to the Department of Health and all local boards of social services and area agencies on aging a report of such information, categorized by the planning district in which the report was filed; the facility in which the abused, neglected, or exploited adult resided at the time of the abuse, neglect, or exploitation, if applicable; and the names of individuals who were the subject of criminal charges as a result of the investigation.

Patron - Watts

HB2181 Food stamp eligibility; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a first-time felony offense of possession with intent to distribute a controlled substance in violation of § 18.2-248, provided that he complies with all obligations imposed by the criminal court and the Department of Social Services, is actively engaged in or has

completed substance abuse treatment, and participates in drug screenings. Current law prohibits denial of such benefits only if such persons have been convicted of felony possession of a controlled substance.

Patron - Sickles

HB2208 Food stamp program; electronic benefit transfer (EBT) card. Requires that each EBT card issued to a food stamp program recipient display a photograph of the recipient. The bill directs the Department of Social Services to (i) establish procedures to ensure that all eligible household members or authorized representatives of the recipient are able to access benefits from the account as necessary and (ii) enter into memoranda of understanding or other similar agreements with other departments, agencies, and institutions of the Commonwealth, including the Department of Motor Vehicles, to share photographs, when available.

Patron - Pogge

HB2213 Time limit on the receipt of TANF financial assistance. Reduces the total lifetime limit on TANF financial assistance to 24 months, reduces the number of consecutive months a person may receive TANF before a period of ineligibility from 24 to 12 consecutive months, and reduces the time period of ineligibility from 24 months to 12 consecutive months.

Patron - O'Bannon

HB2232 Child day programs; exemptions from licensure. Exempts from licensure any child day program that is offered by a local school division, staffed by local school division employees, and attended by children who are enrolled in public school within such school division. The bill provides that such programs shall be subject to safety and supervisory standards established by the local school board.

Patron - Toscano

HB2259 Child day programs; exemptions from licensure. Removes certain programs from the list of child day programs exempt from licensure and clarifies that such programs are not considered child day programs and therefore are not subject to licensure. The bill also modifies the terms of child day programs that remain listed as exempt from licensure and requires that such programs (i) file with the Commissioner of Social Services (the Commissioner), prior to beginning operation of a child day program and annually thereafter, a statement indicating the intent to operate a child day program, identifying the Code provision relied upon for exemption from licensure, and certifying that the child day program has disclosed, in writing, to the parents or guardians of the children in the program the fact that it is exempt from licensure; (ii) report to the Commissioner all incidents involving serious injury to or the death of children attending the child day program; (iii) have a person trained and certified in first aid and cardiopulmonary resuscitation (CPR) present at the child day program; (iv) comply with background check requirements established by regulations of the state Board of Social Services (the Board); (v) maintain daily attendance records; (vi) have an emergency preparedness plan in place; (vii) comply with all applicable laws and regulations governing transportation of children; and (viii) post in a visible location notice that the program is not licensed or inspected by the Department of Social Services and only

certifies basic health and safety requirements. The bill modifies staffing ratios for religious-exempt child day centers and requires that such centers have a person trained and certified in first aid and CPR present whenever children are in attendance and comply with safe sleep practices for infants established by regulations of the Board. The bill directs (a) the Board to promulgate regulations to implement the provisions of the bill and (b) the Commissioner to establish a process to inspect child day programs exempt from licensure and a process to gather and track aggregate data regarding child injuries and deaths that occur at such child day programs.

Patron - Filler-Corn

[F]HB2407 Child day programs; exemption from licensure for certain martial arts programs. Exempts from the child day program licensure requirements any martial arts program operated any time during the months of June, July, and August if children under the age of five do not attend, the program operates between the hours of 9:00 a.m. and 5:00 p.m., and the program does not serve food or administer medicine to program participants unless it is necessary for the well-being of the child.

Patron - Hugo

[F]HB2408 Supplemental nutrition assistance program; eligibility criteria. Sets out eligibility criteria for participation in the supplemental nutrition assistance program.

Patron - Head

[F]SB810 Food stamp program; categorical eligibility. Requires the State Board of Social Services to establish broad-based categorical eligibility for the food stamp program, exempting families that already qualify for certain public assistance programs from an additional financial eligibility determination for food stamp benefits.

Patron - Favola

[F]SB830 Food stamp eligibility; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a first-time felony offense of possession with intent to distribute a controlled substance in violation of § 18.2-248, provided that he complies with all obligations imposed by the criminal court and the Department of Social Services, is actively engaged in or has completed substance abuse treatment, and participates in drug screenings. Current law prohibits denial of such benefits only if such persons have been convicted of felony possession of a controlled substance.

Patron - Favola

[F]SB838 Virginia Community College System; Temporary Assistance for Needy Families Scholarship Pilot Program. Directs the Virginia Community College System (VCCS) to establish a three-year Temporary Assistance for Needy Families (TANF) Scholarship Pilot Program (the Program) for the purpose of providing access to postsecondary educational opportunities to students living in poverty. The Program would provide scholarships to select community colleges in the amount of \$4,000 per year, to be applied toward the costs of tuition and books, to 200 selected students who meet TANF eligibility requirements. The Program would be funded

with federal TANF block grant funds. The bill directs VCCS to (i) enter into a memorandum of understanding with the State Department of Social Services establishing the parameters of the Program and the method for selecting students to participate; (ii) monitor, record, and analyze the outcomes of all participants; and (iii) report to the Governor and the General Assembly no later than December 1 of each year regarding the effectiveness of and other information about the Program. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Stanley

[F]SB876 Kinship Guardianship Assistance program.

Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program. The provisions of the bill are contingent on funding in a general appropriation act.

Patron - Favola

[F]SB1149 Virginia Initiative for Employment Not Welfare (VIEW); transitional support services; time limit.

Extends from 12 months to 24 months the amount of time a VIEW participant whose Temporary Assistance for Needy Families financial assistance has been terminated can receive transitional support services, provided the participant is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education and is taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license. The bill provides that such transitional support services shall terminate when the participant completes his curriculum at such institution or school or is otherwise no longer enrolled in such institution or school, or at the end of 24 months, whichever comes first. The bill directs the Board of Social Services to promulgate regulations to implement the provisions of the bill.

Patron - Favola

[F]SB1397 Child day programs; exemptions from licensure. Exempts from licensure any child day program that is offered by a local school division, staffed by local school division employees, and attended by children who are enrolled in public school within such school division. The bill provides that such programs shall be subject to safety and supervisory standards established by the local school board.

Patron - Deeds

Wills, Trusts, and Fiduciaries

Passed

HB1516 Surviving spouse's elective share; homestead allowance benefit. Provides that if a surviving spouse of a decedent dying on or after January 1, 2017, claims and receives an elective share, the homestead allowance available to the spouse shall be in addition to any benefit or elective share passing to such surviving spouse. The bill provides consistency with other provisions of Article 1.1 (§ 64.2-308.1 et seq.) of Chapter 3 of Title 64.2, which governs the elective share of the surviving spouse of a decedent dying on or after January 1, 2017, which was enacted in 2016. The bill contains an emergency clause. This bill is identical to SB 1177.

Patron - Leftwich

HB1608 Uniform Fiduciary Access to Digital Assets Act. Creates the Uniform Fiduciary Access to Digital Assets Act. The bill allows fiduciaries to manage digital property such as computer files, web domains, and virtual currency, and restricts a fiduciary's access to electronic communications such as email, text messages, and social media accounts unless the original user consented to such access in a will, trust, power of attorney, or other record. The bill repeals the Privacy Expectation Afterlife and Choices Act, which was enacted in 2015. This bill is identical to SB 903.

Patron - Leftwich

HB1617 Legal malpractice; estate planning. Provides that the statute of limitations for legal malpractice related to estate planning is five years if the legal representation was based on a written contract and three years if the legal representation was based on an unwritten contract. The bill provides that the accrual date for such an action is the date of completion of the representation. The bill further provides that a person who is not party to the representation shall have standing to maintain such an action only if there is a written agreement between the individual who is the subject of the estate planning and the defendant that expressly grants standing to such person. This bill is in response to *Thorsen v. Richmond Society for the Prevention of Cruelty to Animals*, 786 S.E.2d 453 (Va. 2016) and is identical to SB 1140.

Patron - Habeeb

HB1618 Nonexoneration of debts on property of decedent; notice to creditor and beneficiaries. Provides a procedure by which a personal representative of a decedent's estate may notify a creditor of a debt on certain property in the decedent's estate that such property passes without the right of exoneration. The bill provides the method by which such notice shall be sent. The bill provides that if such procedure is used, the creditor may file a claim for such debt with the commissioner of accounts, and if the creditor does not timely file such claim, the personal representative shall be liable for the debt up to an amount not exceeding the assets of the decedent remaining in possession of the personal representative and available for application to the debt. The bill does not have an effect on either the liability of the estate for such debt to the extent of the decedent's assets remaining at the time a claim is

filed or the liability of the beneficiaries that receive the decedent's assets to the extent of such receipt. This bill is identical to SB 1176.

Patron - Habeeb

HB1654 Examining and approving a statement in lieu of the settlement of accounts; fee for commissioner of accounts. Removes the provision that allows the commissioner of accounts to charge a fee of up to \$75 for the examination and approval of a statement in lieu of the settlement of accounts. This bill is a recommendation of the Judicial Council.

Patron - Loupassi

SB815 Priority of debts to be paid from decedent's assets; child support arrearages. Prioritizes debts owed for child support arrearages over debts and taxes due to localities and other, unenumerated claims against the estate of a decedent.

Patron - Surovell

SB903 Uniform Fiduciary Access to Digital Assets Act. Creates the Uniform Fiduciary Access to Digital Assets Act. The bill allows fiduciaries to manage digital property such as computer files, web domains, and virtual currency, and restricts a fiduciary's access to electronic communications such as email, text messages, and social media accounts unless the original user consented to such access in a will, trust, power of attorney, or other record. The bill repeals the Privacy Expectation Afterlife and Choices Act, which was enacted in 2015. This bill is identical to HB 1608.

Patron - Obenshain

SB913 Uniform Trust Decanting Act; creation. Codifies the Uniform Trust Decanting Act, which governs a trustee's ability to distribute assets from one trust into a second trust.

Patron - Edwards

SB1140 Legal malpractice; estate planning. Provides that the statute of limitations for legal malpractice related to estate planning is five years if the legal representation was based on a written contract and three years if the legal representation was based on an unwritten contract. The bill provides that the accrual date for such an action is the date of completion of the representation. The bill further provides that a person who is not party to the representation shall have standing to maintain such an action only if there is a written agreement between the individual who is the subject of the estate planning and the defendant that expressly grants standing to such person. This bill is in response to *Thorsen v. Richmond Society for the Prevention of Cruelty to Animals*, 786 S.E.2d 453 (Va. 2016) and is identical to HB 1617.

Patron - Sturtevant

SB1176 Nonexoneration of debts on property of decedent; notice to creditor and beneficiaries. Provides a procedure by which a personal representative of a decedent's estate may notify a creditor of a debt on certain property in the decedent's estate that such property passes without the right of exoneration. The bill provides the method by which such

notice shall be sent. The bill provides that if such procedure is used, the creditor may file a claim for such debt with the commissioner of accounts, and if the creditor does not timely file such claim, the personal representative shall be liable for the debt up to an amount not exceeding the assets of the decedent remaining in possession of the personal representative and available for application to the debt. The bill does not have an effect on either the liability of the estate for such debt to the extent of the decedent's assets remaining at the time a claim is filed or the liability of the beneficiaries that receive the decedent's assets to the extent of such receipt. This bill is identical to HB 1618.

Patron - Chafin

[F]SB1177 Surviving spouse's elective share; homestead allowance benefit. Provides that if a surviving spouse of a decedent dying on or after January 1, 2017, claims and receives an elective share, the homestead allowance available to the spouse shall be in addition to any benefit or elective share passing to such surviving spouse. The bill provides consistency with other provisions of Article 1.1 (§ 64.2-308.1 et seq.) of Chapter 3 of Title 64.2, which governs the elective share of the surviving spouse of a decedent dying on or after January 1, 2017, which was enacted in 2016. The bill contains an emergency clause. This bill is identical to HB 1516.

Patron - Chafin

Failed

[F]HB1448 Qualified trustee of self-settled spendthrift trusts. Allows any legal entity authorized by law to act as a trustee to serve as a qualified trustee of a self-settled spendthrift trust. Under current law, only a natural person who resides in the Commonwealth or a legal entity authorized to engage in trust business (i.e., a bank or trust company) may serve as a qualified trustee. The bill would expand the definition of "independent qualified trustee" and "qualified trustee" to include entities such as law firms and charitable organizations, when such entities are authorized by law to act as trustees.

Patron - Miyares

[F]HB1507 Powers and duties of conservator appointed for an absentee; support of an absentee's spouse and children. Provides that the powers and duties of conservators appointed pursuant to Article 1 (§ 64.2-2000 et seq.) of Chapter 20 of Title 64.2 shall apply to conservators appointed for an absentee. Current law requires the judge to enter any orders directing such conservator in the management, operation, and control of the absentee's estate only when it deems such orders necessary. The bill clarifies that an absentee's spouse is entitled to support where the court deems that such support is necessary.

Patron - Hope

[F]HB1643 Electronic wills. Provides a process for the execution of an electronic will, which has the same force and effect as a traditional, written will. The bill requires the electronic will to be stored in an "authoritative electronic record," kept under the control of a "qualified custodian," and contain the electronic signature of the testator and the electronic signa-

tures of either two witnesses or a notary public. The bill defines the terms "authoritative electronic record," "certified paper original," and "qualified custodian."

Patron - Loupassi

[F]HB1947 Temporary delegation of powers by guardian. Allows a court to authorize a guardian appointed for an incapacitated person to delegate any of his powers regarding the incapacitated person to another person 18 years of age or older. The court's order may further specify individuals to whom the guardian is prohibited from delegating such powers. The bill requires that any such delegation made pursuant to such authorization be a single period no longer than 90 days within a 12-month period. The bill requires that any such delegation made be in writing, be signed by the guardian, and be attested to by two witnesses. The person to whom the powers are delegated must also provide written acceptance of such delegation.

Patron - Peace

[F]SB945 Examining and approving a statement in lieu of the settlement of accounts; fee for commissioner of accounts. Removes the provision that allows the commissioner of accounts to charge a fee of up to \$75 for the examination and approval of a statement in lieu of the settlement of accounts. This bill is a recommendation of the Judicial Council.

Patron - Obenshain

Workers' Compensation

Passed

[P]HB1571 Workers' compensation; fees for medical services. Provides that the pecuniary liability of an employer for a medical service provided for the treatment of a traumatic injury or serious burn includes liability for any professional service rendered during the dates of service of the admission or transfer to a Level I or Level II trauma center or to a burn center, as applicable. The measure increases the initial charge outlier threshold, which under the stop-loss feature allows hospitals to receive payments or reimbursements that exceed the fee schedule amount for certain claims, from 150 percent of the maximum fee for the service set forth in the applicable fee schedule to 300 percent of such amount. The measure allows the Workers' Compensation Commission to adjust the charge outlier threshold percentage; under existing law, it is allowed only to decrease the percentage. The measure also (i) expands the definition of codes, as used in the provision directing the Commission to establish fee schedules for scheduled medical services, to include revenue codes, which are defined in the bill; (ii) clarifies the definition of "HCPCS codes"; (iii) directs the Commission to use the regulatory advisory panel on all matters involving or related to the fee schedule as deemed necessary by the Commission; (iv) adds a definition of "new type of technology"; and (v) extends the deadline by which the regulatory advisory panel is required to meet, review, and make

recommendations to the Commission from July 1, 2017, to July 1, 2018. The bill contains an emergency clause.

Patron - Farrell

HB1659 Workers' compensation; employer's lien; third party actions. Requires that any arbitration proceeding regarding the exercise of an employer's right of subrogation to an employee's claim against a third party shall be limited solely to arbitrating the amount and validity of the employer's lien and shall not affect the employee's rights in any way. Such arbitration shall not be held unless (i) any contested expenses remaining have been submitted to the Virginia Workers' Compensation Commission (the Commission) for a determination of their validity and the Commission has made such determination of validity prior to the commencement of the arbitration; (ii) prior to the commencement of such arbitration the employer has provided the injured employee and his attorney, if any, with an itemization of the expenses associated with the lien that is the subject of the arbitration; (iii) upon receipt of the itemization of the lien, the employee shall have 21 days to provide a written objection to any expenses included in the lien to the employer, and if the employee does not do so any objections to the lien to be arbitrated shall be deemed waived; and (iv) the employer shall have 14 days after receipt of the written objection to notify the employee of any contested expenses that the employer does not agree to remove from the lien, and if the employer does not do so any itemized expense objected to by the employee shall be deemed withdrawn and not included in the arbitration. This bill is identical to SB 1175.

Patron - Habeeb

SB1175 Workers' compensation; employer's lien; third party actions. Requires that any arbitration proceeding regarding the exercise of an employer's right of subrogation to an employee's claim against a third party shall be limited solely to arbitrating the amount and validity of the employer's lien and shall not affect the employee's rights in any way. Such arbitration shall not be held unless (i) any contested expenses remaining have been submitted to the Virginia Workers' Compensation Commission (the Commission) for a determination of their validity and the Commission has made such determination of validity prior to the commencement of the arbitration; (ii) prior to the commencement of such arbitration the employer has provided the injured employee and his attorney, if any, with an itemization of the expenses associated with the lien that is the subject of the arbitration; (iii) upon receipt of the itemization of the lien, the employee shall have 21 days to provide a written objection to any expenses included in the lien to the employer, and if the employee does not do so any objections to the lien to be arbitrated shall be deemed waived; and (iv) the employer shall have 14 days after receipt of the written objection to notify the employee of any contested expenses that the employer does not agree to remove from the lien, and if the employer does not do so any itemized expense objected to by the employee shall be deemed withdrawn and not included in the arbitration. This bill is identical to HB 1659.

Patron - Chafin

SB1201 Workers' compensation; suitably equipped automobile. Authorizes the Workers' Compensation Commission to require an employer to provide funds for the purchase of a suitably equipped automobile for an incapacitated

employee if it finds that it is medically necessary and that modifications to the employee's automobile are not technically feasible or will cost more than the funds available for a replacement automobile. The total of the costs of the automobile and of any bedside lifts, adjustable beds, and modification of the employee's principal home are limited to \$42,000, which is the amount of the existing cap on expenses for modifications to the injured employee's automobile and home.

Patron - Lewis

Failed

HB1722 Workers' compensation; presumption of compensability for certain diseases. Adds colorectal cancer to, and removes rectal cancer from, the list of cancers that are presumed to be an occupational disease compensable under the Virginia Workers' Compensation Act if contracted by certain firefighters and certain other employees who have had contact with a toxic substance in the line of duty.

Patron - Anderson

HB1803 Workers' compensation; disease presumptions; 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.

Patron - Bell, John J.

HB2155 Workers' compensation; modifications to employee's home and automobile. Increases from \$42,000 to \$50,000 the maximum aggregate cost of (i) bedside lifts, adjustable beds, and modifications and alterations to an injured employee's principal home and (ii) modifications to or equipment for an injured employee's automobile that the Workers' Compensation Commission may award on account of any one accident.

Patron - Rasoul

HB2353 Workers' compensation; failure to make reports; deterring employee from filing claim; penalty. Provides that an employer is guilty of a Class 2 misdemeanor if he knowingly and intentionally fails to comply with the requirement that he report an employee's injury or death or dissuades or deters an employee from filing a claim for compensation under the Virginia Workers' Compensation Act.

Patron - Murphy

SB1119 Workers' compensation; presumption of compensability for certain diseases. Substitutes colorectal cancer, which is cancer that starts in the colon or rectum, for rectal cancer on the list of cancers that are presumed to be an occupational disease covered by the Virginia Workers' Compensation Act when certain employees develop the cancer after contact with a known or suspected carcinogen that causes, or is suspected to cause, the specific type of cancer.

Patron - McPike

SB1120 Workers' compensation; volunteer firemen and emergency medical services personnel. Provides that for

the purposes of the Virginia Workers' Compensation Act volunteer firemen and emergency medical services personnel shall be deemed employees of the political subdivision or state institution of higher education in which the principal office of the volunteer fire company or volunteer emergency medical services agency is located. The measure repeals the existing provision that volunteer firemen and emergency medical services personnel shall be deemed the employees of the political subdivision or state institution of higher education if its governing body has adopted a resolution acknowledging those persons as employees. The measure also repeals the provision that volunteer firemen and emergency medical services personnel shall be deemed the employees of the volunteer fire company or volunteer emergency medical services agency if the company or agency elects to be included and maintains coverage as an employer under the Act.

Patron - McPike

[F]SB1466 Workers' compensation; infectious disease presumption; correctional officers. Provides that correctional officers are entitled to a presumption that hepatitis, meningococcal meningitis, tuberculosis, MRSA, or HIV causing the correctional officer's death or resulting in his total or partial disability is an occupational disease suffered in the line of duty and is compensable under the Virginia Workers' Compensation Act.

Patron - Marsden

[F]SB1472 Workers' compensation; accident reports; filing claims; civil penalty. Requires an employer's accident report filed with the Workers' Compensation Commission to include the signature of the injured employee or his personal representative. The measure provides that the employer's filing of the accident report constitutes the filing with the Commission by or on behalf of the employee of a claim for workers' compensation benefits with respect to any injury arising from the accident. The measure also provides that an employer that fails to comply with the requirement that it report an employee's injury or death, or dissuades or deters an employee from filing a claim for compensation, shall be assessed a civil penalty of not more than \$500, which civil penalty is increased to not less than \$500 and not more than \$5,000 if the violation is willful.

Patron - Favola

[F]SB1489 Workers' compensation; presumption that death or disease due to coal pneumoconiosis. Specifies that the standards prescribed by the Virginia Workers' Compensation Commission for determining whether the death or total disability of an employee was due to pneumoconiosis or any chronic occupational lung disease shall not be inconsistent with the standards prescribed by the federal Secretary of Health and Human Services under the 1969 Federal Coal Mine Health and Safety Act as amended by § 1556(a) of the federal Patient Protection and Affordable Care Act, in order to ensure that repeal of the Patient Protection and Affordable Care Act does not alter the standards required in the Commonwealth. The measure also incorporates presumptions regarding death or disability from pneumoconiosis that are codified at 30 U.S.C. § 921(c)(3) and (4).

Patron - Chafin

Constitutional Amendments

Passed

[P]HJ545 Constitutional amendment (first resolution); powers of General Assembly; suspension or nullification of administrative rule or regulation. Provides that the General Assembly may suspend or nullify any or all portions of any administrative rule or regulation by a joint resolution agreed to by a majority of the members elected to each house. The amendment also grants to the General Assembly the authority to authorize a legislative committee or legislative committees acting jointly or a legislative commission to suspend any or all portions of any administrative rule or regulation while the General Assembly is not in a regular session. Such suspension would continue until the end of the next regular session.

Patron - Head

[P]HJ562 Constitutional amendment (first resolution); real property tax; exemption for surviving spouse of a disabled veteran. Provides that the real property tax exemption for the principal residence of the surviving spouse of a disabled military veteran applies without any restriction on the spouse's moving to a different principal place of residence.

Patron - Miyares

[P]HJ693 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. The amendment directs that revenues dedicated to Transportation Funds on January 1, 2018, 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 amendment specifies that the General Assembly may borrow from the Funds for other purposes only by an affirmative vote of two-thirds of the members elected to each house and that the loan must be repaid with reasonable interest within four years.

Patron - LaRock

[P]SJ295 Constitutional amendment (first resolution); legislative review of administrative rules. Grants to the General Assembly the authority to review any administrative rule to ensure it is consistent with the legislative intent of the statute that the rule was written to interpret, prescribe, implement, or enforce. The amendment provides that after such review, the General Assembly may approve or reject, in whole or in part, any rule as provided by law and that the approval or rejection of a rule by the General Assembly shall not be subject to veto by the Governor.

Patron - Vogel

[P]SJ331 Constitutional amendment (first resolution); property tax; exemption for flooding remediation, abate-

ment, and resiliency efforts. Provides that the General Assembly may authorize a county, city, or town to partially exempt any real subject to recurring flooding upon which flooding abatement, mitigation, or resiliency efforts have been undertaken.

Patron - Lewis

Failed

[F]HJ538 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) defines marriage as "only a union between one man and one woman"; (ii) prohibits 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) prohibits 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." The provisions of this section of the Constitution of Virginia are no longer valid as a result of the United States Supreme Court decision in *Obergefell v. Hodges*, 576 U.S. ____ (June 26, 2015).

Patron - Sickles

[F]HJ540 Constitutional amendment (first resolution); qualifications to vote. Removes the disqualification from voting of persons convicted of felonies.

Patron - Simon

[F]HJ541 Constitutional amendment (first resolution); top two open primary election. Provides for a top two open primary election to be conducted to select the candidates for the offices of the Governor, Lieutenant Governor, or Attorney General, of the House of Delegates or the Senate of Virginia, and of the United States House of Representatives or Senate. All candidates for the particular office, regardless of the candidate's political party affiliation, appear on a single ballot, and the two candidates receiving the highest and next highest number of votes for that office, regardless of their political party affiliation, are the candidates at the ensuing general election for that office. Every qualified voter may vote for any candidate for an office at a top two open primary election, regardless of the political party affiliation of the candidate or the voter. The amendment further provides that the political parties have the right to endorse, support, or oppose any candidate at a top two open primary election or the ensuing general election, regardless of the political party affiliation of the candidate, but that the parties do not have the right to nominate candidates for an office at the top two open primary election or to have their preferred candidates participate in the general election if such candidates do not receive the highest or next highest number of votes at the top two open primary election for that office.

Patron - Rasoul

[F]HJ542 Constitutional amendment (first resolution); qualification of voters and executive clemency. Provides that no person convicted of a felony shall be qualified to vote unless his civil rights have been restored. The General Assem-

bly shall prescribe by law the process for the automatic restoration of the civil rights of a person who has been convicted of any felony, other than a violent felony, upon such person's completion of service of his sentence and any modification of that sentence, including any period or condition of probation, parole, or suspension of the sentence, and his payment in full of any restitution, fines, costs, and fees assessed against him as a result of his conviction. The Governor retains the authority to remove the political disabilities, i.e., restore the civil rights, of persons convicted of a violent felony upon application by such persons and under such rules and regulations as may be prescribed by law. However, no person convicted of a violent felony shall be eligible for the removal of his political disabilities until he has completed the payment in full of any restitution, fines, costs, and fees assessed against him as a result of his conviction and at least two years have passed since he completed service of his sentence and any modification of his sentence, including any period or condition of probation, parole, or suspension of sentence.

Patron - Habeeb

[F]HJ543 Constitutional amendment (first resolution); failure to pass an appropriation act. Provides that if an appropriation act has not been adopted 30 days prior to the expiration of the current appropriation act, a joint session of the General Assembly shall be convened to pass an appropriation act that shall become the state budget without the signature of the Governor. The measure requires the votes of the members of the Senate to be weighted in accordance with the ratio of the average population of a Senate district to the average population of a House district.

Patron - Cole

[F]HJ552 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 is required to provide his full social security number in order to register to vote.

Patron - LeMunyon

[F]HJ577 Constitutional amendment (first resolution); real property tax; assessed value. Provides that the General Assembly may authorize any locality to reduce the assessed value of real property, until the property is sold or the owner dies, whose fair market value has increased significantly as a result of public improvements abutting the property.

Patron - Cole

[F]HJ581 Constitutional amendment (first resolution); apportionment; criteria for electoral districts. Provides the criteria for electoral districts drawn by the General Assembly. The amendment directs that electoral districts are (i) to be composed of contiguous and compact territory, (ii) to be drawn utilizing existing political boundaries, and (iii) to be as nearly equal in population as is practicable but with variations in the size of districts permitted in order to comply with other reapportionment criteria. The amendment prohibits electoral districts being drawn for the purpose of favoring or disfavoring any political party, incumbent legislator or member of Congress, or other individual or entity. The amendment authorizes the General Assembly to provide additional standards, defini-

tions, or guidance in order to facilitate the objective interpretation and application of such criteria.

Patron - Sullivan

[F]HJ609 Constitutional amendment (first resolution); qualification of voters. Provides that the circuit courts are an "other appropriate authority" for purposes of who may restore the civil rights of a person convicted of a felony.

Patron - Marshall, D.W.

[F]HJ622 Constitutional amendment (first resolution); General Assembly; term limits. Limits members of the Senate to three full terms (12 years) and members of the House of Delegates to six full terms (12 years). The limitations apply to service for both consecutive and nonconsecutive terms. Service for a partial term does not preclude serving the allowed number of full terms. In addition to any partial term, a person may serve 12 years in each house, or a total of 24 years in the General Assembly. The limits apply to terms of service beginning on and after the start of the 2020 Regular Session of the General Assembly.

Patron - Rasoul

[F]HJ628 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 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, certify the two names receiving the most votes to the Supreme Court of Virginia, which will name the thirteenth member. The standards to govern redistricting plans include the current constitutional standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data.

Patron - Plum

[F]HJ629 Constitutional amendment (first resolution); charter schools. Grants the Board of Education authority, subject to criteria and conditions prescribed by the General Assembly, to establish charter schools within the school divisions of the Commonwealth.

Patron - Bell, Robert B.

[F]HJ634 Constitutional amendment (first resolution); authority of elected school boards to impose taxes. Provides that the General Assembly may authorize any elected school board to impose real property taxes.

Patron - Cole

[F]HJ635 Constitutional amendment (first resolution); top two primary election. Provides for a top two primary election for the nomination of candidates for the offices of Governor, Lieutenant Governor, and Attorney General. All candidates for each office shall be listed on a single ballot,

regardless of political party affiliation or independent status, and the two candidates receiving the highest and next highest number of votes cast for each office shall be the candidates at the general election for such office. The resolution requires that provision be made to allow votes to be cast at a top two primary election for persons other than the listed candidates, but prohibits such votes from being cast at the general election. Additionally, the resolution provides that the political parties shall not nominate candidates for the offices of Governor, Lieutenant Governor, and Attorney General and that the political parties do not have the right to have a preferred candidate on the ballot at the general election for the offices of Governor, Lieutenant Governor, and Attorney General. However, the political parties will have the right to contribute to, endorse, or otherwise support a candidate for the office of Governor, Lieutenant Governor, or Attorney General in accordance with law.

Patron - Cole

[F]HJ641 Constitutional amendment (first resolution); qualifications of Governor; residency requirement. Increases from five to eight the number of years a person must have been a resident of and a registered voter in the Commonwealth in order to be eligible to the office of Governor.

Patron - Pogge

[F]HJ650 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 felonies who have completed service of their sentences, including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds an alternative for restoration of rights pursuant to law.

Patron - Carr

[F]HJ651 Constitutional amendment (first resolution); Virginia Nonpartisan Redistricting Commission created. Provides for a temporary Virginia Nonpartisan Redistricting Commission (the Commission) to prepare redistricting plans in 2021 and each tenth year thereafter for the House of Delegates, Senate of Virginia, and congressional districts. The Virginia Nonpartisan Redistricting Commission shall consist of seven members appointed 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 resolution sets out the standards by which the Commission is required to draw district lines and the procedure for doing so. The resolution requires the Commission to submit the plan to the General Assembly as a bill and to review and make recommendations on any amendments made by the General Assembly or the Governor.

Patron - Carr

[F]HJ694 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 - Watts

[F]HJ696 Constitutional amendment (first resolution); apportionment; certain prohibitions for electoral districts; scope of legislative privilege. Prohibits electoral districts from being drawn for the purpose of (i) favoring or disfavoring any political party, incumbent legislator or member of Congress, or potential candidate or (ii) restricting or denying the ability of any racial or language minority to participate in the political process and elect a preferred candidate of choice. The amendment further provides that the scope of legislative privilege does not extend to communications and documents prepared by a member of the General Assembly or the staff or constituent of a member of the General Assembly in the course of reapportionment and that such communications and documents shall be public records.

Patron - Price

[F]HJ699 Constitutional amendment (first resolution); Governor's term of office. Permits a Governor elected in 2021 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 - Levine

[F]HJ706 Constitutional amendment (first resolution); tangible personal property tax; exemption. Provides that any locality may, by ordinance, exempt from taxation the first \$5,000 of value of tangible personal property used in a business.

Patron - Rush

[F]HJ749 Constitutional amendment (first resolution); Virginia Redistricting Commission. Establishes the seven-member Virginia Redistricting Commission to redraw congressional and General Assembly district boundaries after each decennial census of the United States. The Commission is directed to certify district plans for the General Assembly within 30 days of receipt of the new census data or by June 1 of the year following the census, whichever is earlier, and for the House of Representatives within 60 days of receipt of the census data or by July 1 of the year following the census, whichever is earlier. The amendment requires that districts be drawn using the Shortest Split methodology, which divides the geographic area of the Commonwealth into two halves of approximately equal population based on the official decennial census redistricting numbers, choosing the shortest possible dividing line to split the state. The division of halves shall continue until the required number of districts is achieved. The Commission is required to make adjustments to the resulting maps as may be necessary to achieve compliance with the requirements of the federal Voting Rights Act of 1965, as amended, and is authorized to make adjustments to the resulting maps so that district boundaries coincide with existing political boundaries and take into account geographic features.

Patron - Bell, John J.

[F]HJ763 Constitutional amendment (first resolution); apportionment; political considerations prohibited. Prohibits any electoral district from being drawn in order to favor or disfavor any political party, incumbent legislator, member of Congress, or other individual or entity.

Patron - Landes

[F]HJ764 Constitutional amendment (first resolution); enactment of laws at special sessions. Requires an affirmative vote of at least four-fifths of the members elected to each house in order to pass a bill at a special session that is convened after a general election but prior to the next regular session.

Patron - Simon

[F]SJ216 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) defines marriage as "only a union between one man and one woman"; (ii) prohibits 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) prohibits 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." The provisions of this section of the Constitution of Virginia are no longer valid as a result of the United States Supreme Court decision in *Obergefell v. Hodges*, 576 U.S. ____ (June 26, 2015).

Patron - Ebbin

[F]SJ217 Constitutional amendment (first resolution); Governor's term of office. Permits a Governor elected in 2021 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 - Ebbin

[F]SJ220 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) defines marriage as "only a union between one man and one woman"; (ii) prohibits 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) prohibits 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." The provisions of this section of the Constitution of Virginia are no longer valid as a result of the United States Supreme Court decision in *Obergefell v. Hodges*, 576 U.S. ____ (June 26, 2015).

Patron - Locke

[F]SJ222 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 - Locke

[F]SJ223 Constitutional amendment (first resolution); qualification of voters and executive clemency. Amends the authority of the Governor to remove the political disabilities of persons convicted of felonies, thus restoring their civil rights. The resolution requires the Governor to automatically remove the political disabilities of a person convicted of a felony, other than a violent felony, who has completed service of his sentence and any modification of that sentence, and has met any other conditions that may be set by the General Assembly. The Governor retains the discretion to remove the political disabilities of persons convicted of violent felonies. A person convicted of a violent felony shall become eligible for the removal of his political disabilities once he has completed (i) the payment in full of any restitution, fines, costs, and fees assessed against him as a result of his conviction and (ii) service of his sentence and any modification of that sentence, including any period or condition of probation, parole, or suspension of sentence, and at least five years have passed since he completed such payment and service of sentence without any new felony convictions or any misdemeanor convictions involving moral turpitude.

Patron - Norment

[F]SJ224 Constitutional amendment (first resolution); General Assembly; term limits. Limits members of the Senate to three full terms (12 years) and members of the House of Delegates to six full terms (12 years). The limitations apply to service for both consecutive and nonconsecutive terms. Service for a partial term does not preclude serving the allowed number of full terms. In addition to any partial term, a person may serve 12 years in each house, or a total of 24 years in the General Assembly. The limits apply to terms of service beginning on and after the start of the 2020 Regular Session of the General Assembly.

Patron - Chase

[F]SJ225 Constitutional amendment (first resolution); qualifications of Governor; residency requirement. Increases from five to eight the number of years a person must have been a resident of and a registered voter in the Commonwealth in order to be eligible to the office of Governor.

Patron - Chase

[F]SJ226 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.

Patron - Surovell

[F]SJ227 Constitutional amendment (first resolution); Governor's term of office. Permits a Governor elected in

2021 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 - Surovell

[F]SJ230 Constitutional amendment (first resolution); Virginia Redistricting Commission; criteria for legislative and congressional districts. Establishes the seven-member Virginia Redistricting Commission (the Commission) to redraw congressional and General Assembly district boundaries after each decennial census. The Commission is directed to certify district plans for the General Assembly within 30 days of receipt of the new census data or by June 1 of the year following the census, whichever occurs later, and for the House of Representatives within 60 days of receipt of the census data or by July 1 of the year following the census, whichever occurs later. The amendment also establishes the standards to govern redistricting plans, which 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 - Sturtevant

[F]SJ231 Constitutional amendment (first resolution); Virginia Redistricting Commission; criteria for legislative and congressional districts. Establishes the seven-member Virginia Redistricting Commission (the Commission) to redraw congressional and General Assembly district boundaries after each decennial census. The Commission is directed to certify district plans for the General Assembly within 30 days of receipt of the new census data or by June 1 of the year following the census, whichever occurs later, and for the House of Representatives within 60 days of receipt of the census data or by July 1 of the year following the census, whichever occurs later. The amendment also establishes the standards to govern redistricting plans, which 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 - Hanger

[F]SJ243 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 felonies. The amendment retains the right of the Governor to restore civil rights to such persons.

Patron - Edwards

[F]SJ253 Constitutional amendment (first resolution); qualifications of voters and executive clemency. Authorizes the General Assembly to provide by law for the automatic restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences. The amendment retains the Governor's authority to restore the civil rights of persons convicted of violent felonies who have completed service of their sentences.

Patron - Dance

[F]SJ260 Constitutional amendment (first resolution); Virginia Redistricting Commission; partisan balance of districts. Establishes the Virginia Redistricting Commission, an eight-member commission tasked with establishing the districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly and apportioning the members of the House of Representatives and the members of the Senate and the House of Delegates among the districts, respectively. The districts are to be drawn to reflect the voting patterns of the Commonwealth with, to the extent practicable, half of the districts more favorable than statewide totals to each of the two political parties most often receiving the most votes cast in statewide elections. The bill also provides that redistricting is to happen in 2021 and every 10 years thereafter and at no other time, unless ordered by a court.

Patron - Barker

[F]SJ269 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 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, certify the two names receiving the most votes to the Supreme Court of Virginia, which will name the thirteenth member. 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

[F]SJ272 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 any person who has been convicted of a felony not designated by the General Assembly as a barrier crime for these purposes and who has completed service of his sentence and paid in full any restitution, fines, costs, and fees assessed against him as a result of his conviction.

Patron - Hanger

[F]SJ280 Constitutional amendment (first resolution); apportionment; political considerations prohibited. Prohibits electoral districts from being drawn for the purpose of favoring or disfavoring any political party, incumbent legislator or member of Congress, or potential candidate. The amendment also prohibits the use of political data when drawing electoral districts, except as may be necessary to ensure that racial or ethnic minorities are able to elect a preferred candidate of choice in a district drawn pursuant to the federal Voting Rights Act of 1965, as amended.

Patron - Lewis

[F]SJ284 Constitutional amendment (first resolution); real property tax; exemption for surviving spouse of a sol-

dier who died in a combat zone. Provides that the real property tax exemption for the principal residence of the surviving spouse of a member of the armed forces killed in action also applies if the member died in a combat zone but was not killed in action.

Patron - Stuart

[F]SJ290 Constitutional amendment (first resolution); apportionment; criteria for electoral districts. Provides the criteria for electoral districts drawn by the General Assembly. The amendment directs that electoral districts are (i) to be composed of contiguous and compact territory, (ii) to be drawn utilizing existing political boundaries, and (iii) to be as nearly equal in population as is practicable but with variations in the size of districts permitted in order to comply with other reapportionment criteria. The amendment prohibits electoral districts being drawn for the purpose of favoring or disfavoring any political party, incumbent legislator or member of Congress, or other individual or entity. The amendment authorizes the General Assembly to provide additional standards, definitions, or guidance in order to facilitate the objective interpretation and application of such criteria.

Patron - Howell

[F]SJ319 Constitutional amendment (first resolution); qualifications of voters and the right to vote. Establishes that the sole qualifications to vote in the Commonwealth are United States citizenship, being at least 18 years of age, residency in the Commonwealth, and registration to vote in accordance with requirements set out in the Constitution of Virginia. The amendment further provides that any person who meets those qualifications shall have the right to vote and such right cannot be abridged by law. The bill removes from current constitutional qualifications to vote not having been convicted of a felony and not having been adjudicated to be mentally incompetent.

Patron - Locke

Other Resolutions

Passed

[P]HJ548 National Suicide Prevention Week. Designates the week of September 10, in 2017 and in each succeeding year, as National Suicide Prevention Week in Virginia.

Patron - Bell, Richard P.

[P]HJ556 General Assembly; 2018 Session prefiling schedule. Establishes a schedule for the prefiling period for the 2018 Regular Session of the General Assembly of Virginia.

Patron - Cox

[P]HJ573 Pongal Day. Designates January 14, in 2018 and in each succeeding year, as Pongal Day in Virginia.

Patron - Bulova

[P]HJ610 Virginia Aviation Week. Designates the third week in August, in 2017 and in each succeeding year, as Virginia Aviation Week.

Patron - Marshall, D.W.

[P]HJ612 Missing Persons Day. Designates April 29, in 2017 and in each succeeding year, as Missing Persons Day in Virginia.

Patron - Filler-Corn

[P]HJ617 Washington Metropolitan Area Transit Authority Compact of 1966 gubernatorial review. Requests the Governor to review the Washington Metropolitan Area Transit Authority Compact of 1966 and enter into discussions with his counterparts in the District of Columbia and Maryland to identify possible improvements to the agreement, particularly with regard to the governance, financing, and operation of the Washington Metropolitan Area Transit Authority.

Patron - LeMunyon

[P]HJ640 Public Lands Day. Designates the last Saturday in September, in 2017 and in each succeeding year, as Public Lands Day in Virginia.

Patron - Lopez

[P]HJ649 Mary Draper Ingles Remembrance Day. Designates the last Saturday in July, in 2017 and in each succeeding year, as Mary Draper Ingles Remembrance Day in Virginia.

Patron - Yost

[P]HJ656 Spirit of '45 Day. Designates the second Sunday in August, in 2017 and in each succeeding year, as Spirit of '45 Day in Virginia.

Patron - O'Quinn

[P]HJ750 Coats Disease Awareness Day. Designates August 17, in 2017 and in each succeeding year, as Coats Disease Awareness Day in Virginia.

Patron - Cox

[P]HJ762 Weekend of Prayer over Students. Designates the first weekend in August, in 2017 and in each succeeding year, as the Weekend of Prayer over Students in Virginia.

Patron - Campbell

[P]HJ767 Confirming appointment of the Director of the Division of Legislative Services. Confirms the appointment by the House and Senate Committees on Rules of Mark J. Vucci as Director of the Division of Legislative Services.

Patron - Howell

[P]HJ780 Self-Care Month. Designates February, in 2018 and in each succeeding year, as Self-Care Month in Virginia.

Patron - Bell, Richard P.

[P]HJ823 Polycystic Ovarian Syndrome Awareness Month. Designates September, in 2017 and in each succeeding year, as Polycystic Syndrome Awareness Month.

Patron - Price

[P]HR268 Day of Tears. Recognizes January 22 as the Day of Tears in Virginia.

Patron - Cline

[P]HR297 Christian heritage. Recognizes the influence of Christian heritage in Virginia.

Patron - Miyares

[P]HR431 Public institutions of higher education; free speech. Encourages public institutions of higher education to protect free speech and communicates the urgent need for the governing board of each public institution of higher education in the Commonwealth to develop and adopt a policy on free speech that contains certain specifications relating to the institution's function and role with regard to public policy controversies.

Patron - LaRock

[P]SJ241 Appointment; Chairman of the Virginia Criminal Sentencing Commission. Confirms the appointment by the Chief Justice of the Supreme Court of Virginia of the Honorable Edward L. Hogshire as Chairman of the Virginia Criminal Sentencing Commission.

Patron - Obenshain

[P]SJ251 National Suicide Prevention Week. Designates the week of September 10, in 2017 and in each succeeding year, as National Suicide Prevention Week in Virginia.

Patron - Hanger

[P]SJ282 Substance-Exposed Infant Awareness Week. Designates the first week of July, in 2017 and in each succeeding year, as Substance-Exposed Infant Awareness Week in Virginia.

Patron - Dunnivant

[P]SJ298 The Saragarhi Day of Sikh Pride. Designates September 12, in 2017 and in each succeeding year, as the Saragarhi Day of Sikh Pride in Virginia.

Patron - Reeves

Failed

[F]HJ547 United States Constitution; application for a convention of the states. Makes application to Congress to call a convention of the states to propose amendments to the United States Constitution to restrain the abuse of power by the federal government.

Patron - Lingamfelter

[F]HJ549 Pornography; public health hazard. Recognizes pornography as leading to individual and societal harms.

Patron - Marshall, R.G.

FHJ551 United States Constitution; application for a convention of the states; balancing the federal budget. Makes application to the United States Congress to call an amendment convention for the purpose of proposing an amendment to the United States Constitution that pertains to the subject of balancing the federal budget.

Patron - LeMunyon

FHJ569 Recognition as genocide; atrocities committed by the Islamic State of Iraq and the Levant. Expresses the sense of the General Assembly that the atrocities perpetrated by the Islamic State of Iraq and the Levant against religious and ethnic minorities in Iraq and Syria include war crimes, crimes against humanity, and genocide.

Patron - Marshall, R.G.

FHJ586 Abortion; prosecution of mother not allowed. Recognizes that Virginia law has never permitted the prosecution of the mother of an aborted child for seeking or consenting to an abortion.

Patron - Marshall, R.G.

FHJ587 Abortion; prosecution of mother not allowed for self-abortion. Recognizes that Virginia law has never permitted the prosecution of the mother of an aborted child for performing an abortion on herself.

Patron - Marshall, R.G.

FHJ588 Abortion; use of contraception not prosecuted. Recognizes that Virginia law has never permitted the prosecution of an individual for abortion for using legal contraception.

Patron - Marshall, R.G.

FHJ589 Unborn children; abortion law and personhood. Recognizes that Virginia law consistently acknowledged that an unborn child was a person prior to the U.S. Supreme Court's decision in *Roe v. Wade* regardless of how abortion was punished under the law.

Patron - Marshall, R.G.

FHJ642 Memorializing Congress; reinstatement of Glass-Steagall Act. Memorializes Congress to enact legislation reinstating the separation of commercial and investment banking functions that was in effect under the Glass-Steagall Act.

Patron - Rasoul

FHJ652 Encouraging the Governor to recognize best practices to reduce the negative consequences of adverse childhood experiences in developing policies of the Commonwealth. Encourages the Governor to recognize best practices to reduce the negative consequences of adverse childhood experiences in developing policies of the Commonwealth, take into account the principles of early childhood brain development, and, whenever possible, consider the concepts of toxic stress, early adversity, and nurturing relationships and the role of primary prevention, early intervention, and trauma-informed and resilience-building practices and policies as a means to

achieving a lasting foundation for a more prosperous, healthier, and sustainable Commonwealth.

Patron - Carr

FHJ685 Speaker of the House; legal counsel. Authorizes the Speaker of the House of Delegates to employ legal counsel to represent the General Assembly in instituting legal action against any federal authority if the federal authority unconstitutionally violates the sovereign rights of the Commonwealth, its agencies, or local governments or their agencies, and if the Attorney General fails to take legal action against such violations.

Patron - Marshall, R.G.

FHJ686 Memorializing the Congress of the United States to allow states and communities to expedite permitting for bridge safety. Expresses the sense of the General Assembly in urging the Congress of the United States to change its laws and impact associated federal regulations to allow states and communities throughout the United States to expedite permitting to emergency priority levels for the maintenance, reconstruction, or replacement of structurally deficient bridges.

Patron - Yancey

FHJ701 United States Constitution; application for a convention of the states; free and fair elections. Makes application to the United States Congress to call a constitutional convention for the purpose of proposing an amendment to the United States Constitution to ensure free and fair elections by limiting corporate personhood for purposes of campaign finance and political speech and declaring that money does not constitute speech and may be regulated.

Patron - Rasoul

FHJ705 Encouraging localities to develop a more uniform and streamlined permitting process. Expresses the sense of the General Assembly that localities be encouraged to develop a more uniform and streamlined permitting process. Such an effort would benefit from having the Virginia Association of Counties and the Virginia Municipal League take the lead in developing a model application and permitting process while utilizing the best practices from localities throughout the Commonwealth.

Patron - Yancey

FHJ712 Supporting legislation regarding the Equal Rights Amendment. Expresses the General Assembly's support of legislation to remove the deadline for the ratification of the Equal Rights Amendment. The resolution would be transmitted to the Virginia Congressional Delegation so that they may be apprised of the sense of the Virginia General Assembly on this matter.

Patron - Filler-Corn

FHJ791 Early childhood education. Recognizes the importance of early childhood brain development and the early childhood profession and recognizes and encourages, among other things, the ongoing efforts of the Virginia Department of Social Services, the Virginia Department of Education, the State Council of Higher Education for Virginia, the Virginia

Community College System, other public institutions of higher education in the Commonwealth, and other entities that utilize public funds to administer, support, or study early education in the Commonwealth to collaborate to maximize all existing funding streams and develop and implement policies and programs to advance the school readiness of children in the Commonwealth from birth to age five and the school success of children by the critical milestone of third grade.

Patron - Greason

[F]HR303 Denouncing the intimidation of the Commonwealth's residents, affirming the commitment to diversity, and safeguarding the civil rights and dignity of all Virginians. Denounces the intimidation of Virginia's residents, affirms the state's commitment to diversity, and safeguards the civil rights and dignity of all Virginians. The resolution instructs the Clerk of the House of Delegates to transmit copies of the resolution to the Secretary of Education, the Superintendent of Public Instruction, and the Executive Director of the State Council of Higher Education for Virginia, requesting that they further disseminate copies of this resolution to their respective constituents so that they may be apprised of the sense of the Virginia House of Delegates in this matter.

Patron - Lopez

[F]SJ221 United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The 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

[F]SJ232 United States Constitution; application for a convention of the states; balancing the federal budget. Makes application to the United States Congress to call a constitutional convention for the purpose of proposing an amendment to the United States Constitution that pertains to the subject of balancing the federal budget.

Patron - Hanger

[F]SJ311 Constitutional amendment (first resolution); legislative review of administrative rules. Grants to the General Assembly the authority to review any administrative rule to ensure it is consistent with the legislative intent of the statute that the rule was written to interpret, prescribe, implement, or enforce. The amendment provides that after such review, the General Assembly may approve or reject, in whole or in part, any rule as provided by law and that the approval or rejection of a rule by the General Assembly shall not be subject to veto by the Governor.

Patron - Carrico

[F]SJ312 United States Constitution; application for a convention of the states. Makes application to Congress to call a convention of the states to propose amendments to the United States Constitution to restrain the abuse of power by the federal government.

Patron - Carrico

Miscellaneous (Including Budget and Bonds)

Passed

[P]HB1500 Budget Bill. Amends Chapter 780, 2016 Acts of Assembly. This bill received Governor's recommendations.

Patron - Jones

[P]HB1650 Claims; Keith Allen Harward. Provides relief in the amount of \$1,548,439 to Keith Allen Harward, who was incarcerated from 1983 until 2016 after being convicted of first degree murder. In 2016 he was granted a Writ of Actual Innocence by the Supreme Court of Virginia based upon DNA evidence that excluded Mr. Harward as the perpetrator of the crime. Mr. Harward's relief would be paid as follows: (i) an initial lump sum of \$309,688 to be paid within 60 days immediately following the execution of a release by Mr. Harward from any present or future claims he may have and (ii) the sum of \$1,238,751 to purchase an annuity before October 1, 2017, for the primary benefit of Mr. Harward with the terms structured in his best interests. In addition, the bill entitles Mr. Harward to receive up to \$10,000 for tuition for career and technical training within the Virginia Community College System. This bill is identical to SB 1479.

Patron - Sullivan

[P]HB2248 Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. This bill is identical to SB 1045.

Patron - Jones

[P]HB2249 Prior authorization of bonds to fund certain revenue-producing capital projects at institutions of higher learning; Virginia State University. Expands the scope of a revenue-producing capital project at Virginia State University funded by a prior bond authorization. The bill has an emergency clause.

Patron - Jones

[P]HB2250 Bonds for institutions of higher education. Authorizes issuance of bonds in an amount up to \$13,637,000 for revenue-producing capital projects at institutions of higher education. The bill contains an emergency clause. This bill is identical to SB 1369.

Patron - Jones

[P]SB1045 Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. This bill is identical to HB 2248.

Patron - Hanger

[P]SB1369 Bonds for institutions of higher education. Authorizes issuance of bonds in an amount up to \$13,637,000 for revenue-producing capital projects at institutions of higher

education. The bill contains an emergency clause. This bill is identical to HB 2250.

Patron - Norment

SB1370 **Prior authorization of bonds to fund certain revenue-producing capital projects at institutions of higher education; Virginia State University.** Expands the scope of a revenue-producing capital project at Virginia State University funded by a prior bond authorization. The bill contains an emergency clause.

Patron - Norment

SB1479 **Claims; Keith Allen Harward.** Provides relief in the amount of \$1,548,439 to Keith Allen Harward, who was incarcerated from 1983 until 2016 after being convicted of first degree murder. In 2016 he was granted a Writ of Actual Innocence by the Supreme Court of Virginia based upon DNA evidence that excluded Mr. Harward as the perpetrator of the crime. Mr. Harward's relief would be paid as follows: (i) an initial lump sum of \$309,688 to be paid within 60 days immediately following the execution of a release by Mr. Harward from any present or future claims he may have and (ii) the sum of \$1,238,751 to purchase an annuity before October 1, 2017, for the primary benefit of Mr. Harward with the terms structured in his best interests. In addition, the bill entitles Mr. Harward to receive up to \$10,000 for tuition for career and technical training within the Virginia Community College System. This bill is identical to HB 1650.

Patron - Howell

Failed

SB900 **Budget Bill.** Amends Chapter 780, 2016 Acts of Assembly.

Patron - Norment

SB1337 **Claims; Davey Reedy.** Provides relief in the amount of \$1,032,293 to Davey Reedy, who was incarcerated from 1988 until 2009 after being convicted of two counts of first degree murder and arson in the daytime. On December 21, 2015, Governor McAuliffe granted an absolute pardon to Mr. Reedy, finding that Mr. Reedy's convictions were not supported by the forensic evidence relied upon at trial. Mr. Reedy's relief would be paid as follows: (i) an initial lump sum of \$206,459 to be paid within 60 days immediately following the execution of a release by Mr. Reedy from any present or future claims he may have and (ii) the sum of \$825,834 to purchase an annuity before October 1, 2017, for the primary benefit of Mr. Reedy with the terms structured in his best interests. In addition, the bill entitles Mr. Reedy to receive up to \$10,000 for tuition for career and technical training within the Virginia Community College System.

Patron - Surovell

Charters

Passed

HB1396 **Charter; Town of Grottoes.** Authorizes the town council to appoint a member to the office of vice-mayor, to serve in the event of the mayor's absence or inability to act. This bill is identical to SB 786.

Patron - Landes

HB1461 **Charter; Town of Quantico; town officers.** Removes the town treasurer, town clerk, and town sergeant as officers of the town elected by the town council.

Patron - Dudenhefer

HB1958 **Charter; County of Chesterfield.** Corrects or repeals numerous outdated provisions and makes technical amendments to the County of Chesterfield charter. Other changes include (i) eliminating provisions relating to the departments of budget and management, accounting, and fire and replacing a listing of these and other county departments with a general statement that provides, in part, that the board of supervisors, in consultation with the county administrator, may create or abolish existing departments; (ii) eliminating various requirements related to appointment of a committee on the future and replacing it with an authorization to appoint committees as the board deems advisable; and (iii) providing that once a public facility has been determined to be in substantial accord with the county's comprehensive plan or is shown on the public facilities plan, then additional property for such facility may be added without submittal and approval and that "small cell" telecommunications facilities shall be exempt from certain requirements for substantial accord approval if the facilities are located within a zoning district where such use is either permitted by right or permitted with restrictions.

Patron - Ingram

HB1977 **Charter; City of Williamsburg.** Expands membership on the redevelopment and housing authority from five members to up to seven members, no more than five of whom shall be members of the city council. This bill is identical to SB 1134.

Patron - Mullin

HB2152 **Charter; City of Hopewell; water renewal commission.** Changes the membership of the Hopewell Water Renewal Commission (the Commission) from a total of eight members appointed by the city council, five of whom are nominees of five manufacturers, to up to nine members, three of whom shall be a member of the city council, the city manager, and the city attorney, and the remainder of whom shall be appointed by the city council from nominees each submitted by a manufacturer who shall provide a capital contribution in an amount determined by the city council. The bill removes the city council's authority to provide for additional nominees to the Commission by manufacturers not involved in planning assistance and requires the Commission to assist in the maintenance

nance and expansion of the city's regional wastewater treatment facility. This bill is identical to SB 992.

Patron - Aird

SB786 Charter; Town of Grottoes. Authorizes the town council to appoint a member to the office of vice-mayor, to serve in the event of the mayor's absence or inability to act. This bill is identical to HB 1396.

Patron - Hanger

SB992 Charter; City of Hopewell; water renewal commission. Changes the membership of the Hopewell Water Renewal Commission (the Commission) from a total of eight members appointed by the city council, five of whom are nominees of five manufacturers, to up to nine members, three of whom shall be a member of the city council, the city manager, and the city attorney, and the remainder of whom shall be appointed by the city council from nominees each submitted by a manufacturer who shall provide a capital contribution in an amount determined by the city council. The bill removes the city council's authority to provide for additional nominees to the Commission by manufacturers not involved in planning assistance and requires the Commission to assist in the maintenance and expansion of the city's regional wastewater treatment facility. This bill is identical to HB 2152.

Patron - Dance

SB1073 Charter; Town of Bridgewater. Updates the town's charter and sets out various powers that are typically exercised by towns. This bill received Governor's recommendations.

Patron - Obenshain

SB1083 Charter; Town of Herndon. Amends the town's boundary description.

Patron - Wexton

SB1084 Charter; Town of Herndon; elections. Shifts the town's municipal elections from May to November.

Patron - Wexton

SB1134 Charter; City of Williamsburg. Expands membership on the redevelopment and housing authority from five members to up to seven members, no more than five of whom shall be members of the city council. This bill is identical to HB 1977.

Patron - Mason

SB1318 Charter; Town of Troutdale. Specifies the terms of office of the mayor and the recorder as four years.

Patron - Carrico

SB1319 Charter; Town of Wytheville. Removes provisions that would require a special election to fill certain vacancies in the office of mayor or on the town council, thus subjecting all such vacancies to the existing requirement that vacancies be filled for the remainder of the unexpired term by majority vote of the remaining members on the council.

Patron - Carrico

SB1429 Charter; Town of Onley. Shifts the town's municipal elections from May to November.

Patron - Lewis

Failed

HB1649 Charter; Town of Herndon. Amends the town's boundary description and reflects the town's change of municipal elections from May to November.

Patron - Boysko

HB2440 Charter; Town of Appomattox. Shifts the town's municipal elections from May to November and provides for staggered elections.

Patron - Fariss

SB842 Charter; City of Portsmouth. Repeals the Civil Service Commission established under the City of Portsmouth charter.

Patron - Lucas

Study Resolutions

Failed

HJ544 Study; JLARC to study the Virginia's workers' compensation system; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study Virginia's workers' compensation system. In its study, JLARC is directed to (i) examine whether claims are reviewed and processed in a timely and fair manner; (ii) assess whether the dispute resolution process is timely, effective, and fair and equitable toward all parties; (iii) compare the structure and administration of workers' compensation programs in other states with that of Virginia's; (iv) analyze the rate of growth in medical prices and examine any changes that occur in access to medical care in states that have adopted medical service fee schedules or treatment guidelines; (v) assess the effectiveness of House Bill 378 and Senate Bill 631 of the 2016 Session; and (vi) review any other issues and make recommendations as appropriate.

Patron - Lingamfelter

HJ546 Study; JLARC; Virginia High School League; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the Virginia High School League (VHSL). The resolution directs JLARC, in conducting its study, to (i) review the usefulness of the functions currently performed by VHSL; (ii) assess how effectively VHSL fulfills its role, including its sanctioning authority; (iii) assess whether there is sufficient transparency and accountability in VHSL executive committee, board, and staff decisions, operations, and funding; (iv) compare the role and operations of VHSL with those of similar organizations in other states; (v) assess whether VHSL as currently structured is the best model for performing the functions that VHSL currently performs;

and (vi) review other issues and make recommendations as appropriate.

Patron - Bell, Richard P.

[F]HJ570 Study; JLARC; effectiveness of requiring seat belts on school buses in the Commonwealth; report. Directs the Joint Legislative Audit and Review Commission to study the effectiveness of requiring seat belts on every school bus in the Commonwealth.

Patron - Lingamfelter

[F]HJ571 Study; Virginia Polytechnic Institute and State University and Virginia State University; teacher shortage; report. Requesting Virginia Polytechnic Institute and State University and Virginia State University to jointly study strategies to mitigate the Commonwealth's shortage of career and technical education teachers in the fields of agricultural education, technology education, and family and consumer sciences.

Patron - Orrock

[F]HJ572 Study; regulation of menhaden fishing; report. Directs the Joint Legislative Audit and Review Commission to study the most appropriate means of regulating the fishing of menhaden in the Chesapeake Bay and its tributaries.

Patron - Knight

[F]HJ575 Study; Department of General Services; Infrastructure investments that yield energy savings; report. Requests the Department of General Services to study and recommend infrastructure investments that can be made to maximize energy savings to the Commonwealth.

Patron - Krizek

[F]HJ576 Study; JLARC to study the implementation of the National Voter Registration Act in Virginia; report. Directs the Joint Legislative Audit and Review Commission to study the implementation of the National Voter Registration Act in Virginia and to evaluate the extent to which the procedures implemented comply with the requirements of the National Voter Registration Act.

Patron - Marshall, R.G.

[F]HJ578 Study; Joint Commission on Health Care; study of the long-term effects of marijuana use on individuals and populations; report. Directs the Joint Commission on Health Care to study the long-term effects of marijuana use on individuals and populations. In conducting its one-year study, the Joint Commission shall review scientific studies, including studies of individuals in states that have legalized or decriminalized the use of marijuana for medical or recreational purposes, and other sources to determine the long-term effects of marijuana use on individuals.

Patron - Marshall, R.G.

[F]HJ579 Study; joint committee to study implementation of the National Voter Registration Act in Virginia; report. Establishes a joint committee of the House and Senate Committees on Privileges and Elections to conduct a one-year study of the implementation of the National Voter Registration

Act in Virginia. The study will evaluate the extent to which the procedures implemented comply with the requirements of the National Voter Registration Act.

Patron - Marshall, R.G.

[F]HJ585 Study; State Council of Higher Education for Virginia; rates of in-state and out-of-state undergraduate student admissions and enrollment at public institutions of higher education in the Commonwealth and in each other state; report. Requests the State Council of Higher Education for Virginia to study rates of in-state and out-of-state undergraduate student admissions and enrollment at public institutions of higher education in the Commonwealth and in each other state and to report its findings to the General Assembly no later than the first day of the 2018 Regular Session of the General Assembly.

Patron - Rasoul

[F]HJ597 Study; Joint Commission on Health Care; study of heroin use in the Commonwealth; report. Directs the Joint Commission on Health Care to study heroin use in the Commonwealth, including the rates of use, the pathways that lead individuals to use, and initiatives focused on the prevention of heroin use and heroin overdose, including the use of naloxone to prevent heroin overdoses.

Patron - Marshall, R.G.

[F]HJ607 Study; Providing material support for a terrorist organization. Directs the Virginia State Crime Commission to study feasibility and need for a criminal offense related to providing material support for terrorist organizations that would allow state and local officials to investigate and prosecute persons suspected of providing such support.

Patron - Hope

[F]HJ611 Study; State Council of Higher Education for Virginia; applied baccalaureate degrees at comprehensive community colleges; report. Requests that the State Council of Higher Education for Virginia study the feasibility and benefits of comprehensive community colleges offering applied baccalaureate degrees by analyzing and making recommendations on (i) the affordability of obtaining an applied baccalaureate degree at a comprehensive community college as compared to a baccalaureate public institution of higher education, including the extent to which obtaining an applied baccalaureate degree at a comprehensive community college would reduce college debt; (ii) the feasibility and benefits of higher education centers on comprehensive community college campuses; (iii) the feasibility and benefits of joint degree programs between comprehensive community colleges and baccalaureate public institutions of higher education that are offered on community college campuses; (iv) the feasibility and benefits of offering applied baccalaureate degrees in engineering and information technology at Danville Community College and Patrick Henry Community College; (v) applied baccalaureate degrees that could be offered at Danville Community College, Patrick Henry Community College, or other comprehensive community colleges in addition to applied baccalaureate degrees in engineering and information technology; and (vi) options for residents in rural parts of the Commonwealth to earn applied baccalaureate degrees.

Patron - Marshall, D.W.

FHJ614 Study; JLARC to study Virginia Administrative Process Act exemptions; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to conduct a two-year study of the Virginia Administrative Process Act exemptions. In its study, JLARC is directed to (i) assess whether exemptions for agencies, boards, commissions, and authorities are justified or should be discontinued or modified; (ii) assess whether criteria and a process should be established for determining if requests for exemptions should be granted; (iii) assess the extent of public participation and economic impact analysis provided as part of rulemaking conducted by exempt agencies, boards, commissions, and authorities; (iv) review other states' processes and criteria for exempting state agencies, boards, commissions, and authorities from the rulemaking process; and (v) review other issues and make recommendations as appropriate.

Patron - Ransone

FHJ615 Study; Joint Commission on Technology and Science; robots, automation, and artificial intelligence; report. Directs the Joint Commission on Technology and Science to convene an advisory committee to study the opportunities and challenges related to the adoption and use of robots, automation, and artificial intelligence, especially as it relates to the economy and the Commonwealth workforce and potential employment. The executive summary of the Commission's report shall be submitted no later than the first day of the 2018 Session of the General Assembly.

Patron - Marshall, R.G.

FHJ616 Study; Joint Commission on Health Care to study quality of health care services provided to inmates in jails and prisons in the Commonwealth; report. Directs the Joint Commission on Health Care to study the quality of health care services provided to inmates in jails and prisons in the Commonwealth. In conducting its study, the Joint Commission on Health Care shall (i) review the requirements for delivery of health care services in jails and prisons; (ii) review the oversight of health care service delivery in jails and prisons, including the process for the development and implementation of performance measures and oversight and enforcement of contracts for the delivery of health care services in jails and prisons; (iii) evaluate the current quality of health care services delivered in jails and prisons; and (iv) develop recommendations for improving the quality of health care services delivered in jails and prisons in the Commonwealth. The Joint Commission shall complete its work by November 30, 2018.

Patron - O'Bannon

FHJ619 Study; Tax Commissioner to study disincentives to upgrade machinery and tools; report. Requests that the Tax Commissioner study disincentives in the Code of Virginia that discourage investment in upgrades to machinery and tools and propose modifications to the Code of Virginia that would remove such disincentives.

Patron - Davis

FHJ627 Study; JLARC to study feasibility of allocating a larger portion of Virginia Lottery prize money to localities; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the feasibility of allocating a larger portion of Virginia Lottery prize money to local-

ities. In its study, JLARC is directed to (i) review how the Virginia Lottery would be affected if prizes were reduced by up to five percent to provide a greater return to localities, (ii) determine if operation costs could be reduced to provide an alternative way to return more money to localities, and (iii) review other related issues and make recommendations as appropriate.

Patron - Wright

FHJ633 Study; Department of Agriculture and Consumer Services; incentives for grocery stores to donate unsold, unspoiled food to charitable organizations; report. Requests the Department of Agriculture and Consumer Services, in consultation with relevant stakeholders, to (i) study the feasibility of and develop recommendations for a program that would incentivize grocery stores to donate unsold, unspoiled food that would otherwise be discarded or wasted to hunger-relief charitable organizations for redistribution to needy families; (ii) identify the size and nature of grocery stores that could effectively participate in and advance the goals of such program; (iii) determine whether sanctions should be imposed for failure to participate in such program and, if so, the nature of such sanctions; and (iv) identify other policies that could be implemented to reduce food waste and its impacts on the environment and food security in the Commonwealth.

Patron - Simon

FHJ636 Study; economic impacts of litter on fishing, farming, and water quality in urban streams; report. Requests the Department of Environmental Quality to study the economic impact of litter on fishing, farming, water quality, and other components of Virginia's economy and to propose strategies, campaigns, and necessary state actions to protect the economy of the Commonwealth from harm caused by litter and promote Virginia's economic welfare.

Patron - Krizek

FHJ637 Study; Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century continued; report. Continues the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century for two additional years, through December 1, 2019.

Patron - Bell, Robert B.

FHJ638 Study; Department of Taxation to study unitary combined reporting of corporate income; report. Directs the Department of Taxation to research unitary combined reporting of corporate income and develop a recommendation regarding its implementation in the Commonwealth.

Patron - Lopez

FHJ639 Study; Office of Drinking Water; study of the Commonwealth's drinking water infrastructure and oversight of the drinking water system; report. Requests the Office of Drinking Water of the Department of Health (the Office) to study the Commonwealth's drinking water infrastructure and oversight of the drinking water system. In conducting its study, the Office shall (i) identify problems or issues that may result in contamination of the Commonwealth's drinking water supply with lead or copper or increase the likelihood

of contamination of the Commonwealth's drinking water supply with lead or copper and (ii) develop recommendations for addressing such problems or issues.

Patron - Lopez

FHJ648 Study; JLARC; impact of state-owned ports on local governments; report. Directs the Joint Legislative Audit and Review Commission to review and update its 1999 study entitled "Review of the Impact of State-Owned Ports on Local Governments."

Patron - Heretick

FHJ672 Study; JLARC; coastal flooding adaptation and resiliency report. Directs the Joint Legislative Audit and Review Commission to study the ongoing efforts throughout the Commonwealth with regard to coastal flooding adaptation and resiliency and to (i) assess the adequacy and effectiveness of the Commonwealth's coastal flooding and adaptation development programs; (ii) assess how effectively the state and local governments develop, manage, and oversee coastal flooding and adaptation practices and strategies; and (iii) examine best practices and strategies used by the public and private sectors in other states and other countries to manage water through successful coastal flooding and adaptation strategies.

Patron - Stolle

FHJ675 Study; Joint Commission on Health Care to study the creation of a registry of cases of abuse or neglect of an individual receiving waiver services by a service provider. Directs the Joint Commission on Health Care (JCHC) to study creation of a registry of cases of abuse or neglect of an individual receiving services through the Building Independence, Family and Individual Supports, or Community Living waiver program by a service provider. In conducting its study, the JCHC shall (i) determine the scope of the proposed registry of cases of abuse or neglect of an individual receiving services through the Building Independence, Family and Individual Supports, or Community Living waiver program by a service provider, including the types of cases that should be included; (ii) identify the statutory, regulatory, and policy changes that may be required for the establishment and operation of such a registry by the Department of Behavioral Health and Developmental Services or other appropriate entity; (iii) determine the cost of establishment and operation of such registry; and (iv) make such other recommendations to the establishment and operation of such registry as may be appropriate.

Patron - Landes

FHJ676 Study; Department of Education; effect of local use value assessment of certain real estate on the composite index of local ability to pay; report. Requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of certain real estate, the use value of all applicable real estate devoted to (a) agricultural use, (b) horticultural use, (c) forest use, and (d) open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the composite index of local ability to pay for each such locality after taking into consideration such use values.

Patron - Webert

FHJ677 Study; study the current and potential impact of zebra and quagga mussels in Virginia waters and propose strategies, campaigns, and necessary state actions to protect Virginia waters from zebra and quagga mussel infestation; report. Requests the Department of Game and Inland Fisheries to study the current and potential impact of zebra and quagga mussels in Virginia waters and propose strategies, campaigns, and necessary state actions to protect Virginia waters from zebra and quagga mussel infestation.

Patron - Poindexter

FHJ678 Study; directing JLARC to study the teaching profession in Virginia; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the teaching profession in Virginia. In conducting its study, JLARC shall (i) evaluate all areas of teacher preparation programs in Virginia, including entry level positions, licensing and certifications, master teachers, school counselors, and administrators; (ii) identify the reasons teachers leave the profession; (iii) review the Department of Education's recent report to the General Assembly concerning teacher shortage disciplines for the 2016-2017 school year and project the shortage rates by subject areas for the next five years; (iv) determine whether disparities exist in compensation and benefits, work environment, turnover, and attrition by region of the Commonwealth and rank the regions where disparities and shortages are poorer; (v) compare the compensation, work environment, turnover, and attrition in Virginia with that of other states; (vi) evaluate current and innovative policies and programs that may contribute to improved student academic achievement and a strong teacher workforce implemented in Virginia and other states; and (vii) consider other issues and make recommendations that JLARC determines necessary for a thorough and comprehensive assessment of the teaching profession in the Commonwealth. JLARC must report its findings to the Governor and the 2018 Session of the General Assembly.

Patron - Filler-Corn

FHJ680 Joint subcommittee to study issues related to family caregiving and long-term care supports and services; report. Establishes a joint subcommittee to study issues related to family caregiving and long-term care supports and services. The resolution directs the new joint subcommittee to (i) identify and compile an inventory of policies, resources, and programs available to unpaid caregivers; (ii) identify challenges affecting unpaid caregivers and barriers to unpaid caregiving; (iii) develop recommendations for the development of new innovative means of providing support and assistance to unpaid caregivers to enable them to continue to provide services and support to older adults and individuals with disabilities; and (iv) report its findings and recommendations by the first day of the 2018 Regular Session.

Patron - Filler-Corn

FHJ688 Study; joint committee to study the expansion of the Norfolk Airport Authority membership; report. Establishes a joint committee of the House Committee on Transportation and the Senate Committee on Transportation to study the expansion of the Norfolk Airport Authority membership.

Patron - Villanueva

FHJ689 Study; joint subcommittee to study public transportation in Hampton Roads; report. Establishes a joint subcommittee to study governance and funding for public transportation in Hampton Roads.

Patron - Villanueva

FHJ690 Study; joint subcommittee to study mega-region airport in Greater Hampton Roads; report. Establishes a joint subcommittee to study the feasibility and practicality of building a mega-region airport in Greater Hampton Roads.

Patron - Villanueva

FHJ692 Study; JLARC; Commonwealth's cybersecurity standards; report. Directs the Joint Legislative Audit and Review Commission to (i) evaluate the Commonwealth's current policies, procedures, and standards for assessing cybersecurity risks and protecting the electronic information of all branches of state government from unauthorized uses, intrusions, and other security threats and (ii) make recommendations for the improvement of such policies, procedures, and standards, including a recommendation, within 180 days of commencing the study, as to whether either the General Assembly through legislation or the Governor through executive action should establish a centralized office or agency, other than the Virginia Information Technologies Agency, to have ongoing authority to establish, monitor, and update the Commonwealth's cybersecurity policies, procedures, and standards.

Patron - Murphy

FHJ695 Study; JLARC; sentencing of drug offenders; report. Directs the Joint Legislative Audit and Review Commission to study and report on the efficiency and effectiveness of the Virginia courts' sentencing of Schedule I and Schedule II drug offenders.

Patron - Herring

FHJ698 Study; Department of Social Services; Commonwealth's child support enforcement system and increase in arrearages; report. Requests the Department of Social Services to (i) analyze the efficiency of the Division of Child Support Enforcement's (DCSE) current child support enforcement processes and recommend strategies to improve such processes; (ii) identify trends regarding the aggregate amount of child support arrearages in the Commonwealth over the last four decades; (iii) identify the extent to which arrearages have been owed and not reduced for a period of 10 years or more; (iv) identify and examine commonly cited reasons for noncustodial parents' nonpayment of child support; and (v) explain any practices that DCSE uses or could use to (a) assist parents with lowering their child support payments and vacating excessive child support orders; (b) identify and intervene in cases in which child support is excessive; (c) eliminate the calculation of child support based on imputed income; (d) eliminate the imposition of child support through default judgments; (e) establish a network of low-cost and pro bono attorneys to assist parents; (f) recognize and credit the reasonable expenses of noncustodial parents; (g) eliminate the accrual of child support arrearages during periods of reduced employment, unemployment, or incarceration; (h) ensure that government attorneys engaged in child support establishment or enforcement comply with due process requirements; (i) make avail-

able nonidentifying information about DCSE's child support cases and caseload for research purposes; and (j) encourage and assist with two-parent physical and emotional support for children, rather than limiting focus to financial support.

Patron - LaRock

FHJ700 Study; Broadband Advisory Council; broadband availability and the most cost-effective means to provide broadband coverage to the greatest number of people; report. Requests the Broadband Advisory Council to develop a system for rating communities where the most people can be served by increased broadband coverage for the least cost.

Patron - Levine

FHJ702 Study; JLARC to study the current and future funding needs of modern elections administration in the Commonwealth; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the current and future funding needs of modern elections administration in the Commonwealth. The resolution directs JLARC to (i) evaluate and compare the potential fiscal impact at the state and local level of procuring a new voter registration system to replace the current voter registration system with the potential fiscal impact of modifying the current voter registration system so that it is capable of meeting the current and projected needs of the Department of Elections, elections administrators, voters, and other relevant parties; (ii) review the statutory requirements related to the coordination of voter record management between the Department of Elections and other state agencies, including the Department of Motor Vehicles, the Department of Social Services, and the Virginia State Police; and (iii) assess the current and projected costs of the security requirements for election and voter data.

Patron - Sickles

FHJ703 Study; joint committee to study the streamlining of special elections in the Commonwealth; report. Establishes a joint committee of the House and Senate Committees on Privileges and Elections to study the streamlining of special elections in the Commonwealth. In conducting its study, the joint committee is to (i) review the current laws governing special elections, (ii) evaluate the costs borne in recent years by the localities to conduct special elections as compared to voter turnout at such elections, and (iii) consider options for a cohesive set of laws to govern special elections and for scheduling special elections, including the merits of establishing a uniform schedule. General registrars, members of local electoral boards, and other elections administrators will be invited to participate in the study.

Patron - Sickles

FHJ704 Study; Secretary of Natural Resources and Secretary of Education; environmental education; report. Requests that the Secretary of Natural Resources and the Secretary of Education convene and consult with a group of stakeholders to study the delivery of environmental education in the Commonwealth in light of the elimination of all staff positions within the Department of Conservation and Recreation's Office of Environmental Education and the elimination, transfer, and reduction of many of such office's functions.

Patron - Bulova

FHJ708 Study; Virginia State Crime Commission; hate crimes; report. Directs the Virginia State Crime Commission to study the prevalence of hate crimes in the Commonwealth and the adequacy of the current criminal Code provisions in addressing such offenses in comparison to the laws of other states across the nation.

Patron - Plum

FHJ709 Study; Secretary of Technology; interfacing of electronic medical records and information; report. Requests the Secretary of Technology to (i) study the development of an effective and efficient system that interfaces electronic medical records and information throughout the Commonwealth; (ii) identify strategies to implement such health care interface and the costs associated therewith; (iii) assess various testing strategies for the interface; (iv) recommend security and data standards for the interface; and (v) develop a systematic approach to interface operation, including developing, testing, implementing, and maintaining the interface.

Patron - Poindexter

FHJ711 Study; Virginia State Crime Commission; DNA data bank; report. Directs the Virginia State Crime Commission to study expanding the number of misdemeanor crimes that require the DNA of the person convicted to be included in Virginia's DNA data bank.

Patron - Toscano

FHJ719 Study; Department of Labor and Industry; violence against health care professionals in hospital emergency departments; report. Requests the Department of Labor and Industry to study violence against health care professionals in hospital emergency departments and (i) identify the causes of the current disproportionate levels of violence in hospital emergency departments; (ii) analyze whether increasing the penalties for violence against health care professionals in hospital emergency departments would lower the occurrence of violence in emergency departments; (iii) assess and make recommendations regarding the establishment of a system for reporting violent acts against health care professionals in hospital emergency departments and for training such health care professionals to identify and de-escalate situations that are likely to result in violent acts; (iv) identify whether the imposition of higher penalties for violence in emergency departments or the establishment of the aforementioned system for reporting and training would more effectively reduce violence against health care professionals in hospital emergency departments, or both; and (v) recommend other strategies that would help lower the occurrence of violence in hospital emergency departments in the Commonwealth.

Patron - Boysko

FHJ720 Study; Department of Behavioral Health and Developmental Services; placement of group homes, residential care facilities, and detention centers; report. Requests the Department of Behavioral Health and Developmental Services to (i) identify and make recommendations for the content and timing of notices that should be given prior to locating a group home, residential care facility, or detention center; (ii) make recommendations for improvements to public hearings that are required when a person seeks to establish a

group home, residential care facility, or detention center; (iii) assess the appropriateness of restrictive covenants that prohibit homeowners from using, or renting a dwelling for another to use, their premises to house one or more persons who may present a threat to the health or safety of other individuals in the neighborhood on the basis of a prior criminal conviction; (iv) make recommendations for appropriate restrictions on the location of group homes, residential care facilities, and detention centers; (v) identify staff-to-resident ratio requirements that should be imposed on group homes, residential care facilities, and detention centers that house one or more persons who have a prior record of civil or criminal mental health commitment on the basis of being a danger to themselves; and (vi) review and make recommendations to improve licensure and other regulatory requirements for group homes, residential care facilities, and detention centers.

Patron - Pogge

FHJ779 Study; Joint Commission on Health Care; impact of requiring community services boards to provide mental health services in jails; report. Directs the Joint Commission on Health Care to study the impact of requiring community services boards to provide mental health services in jails, including the benefits and costs of requiring community services boards to provide mental health services to inmates of jails in the Commonwealth and barriers to requiring community services boards to provide mental health services to inmates of jails in the Commonwealth, and to make recommendations as to whether community services boards should be required to provide mental health services to inmates in jails.

Patron - Holcomb

FHJ781 Study; JLARC; study of adequacy of foster care payment rates in the Commonwealth; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the adequacy of foster care payment rates in the Commonwealth. In conducting its study, JLARC shall (i) determine current foster care payment rates in the Commonwealth; (ii) determine the real cost to foster parents of caring for children in foster care; (iii) determine whether current foster care payment rates are adequate to cover the real cost of caring for children in foster care; (iv) if current foster care payment rates are insufficient to cover the real cost of caring for children in foster care in the Commonwealth, determine whether foster care payment rates would need to be increased to the amount identified by the Foster Care Minimum Adequate Rates for Children (Foster Care MARC) or some other amount to cover the real cost of caring for children in foster care in the Commonwealth; and (v) if it is determined that foster care payment rates would have to be increased to cover the real cost of caring for children in foster care in the Commonwealth, determine the fiscal impact of increasing foster care payment rates to cover the full cost of caring for children in foster care in the Commonwealth.

Patron - Robinson

FSB1007 Study; Departments of Behavioral Health and Developmental Services and Medical Assistance Services to study use of the Involuntary Mental Commitment Fund; report. Requires the Department of Behavioral Health and Developmental Services, in cooperation with the Department of Medical Assistance Services, to study the use of the

Involuntary Mental Commitment Fund, including (i) the potential use of the Involuntary Mental Commitment Fund to fund both involuntary temporary detention and voluntary treatment in a health care facility for the treatment of mental illness to reduce the use of involuntary treatment in the Commonwealth, (ii) the potential benefits of transferring management of the Involuntary Mental Commitment Fund from the Department of Medical Assistance Services to the Department of Behavioral Health and Developmental Services, and (iii) any other strategies for improving use of the funds in the Involuntary Mental Commitment Fund to improve access to mental health services in the Commonwealth. The Department of Behavioral Health and Developmental Services shall report its findings to the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century by November 1, 2017.

Patron - Hanger

[F]SJ229 Study; Virginia State Crime Commission; firearm registration; report. Directs the Virginia State Crime Commission to study the feasibility and costs of establishing a firearm registration program for firearms purchased in the Commonwealth, along with the potential efficacy of firearm registration in reducing firearm-related deaths and injuries.

Patron - Favola

[F]SJ234 Study; Virginia Department of Agriculture and Consumer Services to study spay-neuter programs in the Commonwealth; report. Requests the Department of Agriculture and Consumer Services to study the availability and effectiveness of spay-neuter programs in Commonwealth.

Patron - Stanley

[F]SJ242 Study; JLARC; free community college; report. Directs the Joint Legislative Audit and Review Commission to study the feasibility of providing Virginians the opportunity to attend comprehensive community college without paying tuition or fees.

Patron - Edwards

[F]SJ246 Study; inland port facility in the Roanoke Region and New River Valley; report. Requests the Secretary of Transportation to study the feasibility of an additional inland port facility in the Roanoke Region and New River Valley.

Patron - Edwards

[F]SJ247 Study; JLARC to review total compensation to employees of the Commonwealth; report. Directs the Joint Legislative and Audit Review Commission to study the total value of all forms of compensation provided to state employees, including cash compensation and the value of health care, retirement, leave, and other flexible benefits.

Patron - Ruff

[F]SJ248 Study; JLARC to study feasibility of allocating a larger portion of Virginia Lottery prize money to localities; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the feasibility of allocating a larger portion of Virginia Lottery prize money to localities. In its study, JLARC is directed to (i) review how the Virginia Lottery would be affected if prizes were reduced by up to five percent to provide a greater return to localities, (ii)

determine if operation costs could be reduced to provide an alternative way to return more money to localities, and (iii) review other related issues and make recommendations as appropriate.

Patron - Ruff

[F]SJ254 Study; State Council of Higher Education for Virginia; applied baccalaureate degrees at comprehensive community colleges; report. Requests that the State Council of Higher Education for Virginia study the feasibility and benefits of comprehensive community colleges offering applied baccalaureate degrees by analyzing and making recommendations on (i) the affordability of obtaining an applied baccalaureate degree at a comprehensive community college as compared to a baccalaureate public institution of higher education, including the extent to which obtaining an applied baccalaureate degree at a comprehensive community college would reduce college debt; (ii) the feasibility and benefits of higher education centers on comprehensive community college campuses; (iii) the feasibility and benefits of joint degree programs between comprehensive community colleges and baccalaureate public institutions of higher education that are offered on community college campuses; (iv) the feasibility and benefits of offering applied baccalaureate degrees in engineering and information technology at Danville Community College and Patrick Henry Community College; (v) applied baccalaureate degrees that could be offered at Danville Community College, Patrick Henry Community College, or other comprehensive community colleges in addition to applied baccalaureate degrees in engineering and information technology; and (vi) options for residents in rural parts of the Commonwealth to earn applied baccalaureate degrees.

Patron - Stanley

[F]SJ255 Study; Directs the Virginia State Crime Commission to study the feasibility and costs of establishing a comprehensive indigent defense system at the appellate level in the Commonwealth.

Patron - Dance

[F]SJ257 Study; Joint Commission on Health Care to study options for increasing the use of telemental health services in the Commonwealth; report. Directs the Joint Commission on Health Care to study options for increasing the use of telemental health services in the Commonwealth, including the issues and recommendations set forth in the report of the Telemental Health Work Group of the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century, and to report its findings to the Joint Subcommittee by November 1, 2017.

Patron - Hanger

[F]SJ266 Study; JLARC; staffing ratio requirements for assisted living facilities and special care units; report. Requests that the Joint Legislative Audit and Review Commission (i) identify and analyze current staff-to-resident ratio requirements for assisted living facilities and special care units and (ii) make recommendations for changes to such ratio requirements that would lead to better care and quality of life for residents, including recommendations regarding the total number and type of staff that (a) are required to meet the routine and special needs of all residents, (b) must be awake and

on duty during night shifts, and (c) should accompany residents on trips away from the assisted living facility or special care unit.

Patron - Dance

[E]SJ274 Study; JLARC; Department of Elections; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the Department of Elections. In conducting its study, JLARC is directed to (i) review the Department's operations and expenditures, including its organizational structure, compensation, staffing, productivity, and efficiency; (ii) review the operation and functionality of VERIS, the state's online voter registration system; (iii) evaluate the costs of the continuing operation and maintenance of VERIS and whether such costs could be reduced by contracting with an outside vendor; and (iv) review any other issues and make recommendations as appropriate.

Patron - Obenshain

[E]SJ278 Study; local government fiscal stress; report. Establishes a 15-member joint subcommittee to study local government fiscal stress. The two-year joint subcommittee shall review (i) the taxing authorities of local governments, including the disparity between city and county tax authority; (ii) local responsibilities for service delivery of state-mandated or high priority programs, (iii) causes of fiscal stress among local governments, (iv) the current state tax system, including the future of the car tax; and (v) potential financial incentives and other governmental reforms to encourage increased regional cooperation and consolidation of services.

Patron - Hanger

[E]SJ281 Study; long-term economic viability of working waterfronts; report. Requests the Virginia Economic Development Partnership to study the long-term economic viability of working waterfronts, including a projection of the economic viability of preserving waterfront locations for new and existing water-dependent uses, and restoring working waterfront structures.

Patron - Lewis

[E]SJ285 Study; Joint Commission on Health Care; sustainability of the Prescription Monitoring Program; report. Directs the Joint Commission on Health Care to study the sustainability of the Prescription Monitoring Program and identify potential funding sources for its future operation.

Patron - Carrico

[E]SJ289 Study; Virginia Conflict of Interest and Ethics Advisory Council; local government officers and employees; report. Directs the Virginia Conflict of Interest and Ethics Advisory Council to study the procedures for the filing and review of disclosure forms by local government officers and employees.

Patron - Ebbin

[E]SJ291 Study; Virginia State Crime Commission; decrease in driving a motor vehicle while intoxicated convictions; report. Directs the Virginia State Crime Commission

to study the causes of the decrease in convictions for driving a motor vehicle while intoxicated over the past five years.

Patron - Surovell

[E]SJ292 Study; SCHEV; financial reserves; report. Requests the State Council of Higher Education for Virginia to study the practice of maintaining financial reserves at baccalaureate public universities of higher education.

Patron - Surovell

[E]SJ296 Study; Joint Commission on Health Care; needs of older adults who are incarcerated or are being released from prison; report. Directs the Joint Commission on Health Care to (i) study the unique needs of older adults who are incarcerated within Virginia's prison system or are being released back into the community, including needs related to community services and supports, housing, case management, health care, including mental health, and employment; (ii) identify and examine the effectiveness of all existing state programs, services, and supports designed to help older adults released from prison in the Commonwealth secure necessary health care, housing, and employment; and (iii) recommend strategies or programs to ensure the safety and well-being of the growing number of older adults who are incarcerated within Virginia's prison system or are being released into the community in recognition of their unique needs.

Patron - Ebbin

Appendix A: Session Statistics

2017 SESSION STATISTICS

	Continued	Introduced	Passed	Failed
House Bills	115	1086	515	686
House Joint Resolutions	3	551	443	111
House Resolutions	1	210	208	3
House Total	119	1847	1166	800
Senate Bills	105	813	365	553
Senate Joint Resolutions	18	232	178	72
Senate Resolutions	0	67	64	3
Senate Total	123	1112	607	628
General Assembly Total	242	2959	1773	1428

Appendix B: 2017 SESSION HIGHLIGHTS

The *2017 Session Highlights* summarizes significant legislation considered by the 2017 Session of the General Assembly as selected by the staff of the Virginia Division of Legislative Services. The brief overview of the 2017 Session covers legislative actions through sine die on Saturday, February 25, 2017. Bills are 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.

Agriculture/Natural Resources

Passed

HB 2383/SB 898 Department of Environmental Quality (DEQ); combined sewer overflow (CSO) outfalls; Chesapeake Bay Watershed. Directs DEQ to identify the owner of any combined sewer overflow outfall that discharges into the Chesapeake Bay Watershed and to determine what actions by the owner, if it is not under a state order, are necessary to bring the outfall into compliance with Virginia law, the federal Clean Water Act, and the Presumption Approach described in the CSO Control Policy of the U.S. Environmental Protection Agency (EPA). The bill requires any owner of such an outfall to initiate construction activities by July 1, 2023, to bring it into compliance by July 1, 2025. Until compliance is achieved, the bill requires the outfall owner to annually report its progress to DEQ. The bill requires DEQ to provide all such reports to certain legislative committees, the Virginia delegation to the Chesapeake Bay Commission, the Secretary of Natural Resources, and the Governor. The bill does not apply to any outfall for which a higher level of control is necessary to comply with a Total Maximum Daily Load.

SB 1195 Produce safety; farm inspections; civil penalty. Prohibits certain farms from violating the federal regulations that set minimum standards for the safe growing, harvesting, packing, and holding of fruits and vegetables. The bill authorizes the Board of Agriculture and Consumer Services to adopt regulations to carry out the purposes of the law and gives the Commissioner of Agriculture and Consumer Services free access at reasonable hours to certain farms to inspect the farms and take samples. The Commissioner also is authorized to seize certain produce if he believes it is being grown, kept, or exposed for sale or held in violation of federal regulations or state law, and the bill provides a court process by which the seizure may be contested. The bill authorizes the Board to levy a civil penalty of up to \$1,000 per violation, to be deposited in

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the Virginia Natural Resources Commitment Fund. The bill includes provisions that would cause it to expire upon the repeal of the relevant federal law, the granting of an exemption under such federal law, or the cessation of federal funding.

SB 1398 Coal combustion residuals unit; closure permit; assessments required. Requires the owner or operator of a coal combustion residuals unit (CCR unit) to identify water pollution and address corrective measures to resolve it, evaluate the clean closure of the CCR unit by recycling the ash for use in cement or moving it to a landfill, and demonstrate the long-term safety of the CCR unit. The bill requires the owner or operator of each CCR unit to transmit a report on its progress to the Department of Environmental Quality (DEQ) and other agencies or legislative committees by January 1, 2018. The bill prohibits the Director of DEQ from delaying the issuance of a permit to close any CCR unit pending the completion of the assessment.

Failed

HB 1900 Dogs running at large; civil penalty. Prohibits dog owners from allowing dogs to run at large on the property of another after the landowner has given notice to the dog owner to keep the dog off of the property. The bill provides for a civil penalty of \$100 per dog, enforced by animal control, conservation police, and other law-enforcement officers for each violation. Notice may be given verbally, in writing, with signs, or with blue tree markings.

Business

Passed

HB 1760/SB 1418 Electric utilities; costs of pumped hydroelectricity generation and storage facilities. Authorizes an investor-owned electric utility to petition the State Corporation Commission for approval of a rate adjustment clause for recovery of the costs of one or more pumped hydroelectricity generation and storage facilities that utilize associated on-site or off-site renewable energy resources as all or a portion of their power source and such facilities and associated resources are located in the coalfield region of the Commonwealth. The measure provides that the requirement that a utility demonstrate that it has considered and weighed alternative options, including third-party market

alternatives, in its selection process applies only to a generation facility that is described in clauses (i) and (ii) of subdivision A 6 of § 56-585.1.

HB 1825/SB 1425 Rights to resell tickets; civil penalty. Prohibits any person that issues tickets for admission to a professional concert, professional sporting event, or professional theatrical production, open to the public for which tickets are ordinarily sold, from issuing the ticket solely through a delivery method that substantially prevents the ticket purchaser from lawfully reselling the ticket on the Internet ticketing platform of the ticket purchaser's choice. The measure also prohibits a person from being discriminated against or denied admission to an event solely on the basis that the person resold a ticket, or purchased a resold ticket, on a specific Internet ticketing platform. A person violating these prohibitions is subject to a civil penalty of not less than \$1,000 nor more than \$5,000.

HB 2267 Health benefit plans; coverage for hormonal contraceptives. Requires any health benefit plan that is amended, renewed, or delivered on or after January 1, 2018, that provides coverage for hormonal contraceptives to cover up to a 12-month supply of hormonal contraceptives when dispensed or furnished at one time for a covered person or at a location licensed or otherwise authorized to dispense drugs or supplies. Such a plan is prohibited, in the absence of clinical contraindications, from imposing utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished by a provider or pharmacy, or at a location licensed or otherwise authorized to dispense drugs or supplies, to an amount that is less than a 12-month supply. The measure does not require a provider to prescribe, furnish, or dispense 12 months of self-administered hormonal contraceptives at one time. The measure also provides that it shall not be construed to exclude coverage for hormonal contraceptives as prescribed by a provider for reasons other than contraceptive purposes, such as decreasing the risk of ovarian cancer or eliminating symptoms of menopause, or for contraception that is necessary to preserve the life or health of an enrollee.

Failed

SB 1053 Qualified education loan servicers. Prohibits any person from acting as a qualified education loan servicer without first obtaining a license from the State Corporation Commission and establishes procedures pertaining to such licenses. Banks and credit unions are exempt from the licensing provisions. The servicing of a qualified education loan encompasses (i) receiving any scheduled periodic payments from a qualified education loan borrower pursuant to the terms of a qualified education loan; (ii) applying the payments of principal and interest and such other payments with respect to the amounts received from a qualified education loan borrower, as may be required pursuant to the terms of a qualified education loan; and (iii) performing other administrative services with respect to a qualified education loan. Qualified education loan servicers are prohibited from, among other things, (a) misrepresenting the amount, nature, or terms of any fee or payment due or claimed to be due on a qualified education loan, the terms and conditions of the loan agreement, or the borrower's obligations under the loan; (b) knowingly misapplying or recklessly applying qualified education loan payments to the outstanding balance of a qualified education loan; and (c) failing to report both the favorable and unfavorable payment history of the borrower to a nationally recognized consumer credit bureau at least annually if the loan servicer regularly reports information to such a credit bureau. Violations are subject to a civil penalty not exceeding \$2,500. The bill has a delayed effective date of July 1, 2018.

Constitutional Amendments

Failed

SJ 223 Constitutional amendment (first resolution); qualification of voters and executive clemency. Amends the authority of the Governor to remove the political disabilities of persons convicted of felonies, thus restoring their civil rights. The resolution requires the Governor to automatically remove the political disabilities of a person convicted of a felony, other than a violent felony, who has completed service of his sentence and any modification of that sentence, and has met any other conditions that may be set by the General Assembly. The Governor retains the discretion to

remove the political disabilities of persons convicted of violent felonies. A person convicted of a violent felony shall become eligible for the removal of his political disabilities once he has completed (i) the payment in full of any restitution, fines, costs, and fees assessed against him as a result of his conviction and (ii) service of his sentence and any modification of that sentence, including any period or condition of probation, parole, or suspension of sentence, and at least five years have passed since he completed such payment and service of sentence without any new felony convictions or any misdemeanor convictions involving moral turpitude.

Courts/Civil Law

Passed

HB 1608/SB 903 Uniform Fiduciary Access to Digital Assets Act. Creates the Uniform Fiduciary Access to Digital Assets Act. The bill allows fiduciaries to manage digital property such as computer files, web domains, and virtual currency and restricts a fiduciary's access to electronic communications such as email, text messages, and social media accounts unless the original user consented to such access in a will, trust, power of attorney, or other record. The bill repeals the Privacy Expectation Afterlife and Choices Act, which was enacted in 2015.

HB 1941/SB 1413 Immunity of persons; defamation; statements regarding matters of public concern communicated to a third party; statements made at a public hearing. Adds defamation to the causes of action from which a citizen shall be immune when making statements (i) regarding matters of public concern to a third party or (ii) at a public hearing before the governing body of any locality or other political subdivision, or the boards, commissions, agencies, and authorities thereof, and other governing bodies of any local governmental entity. The bill further provides that the immunity does not apply to any statements made with actual or constructive knowledge that they are false, or with reckless disregard for whether they are false.

HB 2289 Award of life insurance upon divorce or dissolution of marriage. Provides that where an order for spousal support or separate maintenance has been entered by the court, the court may order a party to maintain an existing life insurance policy, designate the other party as beneficiary, allocate the premium cost of

life insurance between the parties, and order the insured party to facilitate the provision of certain information from the insurer to the beneficiary. The bill sets out factors to be considered by the court when making such an award and provides that the obligation to maintain a life insurance policy ceases upon the termination of the party's obligation to pay spousal support or separate maintenance. As introduced, the bill was a recommendation of the Boyd-Graves Conference.

Failed

SB 814 Services of summons for witness or subpoena duces tecum on foreign business entities. Allows the court to enforce compliance with a summons for witness or a subpoena duces tecum served on the registered agent of a foreign business entity registered with the State Corporation Commission to transact business in the Commonwealth, regardless of whether the foreign business entity is a party to the underlying case. This bill is in response to the Supreme Court of Virginia decision in *Yelp, Inc. v. Hadeed Carpet Cleaning, Inc.*, Record No. 140242, 770 S.E.2d 440 (2015) and is a recommendation of the Boyd-Graves Conference.

Courts/Criminal Justice

Passed

HB 1852/SB 1299 Carrying concealed handguns; protective orders. Authorizes any person 21 years of age or older who is not prohibited from purchasing, possessing, or transporting a firearm and is protected by an unexpired protective order to carry a concealed handgun for 45 days after the protective order was issued. The bill provides that if the person issued the protective order applies for a concealed handgun permit during such 45-day period, such person will be authorized to carry a concealed handgun for an additional 45 days and be given a copy of the certified application, which shall serve as a de facto concealed handgun permit. The bill requires such person to have the order or certified application and photo identification on his person when carrying a concealed handgun and to display them upon demand by a law-enforcement officer; failure to do so is punishable by a \$25 civil penalty.

HB 2051/SB 1091 Driver's license; marijuana possession. Revises the existing provision that a person

loses his driver's license for six months when convicted of or placed on deferred disposition for a drug offense to provide that the provision does not apply to deferred disposition of simple possession of marijuana. The exception applies only to adults; juveniles will still be subject to license suspension. The bill provides that a court retains the discretion to suspend or revoke the driver's license of a person placed on deferred disposition for simple possession of marijuana and must suspend or revoke for six months the driver's license of such person who was operating a motor vehicle at the time of the offense. The bill also requires that such a person whose driver's license is not suspended or revoked perform 50 hours of community service in addition to any community service ordered as part of the deferred disposition. The provisions of the bill are contingent upon written assurance from the U.S. Department of Transportation that Virginia will not lose any federal funds as a result of implementation of the bill.

HB 2240 Crime victim's right to nondisclosure of certain information; murder. Requires that written consent provided by the victim's next of kin to law enforcement is necessary, if the victim is a minor, before a law-enforcement agency may disclose any information that identifies the victim of a crime that resulted in the victim's death.

HB 2327 DUI; implied consent; refusal of blood or breath tests. Eliminates the criminal penalties for refusing to submit to a blood test to determine the alcohol or drug content of a defendant's blood upon arrest for a DUI-related offense under the law on implied consent. The bill also increases to a Class 1 misdemeanor the criminal penalty for refusing to submit to a breath test under the law on implied consent for an offense committed within 10 years of a prior offense of refusal or of another DUI-related offense. The bill also extends to blood tests performed by the Department of Forensic Science pursuant to a search warrant the rebuttable presumption that a person is intoxicated based on the person's blood alcohol level demonstrated by such tests. The bill also provides that an application for a search warrant to perform a blood test on a person suspected of committing a DUI-related offense shall be given priority over other matters pending before the judge or magistrate. Finally, the bill establishes a rebuttable presumption applicable in a civil case for

punitive damages for injuries caused by an intoxicated driver that a person who has consumed alcohol knew or should have known that his ability to drive was or would be impaired by such consumption. This bill is in response to the U.S. Supreme Court decision in *Birchfield v. North Dakota*, 136 S. Ct. 2160 (2016).

HB 2350 Use of electronic device to trespass; peeping into dwelling or occupied building; penalty. Punishes as a Class 1 misdemeanor the use of an electronic device to enter the property of another to secretly or furtively peep or spy or attempt to peep or spy into a dwelling or occupied building located on such property, unless such use occurs pursuant to a lawful criminal investigation.

HB 2410/SB 1154 Providing support to terrorist organizations; penalty. Provides that any person who knowingly provides any material support to an individual or organization whose primary objective is to commit an act of terrorism and does so with the intent to further such objective is guilty of a Class 3 felony. If the provision of such material support results in the death of any person, the penalty is increased to a Class 2 felony. The bill also expands the definition of an act of terrorism to include an act committed outside the Commonwealth that would meet the definition of an act of violence if such act was committed within the Commonwealth.

SB 1060 Female genital mutilation; criminal penalty and civil action. Makes it a Class 1 misdemeanor for any person to knowingly circumcise, excise, or infibulate the labia major, labia minora, or clitoris of a minor. The bill makes it a Class 1 misdemeanor for any parent, guardian, or other person responsible for the care of a minor to consent to such circumcision, excision, or infibulation. The bill also makes it a Class 1 misdemeanor for any parent, guardian, or other person responsible for the care of a minor to knowingly remove or cause or permit the removal of such minor from the Commonwealth for the purposes of performing such circumcision, excision, or infibulation. The bill also provides a civil cause of action for any person injured by such circumcision, excision, or infibulation. The bill also provides that any of these offenses shall be a separate and distinct offense and shall not preclude prosecution under any other statute.

Failed

HB 1834 Distracted driving; penalty. Expands the prohibition on manually entering multiple letters or text in a handheld communications device while operating a motor vehicle to also prohibit the manual selection of multiple icons and removes the condition that such manual entry is prohibited only if performed as a means of communicating with another person. The bill prohibits the operator of a motor vehicle from reading any information displayed on the device; current law prohibits reading an email or text message. The bill provides that this prohibition does not apply to reading any information displayed through the use of a global positioning system for the purposes of navigation. The bill eliminates the current exemption from the prohibition on using a handheld personal communications device while operating a motor vehicle when the vehicle is stopped or not moving; the current exemption from the prohibition when the vehicle is parked is not affected.

SB 796 Expungement of certain charges and convictions. Allows a person to petition for expungement of convictions and deferred disposition dismissals for marijuana possession, underage alcohol possession, and using a false ID to obtain alcohol when the offense occurred prior to the person's twenty-first birthday, all court costs, fines, and restitution have been paid, and five years have elapsed since the date of completion of all terms of sentencing and probation.

Education

Passed

HB 1400/SB 1240 Virginia Virtual School established. Establishes the Board of the Virginia Virtual School (the Board) as a policy agency in the executive branch of state government for the purpose of governing the full-time virtual school programs offered to students enrolled in the Virginia Virtual School (the School). The Secretary of Education is responsible for such agency. The 14-member Board is given operational control of the School and assigned powers and duties. Beginning with the 2019-2020 school year, the bill requires the School to be open to any school-age person in the Commonwealth and to provide an educational program meeting the Standards of Quality for grades kindergarten through 12, with a maximum enrollment of 5,000 students statewide. The

bill requires the average state share of Standards of Quality per pupil funding for each enrolled student to be transferred to the School.

HB 1402/SB 907 Governing boards of public institutions of higher education; leadership; residency. Requires the president or any one of the vice presidents of the board of visitors of Virginia Military Institute, the chairman or the vice-chairman of the State Board, and the rector or vice-rector of the governing board of each other public institution of higher education to be a resident of the Commonwealth.

HB 1605 Parental Choice Education Savings Accounts established. Permits the parent of a public preschool, elementary, or secondary school student to apply to the school division in which the student resides for a one-year, renewable Parental Choice Education Savings Account that consists of an amount that is equivalent to a certain percentage of all applicable annual Standards of Quality per pupil state funds appropriated for public school purposes and apportioned to the resident school division in which the student resides, including the per pupil share of state sales tax funding in basic aid and any state per pupil share of special education funding to which the student is eligible. The bill permits the parent to use the moneys in such account for certain education-related expenses of the student, including tuition, deposits, fees, and required textbooks at a private, sectarian or nonsectarian elementary or secondary school or preschool that is located in the Commonwealth and does not discriminate on the basis of race, color, or national origin. The bill also contains provisions relating to auditing, rescinding, and reviewing expenses made from such accounts.

HB 2262 Online Virginia Network Authority established. Establishes the Online Virginia Network Authority (the Authority) as a political subdivision of the Commonwealth for the purpose of establishing the Online Virginia Network to coordinate the online delivery of courses that facilitate the completion of degrees at George Mason University and Old Dominion University. The bill requires the Authority to be governed by a 15-member board, sets forth several duties of the Authority, and grants the Authority operational flexibility in the areas of procurement and information technology, provided that the Authority adopts and complies with certain policies.

HB 2342/SB 1283 Public schools; regional charter school divisions. Authorizes the Board of Education (the Board) to establish regional charter school divisions consisting of at least two but not more than three existing school divisions in regions in which each underlying school division has an enrollment of more than 3,000 students and one or more schools that have accreditation denied status for two out of the past three years. The bill requires such regional charter school divisions to be supervised by a school board that consists of eight members appointed by the Board and one member appointed by the localities of each of the underlying divisions. The bill authorizes the school board, after a review by the Board, to review and approve public charter school applications in the regional charter school divisions and to contract with the applicant. The bill requires that the state share of Standards of Quality per pupil funding of the underlying school district in which the student resides be transferred to such school.

SB 1234 Public institutions of higher education; passport credit program. Requires the State Council of Higher Education for Virginia (the Council) and each public institution of higher education to develop a passport credit program that will be offered at each associate-degree-granting public institution of higher education. Under the program, each passport credit course shall satisfy a lower division general education requirement at any public institution of higher education. The bill requires the Council to develop such program by July 1, 2020, and each associate-degree-granting public institution of higher education to offer such program by the 2020-2021 academic year.

Failed

HB 1534 Student discipline; long-term suspension. Reduces the maximum length of a long-term suspension from 364 calendar days to 90 school days. The bill prohibits a long-term suspension from extending beyond any 45 school day period unless the school principal or division superintendent finds that aggravating circumstances exist, as defined by the local school board. The bill requires that the length of any long-term suspension that extends beyond any 45 school day period shall be reviewed at the end of each such period.

HB 1536 Public schools; student discipline. Prohibits students in preschool through grade three from being suspended for more than five school days or expelled

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except for drug offenses, firearm offenses, or certain criminal acts.

SB 987 Higher education; in-state tuition. Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds the annual percentage increase, as determined by the State Council of Higher Education for Virginia, of the median household income in the Commonwealth established by the U.S. Department of Housing and Urban Development, of the calendar year immediately preceding the affected year.

General Laws

Passed

HB 1623/SB 991 Residential rental property. Provides that the foreclosure of a residential rental property shall act as a termination of the rental agreement by the owner of such property. In such case, the tenant may remain in possession of such dwelling unit as a month-to-month tenant on the terms of the terminated rental agreement until the successor owner gives a notice of termination of such month-to-month tenancy. The bill also provides how rental payments may be made during the period of the month-to-month tenancy. In addition, the bill requires a current owner of rental property who has entered into a written property management agreement with a managing agent and who has subsequently entered into a purchase agreement with a new owner to give written notice to the managing agent requesting payment of security deposits to the current owner prior to settlement with the new owner. The bill requires the managing agent to transfer the security deposits to the current owner and provide written notice to each tenant that his security deposit has been transferred.

HB 1842 Alcoholic beverage control; neutral grain spirits or alcohol sold at government stores; proof. Increases from 101 to 151 the proof of neutral grain spirits or alcohol that is without distinctive character, aroma, taste, or color that may be sold at government stores. The bill has an expiration date of July 1, 2022.

HB 1854/SB 1312 Lobbyist reporting, the State and Local Government Conflict of Interests Act, and the General Assembly Conflicts of Interests Act; filing of required disclosures; registration of lobbyists;

candidate filings; judges; definition of gift; informal advice; civil penalties; technical amendments. Makes numerous changes to the laws governing lobbyist reporting, the conflict of interest acts, and the Virginia Conflict of Interest and Ethics Advisory Council (the Council), including (i) allowing the Secretary of the Commonwealth to suspend any penalty that could be assessed against a lobbyist's principal for failing to file the required disclosure if such failure is beyond the control of the principal; (ii) clarifying the procedures for terminating the services of a lobbyist; (iii) requiring that lobbyist registration forms be filed electronically; (iv) eliminating the requirement that a lobbyist list the names, addresses, and telephone numbers of all other lobbyists representing the same principal; (v) creating a separate statement for a lobbyist's principal to waive the principal signature requirement on the lobbyist disclosure form; (vi) granting the clerk of the local governing body or school board the same power as the Council to redact from any disclosure form released to the public any residential address, personal telephone number, or signature; (vii) eliminating the minimum duration of the mandatory refresher ethics orientation session for General Assembly members; (viii) allowing written informal advice from the Council to confer immunity from prosecution upon individuals acting in accordance with such advice; (ix) clarifying the Council's authority to grant extensions from the filing deadline and imposing a \$250 civil penalty on agency heads or local clerks who fail to provide the disclosure forms to filers in a timely manner; (x) requiring lobbyists to provide a report of gifts made during a regular session of the General Assembly no later than three weeks after adjournment to legislators and certain executive branch officials who are required to file a session gift report; and (xi) directing that candidates for statewide office and the General Assembly are required to file a disclosure form with the State Board of Elections and candidates for a constitutional office are required to file a disclosure form with the local general registrar. The bill also extends the filing deadline for disclosure forms from January 15 to February 1 and clarifies the reporting period covered by the disclosure forms. The bill eliminates events open to individuals who share a common interest from the definition of a "widely attended event," attendance at which is not subject to the gift cap. The bill also exempts from the definition of a "gift" (a) gifts from a person's child-in-law; (b) gifts related to a person's volunteer service; (c) meals provided for attendance at an official

meeting of the Commonwealth, its political subdivisions, or certain other entities; and (d) attendance at a reception or similar function. The bill also exempts members of the judiciary from certain provisions governing prohibited gifts and prohibited personal interests in a transaction where such members are already subject to similar or greater prohibitions under the Canons of Judicial Conduct for the State of Virginia. The bill also clarifies that a legislator may have a personal interest in a contract with a government agency, not including a legislative branch agency, when the Virginia Public Procurement Act allows the award of such contract without competition. The bill further clarifies the exceptions that allow state and local officers and employees who have a personal interest in a transaction to participate in the transaction.

HB 1979/SB 1193 Board for Contractors; exemption from licensure; responsibility for contracting with unlicensed or unregistered person. Exempts from licensure work undertaken by a person providing construction, remodeling, repair, improvement, removal, or demolition valued at \$2,500 or less per project on behalf of a properly licensed contractor, provided that such contractor holds a valid license in the residential or commercial building contractor classification. The bill provides, however, that any construction services that require an individual license or certification shall be rendered only by an individual licensed or certified by the Board for Contractors. The bill also provides that any contractor that directly employs or otherwise contracts with a person who is not credentialed by the Board for Contractors for work requiring a credential shall be solely responsible for any monetary penalty or other sanction resulting from the act of employing or contracting with a person who lacks the proper credential based upon such person's failure to obtain or maintain the required credential.

HB 2359/SB 1287 Virginia Alcoholic Beverage Control (ABC) Authority. Changes the effective date for the creation of the ABC Authority from July 1, 2018, to January 15, 2018. The bill creates a transition period from January 15, 2018, until December 31, 2018, during which time the current Department of Alcoholic Beverage Control will coexist with the ABC Authority to facilitate an orderly and efficient transition and to ensure the continuation of operations during the transition. The bill provides that during the transition period the current

ABC Board will be the Board of Directors of the ABC Authority. The bill grants to the ABC Authority the authority to implement and maintain independent payroll and nonpayroll disbursement systems, which are subject to review and approval by the State Comptroller and which include travel reimbursements, revenue refunds, disbursements for vendor payments, petty cash, and interagency payments. The bill also (i) streamlines the suspension and revocation process to encourage settlement of cases before reaching the appeal level to the Board of Directors, (ii) exempts the ABC Authority from mandatory procurement provisions, and (iii) authorizes the Board of Directors to delegate or assign to any officer or employee of the ABC Authority any duties or tasks required to be performed by the ABC Authority, but provides that the Board of Directors remains responsible for the performance of any such duties or tasks.

SB 1261 Official emblems and designations; George Washington's rye whiskey; state spirit. Designates George Washington's rye whiskey produced at Mount Vernon, Virginia, as the state spirit.

SB 1578 Short-term rental of property. Authorizes a locality to adopt an ordinance requiring the registration of persons offering property for short-term rental. The bill defines "short-term rental" as the provision of a room or space suitable for sleeping or lodging for less than 30 consecutive days. Persons and entities already licensed or registered related to the rental or management of property by the Department of Health, the Real Estate Board, the Virginia Real Estate Time-Share Act, or a locality would not be required to register. The bill authorizes localities to impose penalties not to exceed \$500 per violation on persons who violate the registry ordinance. The bill amends the Alcoholic Beverage Control (ABC) Act to clarify that certain property rented on a short-term basis is considered a bed and breakfast establishment for purposes of ABC licensing and that the exception from ABC licensing for serving alcoholic beverages to guests in a residence does not apply if the guest is a short-term lessee of the residence.

Health

Passed

HB 1549/SB 1005 Community services boards and behavioral health authorities; services to be provided. Provides that the core of services provided by community services boards and behavioral health authorities shall include, effective July 1, 2019, same-day access to mental health screening services and outpatient primary care screening and monitoring services for physical health indicators and health risks and follow-up services for individuals identified as being in need of assistance with overcoming barriers to accessing primary health services. The bill also provides that, effective July 1, 2021, the core of services provided by community services boards and behavioral health authorities shall include crisis services for individuals with mental health or substance use disorders, outpatient mental health and substance abuse services, psychiatric rehabilitation services, peer support and family support services, mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility, care coordination services, and case management services. The bill also requires the Department of Behavioral Health and Developmental Services to report annually regarding progress in the implementation of this act.

HB 1885/SB 1232 Limits on prescription of controlled substances containing opioids. Requires a prescriber registered with the Prescription Monitoring Program (the Program) to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than seven consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of treatment for a surgical or invasive procedure and such prescription is for no more than 14 consecutive days. The bill extends the sunset for this requirement from July 1, 2019, to July 1, 2022.

SB 1230 Opiate prescriptions; electronic prescriptions. Requires a prescription for any controlled substance containing an opiate to be issued as an electronic prescription and prohibits a pharmacist from

dispensing a controlled substance that contains an opiate unless the prescription is issued as an electronic prescription, beginning July 1, 2020. The bill defines electronic prescription as a written prescription that is generated on an electronic application in accordance with federal regulations and is transmitted to a pharmacy as an electronic data file. The bill requires the Secretary of Health and Human Resources to convene a work group of interested stakeholders to review actions necessary for the implementation of the bill's provisions, to evaluate hardships on prescribers and the inability of prescribers to comply with the deadline for electronic prescribing, and to make recommendations for any extension or exemption processes relative to compliance or disruptions due to natural or manmade disasters or technology gaps, failures, or interruptions of services.

Failed

HB 1533 Required immunizations; meningococcal conjugate. Requires the Board of Health to include in regulations governing the immunization of school children a requirement for one dose of meningococcal conjugate (MCV4) administered before the child enters the sixth grade. The bill has a delayed effective date of July 1, 2018.

HB 1563 Regulations governing hospitals; facilities performing abortions. Removes language classifying facilities that perform five or more first trimester abortions per month as hospitals for the purpose of complying with regulations establishing minimum standards for hospitals.

Prisons/Corrections

Passed

SB 1063 State Board of Corrections; membership; powers and duties; review of death of inmates in local correctional facilities. Authorizes the State Board of Corrections (the Board) to conduct a review of the death of any inmate in a local or regional correctional facility in order to determine the circumstances surrounding the inmate's death and whether the facility was in compliance with the Board's regulations. The bill requires the Board to develop and implement policies and procedures for the review of the death of any inmate that occurs in any local or regional correctional facility. The bill provides that the Board (i) may request the

Department of Corrections to conduct a death review if the Board determines that it cannot adequately conduct such review because the Board is already in the process of conducting another review and (ii) shall request the Office of the State Inspector General to review the operation of any entity other than a correctional facility if such review is necessary to complete the death review. Finally, the bill also specifies requisite qualifications for individuals appointed to the Board.

Privileges and Elections

Passed

HB 1912 Absentee voting; eligibility of persons granted protective order. Entitles a person to vote absentee if the person has been granted a protective order issued by or under the authority of any court of competent jurisdiction.

HB 2364/SB 1487 Public officers; automatic suspension upon conviction of felony. Provides that any officer who is convicted of a felony under the laws of any state or the United States shall be automatically suspended upon such conviction, regardless of any appeals, pleadings, delays, or motions. The bill contains an emergency clause.

Failed

HB 1598 Voter registration; proof of citizenship required to register to vote in certain elections. Requires persons applying to register to vote to provide proof of United States citizenship in a form enumerated in the bill. An applicant who does not provide such proof of citizenship shall be registered to vote in federal elections only. An applicant who does provide such proof of citizenship shall be registered to vote in federal, state, and local elections. The bill directs the general registrars to indicate on each registered voter's registration record whether such voter is registered to vote in federal, state, and local elections or in federal elections only.

Social Services

Passed

HB 1568/SB 897 Child care providers; criminal history background check; penalty. Requires the

following individuals to undergo a fingerprint-based national criminal history background check: (i) applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any licensed family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, or family day home approved by a family day system; (ii) applicants for licensure as a family day system, registration as a family day home, or approval as a family day home by a family day system, as well as their agents and any adult living in such family day home; and (iii) individuals who apply for or enter into a contract with the Department of Social Services under which a child day center, family day home, or child day program will provide child care services funded by the Child Care and Development Block Grant, as well as the applicant's current or prospective employees and volunteers, agents, and any adult living in the child day center or family day home. The bill also mandates that all background checks required pursuant to §§ 63.2-1720.1 and 63.2-1721.1 be completed by September 30, 2017, or by the date specified on any federal waiver obtained by the Commonwealth, and every five years thereafter. The bill has an expiration date of July 1, 2018. The bill further provides that if any provision of the federal Child Care and Development Block Grant Act of 2014 establishing a corresponding requirement is repealed prior to July 1, 2018, the provision of the bill establishing such requirement shall expire upon the date of such repeal.

HB 1922/SB 1462 Financial exploitation of adults; reporting to local law enforcement. Clarifies that all cases involving suspected financial exploitation of an adult shall be immediately referred to a local law-enforcement agency for investigation. The bill directs local law-enforcement agencies to provide a preferred point of contact for referrals.

HB 2002 Department of Social Services; refugee and immigrant resettlements; report. Requires nonprofit resettlement agencies and their local affiliates that provide refugee or other immigrant resettlement services in the Commonwealth to annually report to the Department of Social Services nonidentifying information regarding (i) the total number of individuals resettled in Virginia by such nonprofit resettlement agency or affiliate; (ii) the locality in which each individual was placed; (iii) the age, gender, and national

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origin of each individual; and (iv) whether each individual was placed through the U.S. Refugee Resettlement Program and, if so, the eligibility status of such individuals. This bill was vetoed by the Governor.

SB 1008 Criminal history records checks; barrier crimes. Clarifies the individual crimes that constitute a barrier for (i) individuals seeking employment 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; (ii) applicants for licensure, registration, or approval as assisted living facilities, child welfare agencies, or family day homes approved by family day systems; (iii) 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; (iv) foster and adoptive homes seeking approval from child-placing agencies; and (v) providers of adult services and adult foster care seeking approval by the Department of Social Services. The bill also adds certain offenses to the list of barrier crimes.

SB 1239 Child day programs; exemptions from licensure. Repeals requirements that child day centers operated by religious institutions must comply with in order to be exempt from licensure, including the requirements that such child day centers (i) be inspected by the local health department and fire marshal for basic health and safety requirements; (ii) abide by specified staff-to-child ratios; (iii) are staffed by persons who are at least 16 years of age and are supervised if less than 18 years of age; (iv) require staff members in supervisory positions to be certified by a physician to be free from any disability that would prevent them from caring for children; (v) provide certain disclosures to parents and the general public; (vi) establish and implement procedures for hand washing, intake and dismissal, daily health screenings and exclusion of sick children, ensuring children are in compliance with immunization requirements, keeping the premises free of obvious injury hazards, and ensuring that all staff members are able to recognize signs of child abuse and neglect. The bill removes certain programs from the list of child day programs exempt from licensure and clarifies that such

programs are not considered child day programs and therefore are not subject to licensure. The bill also modifies the terms of certain child day programs that remain listed as exempt from licensure, including religious-exempt programs, and requires that such programs (i) file with the Commissioner of Social Services (the Commissioner) a statement indicating the intent to operate a child day program, identifying the Code provision relied upon for exemption from licensure, and certifying that the program has disclosed to all the parents the fact that it is exempt from licensure; (ii) report all incidents involving serious injury or death to children attending the program; (iii) have a person trained and certified in first aid and cardiopulmonary resuscitation (CPR) present; (iv) comply with background check requirements; (v) maintain daily attendance records; (vi) have an emergency preparedness plan in place; (vii) comply with all applicable laws governing transportation of children; (viii) comply with certain safe sleep practices for infants; and (ix) post in a visible location notice that the program is exempt from licensure. The bill adds to the list of child day programs exempt from licensure programs offered by local school divisions, operated for no more than four hours per day, staffed by local school division employees, and attended by school-age children who are enrolled in public school within such school division. The bill directs the Commissioner to establish a process to inspect child day programs exempt from licensure and a process to gather and track aggregate data regarding child injuries and deaths that occur at such child day programs. The bill has a delayed effective date of July 1, 2018, except for the provisions related to religious-exempt child day programs and certain directives to the Commissioner, which shall become effective July 1, 2017.

Failed

HB 2041/SB 838 Virginia Community College System; Temporary Assistance for Needy Families Scholarship Pilot Program. Directs the Virginia Community College System (VCCS) to establish a three-year Temporary Assistance for Needy Families (TANF) Scholarship Pilot Program (the Program) for the purpose of providing access to postsecondary educational opportunities to students living in poverty. The Program would provide scholarships to select community colleges in the amount of \$4,000 per year, to

be applied toward the costs of tuition and books, to 200 selected students who meet TANF eligibility requirements. The Program would be funded with federal TANF block grant funds.

Taxation

Passed

HB 1884 Real property tax exemption; certain surviving spouses. Authorizes localities to exempt the primary residence of the surviving spouse of a law-enforcement officer, firefighter, search and rescue personnel, and emergency medical services personnel who is killed in the line of duty. The exemption does not apply to that portion of the value of the residence in excess of the average assessed value of dwellings in the locality. The bill is pursuant to Article X, Section 6-B of the Constitution of Virginia, which was adopted by the voters in 2016.

HB 1913/SB 1390 Purchase of cigarettes for resale; penalties. Implements measures to reduce cigarette trafficking by creating a new requirement that purchasers of cigarettes for resale must apply for a special cigarette exemption certificate from the Department of Taxation in order to not be liable for the payment of sales tax at the time of purchase. The bill sets forth numerous requirements that a taxpayer must meet in order to qualify for a cigarette exemption certificate and establishes processes and procedures for the application, renewal, denial, and revocation of the certificates. The bill creates new recordkeeping requirements for the sale or distribution of any quantity of cigarettes in excess of 50 cartons, or with a value greater than \$10,000 in any single sale.

HB 2246/SB 1438 Virginia Tax Amnesty Program. Establishes the Virginia Tax Amnesty Program to be administered by the Department of Taxation (the Department) during the 2017-2018 fiscal year for not less than 60 nor more than 75 days, as determined by the Tax Commissioner. The Program will be open to any taxpayer that is required but has failed to file a return or

to pay any tax administered by the Department. All civil or criminal penalties assessed or assessable and one-half of the interest assessed or assessable, resulting from nonpayment, underpayment, nonreporting, or underreporting of tax liabilities, will be waived upon payment of the taxes and interest.

Transportation/Motor Vehicles

Passed

HB 2022 Department of Transportation; traffic incident response and management. Allows individuals or entities acting on behalf of the Department of Transportation to operate as needed in response to traffic incidents and to access and to remove from moving lanes on a highway vehicles and cargo that are impeding traffic flow due to a traffic incident. The bill requires a driver to move a vehicle from the roadway after an emergency, accident, or breakdown that did not result in injury or death if the vehicle is movable and the driver is capable of safely doing so.

HB 2201 Failure to drive on right side of highways or observe traffic lanes; penalties. Increases the fine for failing to drive on the right side of highways or failing to observe traffic lanes from no more than \$250 to \$250 per violation.

Failed

HB 2371 Steady-burning blue or red lights on law-enforcement vehicles. Permits law-enforcement vehicles to be equipped with steady-burning blue or red lights in addition to being equipped with flashing, blinking, or alternating blue, blue and red, blue and white, or red, white, and blue combination warning lights of types approved by the Superintendent of State Police.

DIVISION OF LEGISLATIVE SERVICES

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