

revoke vehicle registration as a result of a motor carrier's failure to comply with federal or state safety requirements.

Patron - May

HB2043 Reckless driving; failing to stop at a school bus. Provides that a person driving a motor vehicle shall stop his vehicle when approaching, from any direction, any school bus that is stopped on any highway, private road, or school driveway for the purpose of taking on or discharging children, etc., and remain stopped until all the persons are clear of the highway, private road, or school driveway and the bus is put in motion and that failure to do so is reckless driving. This bill incorporates HB 1469. This bill is identical to SB 769.

Patron - Anderson

HB2051 Size and weight compliance agents; citations for overweight vehicles. Allows the Commissioner of the Department of Motor Vehicles to appoint staff as "size and weight compliance agents" to enforce certain vehicle size limits. The bill outlines procedures for issuance of citations and enforcement of certain vehicle size limits by size and weight compliance agents. This bill is the same as SB 1266.

Patron - Carrico

HB2128 Special license plates; minimum number of prepaid orders. Increases from 350 to 450 the minimum number of prepaid applications DMV must receive before issuing standard special license plates. The increase does not apply to special license plates issued or authorized on or before July 1, 2011.

Patron - Scott, E.T.

HB2163 Abandoned motor vehicle; definition. Removes from the definition of "abandoned motor vehicle" a motor vehicle, trailer, or semitrailer that (i) has remained unclaimed in a garage for more than 10 days or (ii) has remained unclaimed in a self-storage unit. The bill has technical amendments and an emergency clause.

Patron - Abbitt

HB2372 Flashing amber warning lights on certain vehicles. Allows certain state vehicles performing environmental functions to be equipped with flashing amber warning lights. The lights are not to be lit while the vehicle is in motion.

Patron - Edmunds

HB2374 Moped; definition. Sets out in the definitions for Title 46.2 what is already set out in § 46.2-914: that a moped shall be considered a motorcycle when operated at speeds in excess of 35 miles per hour.

Patron - Robinson

HB2391 Disposition of driver's licenses upon revocation or suspension. Provides that the court shall not order the physical surrender of a driver's license for any revocation or suspension of a privilege to drive in Virginia of a person who does not have a Virginia driver's license but has a valid driver's license from another jurisdiction.

Patron - Albo

HB2413 All-terrain vehicles in Tazewell County. Allows over-the-road operation of ATVs at certain locations in Tazewell County, subject to the approval of the County Board of Supervisors.

Patron - Crockett-Stark

HB2420 Televisions in motor vehicles. Prohibits the use of a television receiver in a motor vehicle when moving images are visible to the driver while the vehicle is in motion.

Patron - Villanueva

HB2429 Golf cart and utility vehicle use on highways. Fixes a punctuation error to clarify exceptions for use of golf carts and utility vehicles.

Patron - Habeeb

HB2457 Abandoned and salvage vehicles; licenses; penalty. Removes from the definition of "abandoned motor vehicle" a motor vehicle, trailer, or semitrailer that (i) has remained unclaimed in a garage for more than 10 days or (ii) has remained unclaimed in a self-storage unit. The bill provides that any licensee who utilizes machinery to crush a vehicle must apply for a permit if such crushing occurs at a location not specified on the license. The bill also allows law-enforcement officials to examine salvage vehicles that have been repaired or rebuilt for highway use and updates penalties for any violations by licensees.

Patron - Abbitt

HB2458 Demolished or dismantled motor vehicles; licensee requirements. Sets out procedures by which licensees and scrap metal processors may demolish or dismantle certain motor vehicles. The provisions of the bill become effective on October 1, 2011.

Patron - Abbitt

HB2461 Maximum weight limits for certain trucks. Extends "sunset" on increased weight limits applicable to trucks hauling gravel and certain other cargoes in coal-producing counties to July 1, 2012.

Patron - Carrico

HB2485 Reckless driving on parking lots. Expands the list of places where a person can be found guilty of reckless driving to include governmental property open to the public.

Patron - Miller, J.H.

SB761 Special license plates; centennial of Fort Belvoir. Authorizes the issuance of special license plates celebrating the centennial of Fort Belvoir.

Patron - Puller

SB762 Emergency vehicles proceeding past red lights. Provides that emergency vehicles proceeding past any steady or flashing red signals, traffic lights, stop signs, or other devices indicating moving traffic shall stop, must flash emergency lights and either (i) sound a siren, exhaust whistle, or air horn designed to give automatically intermittent signals or (ii) yield right-of-way or, if required for safety, bring the vehicle to a complete stop before proceeding with due regard to the safety of persons and property.

Patron - Puller

SB769 Reckless driving; failing to stop at a school bus. Provides that a person driving a motor vehicle shall stop his vehicle when approaching, from any direction, any school bus that is stopped on any highway, private road, or school driveway for the purpose of taking on or discharging children, etc., and remain stopped until all the persons are clear of the highway, private road, or school driveway and the bus is put in motion and that failure to do so is reckless driving. This bill incorporates SB 1248. This bill is identical to HB 2043.

Patron - Marsden

SB792 Airport shuttle service. Provides for the same treatment of carriers in Henrico County as for those in the City of Norfolk for the purpose of improving airport shuttle service.

Patron - Watkins

SB811 Special license plates; "In God We Trust." Authorizes the issuance of special license plates bearing the national motto: "In God We Trust."
Patron - Obenshain

SB871 Golf carts. Clarifies existing law pertaining to crossing of highways by golf carts and utility vehicles.
Patron - Stuart

SB946 Video-monitoring system; school bus violations. Authorizes localities to adopt ordinances to allow local school divisions to install and operate video-monitoring systems on school buses in order to detect drivers passing stopped school buses. This bill is identical to HB 1911.
Patron - Howell

SB1003 Notices from DMV; fee for exchange of license plates. Establishes certain practices relating to government efficiency, including allowing driver's license expiration notices, etc., to be sent by first-class mail or email and eliminating requirements to send notices of suspension or revocation and mandatory license clinic attendance by certified mail. The bill also imposes a \$5 service charge on transactions performed at DMV Customer Service Centers if such transactions could have been completed by telephone, by mail, or electronically. The bill also creates a procedure and fee options for an exchange of license plates and imposes a minimum fee for the exchange. This bill is identical to HB 1835.
Patron - Watkins

SB1013 Special license plates; Purple Heart recipients; fees. Eliminates the fee for issuance or renewal of Purple Heart license plates, provided that only one set of plates can be issued free for any one applicant.
Patron - Puckett

SB1020 Driver's license reinstatement fees. Provides for additional fees for reinstatement of driver's licenses of persons with multiple current driver's license suspensions or revocations. This bill is identical to HB 1791.
Patron - Puckett

SB1144 Examination of driver's license holders thought to be incompetent. Allows DMV-required examinations of driver's license holders thought to be incompetent to be performed by licensed physician assistants.
Patron - Quayle

SB1191 Motor vehicle dealers and manufacturers. Places limitations and conditions on the relationship between motor vehicle dealers and manufacturers. This bill is identical to HB 1696.
Patron - Norment

SB1266 Size and weight compliance agents; citations for overweight vehicles. Allows the Commissioner of the Department of Motor Vehicles to appoint staff as "size and weight compliance agents" to enforce certain vehicle size limits. The bill outlines procedures for issuance of citations and enforcement of certain vehicle size limits by size and weight compliance agents. This bill is identical to HB 2051.
Patron - Smith

SB1281 Regulation of motor carriers by DMV; commercial driver's licenses. Revises statutes relating to motor carriers, including requiring DMV to simply notify localities of the issuance of overweight and oversize permits and eliminating the requirement for for-hire contract passenger carriers and irregular-route common carriers to prove public

convenience and necessity when applying for a license. The bill also updates Virginia law on commercial driver's licenses to comply with federal requirements. This bill is identical to HB 1945.

Patron - McWaters

SB1331 Speed limits. Allows municipalities that maintain their own roads to increase or decrease speed limits on highways over which they have jurisdiction following appropriate traffic engineering investigation.
Patron - Herring

SB1389 Release of driver information by Department of Motor Vehicles. Authorizes DMV to release to the Virginia Council of the Girls Scouts of the USA driver information about volunteers with the Council.
Patron - Miller, Y.B.

SB1416 Vehicles damaged by water. Increases threshold for reporting water damage from \$1,000 to \$3,500 and requires insurance companies to report payment of such a claim to the Department of Motor Vehicles. This bill is identical to HB 1412.
Patron - Newman

SB1437 Motor vehicle dealers and manufacturers. Provides that in every case of a hearing before the Commissioner authorized based on a request or petition of a motor vehicle dealer, the manufacturer, factory branch, distributor, or distributor branch shall have the burden of proving by a preponderance of the evidence that the manufacturer, factory branch, distributor, or distributor branch has good cause to take the action or actions for which the dealer has filed the petition for a hearing or that such actions are reasonable if required under the relevant provision.
Patron - McDougle

Failed

HB1404 Use of handheld personal communications devices; penalty. Prohibits any use of a handheld personal communications device while operating a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth and makes such use a primary offense.
Patron - Howell, A.T.

HB1408 Special license plates; "In God We Trust." Authorizes the issuance of special license plates bearing the national motto: "In God We Trust." This bill was incorporated in HB 1418.
Patron - Bell, Richard P.

HB1424 Wireless telecommunications devices in motor vehicles. Extends prohibition on the use of wireless telecommunications devices in motor vehicles to talking on such device only when the device is configured for hands-free operation and is being used in the hands-free mode.
Patron - Dance

HB1469 Reckless driving; failing to stop at a school bus. Provides that a driver is guilty of reckless driving who fails to stop, when approaching from any direction, at any school bus which is stopped for the purpose of taking on or discharging children, etc., and to remain stopped until all the persons are clear and the bus is put in motion. The current law omits the word "at" in the now corrected phrase "at any school

bus" and, thus, gives the sentence, and the law, its intended meaning. This bill was incorporated into HB 2043.

Patron - Surovell

HB1472 Special license plates for certain disabled veterans; fees. Provides that a vehicle need not display special license plates issued to certain veterans in order for such veteran to receive the discount on registration and annual fees so long as such veteran qualifies to receive that plate.

Patron - Cole

HB1482 Driver's license; birth registration cards. Requires that the Department of Motor Vehicles accept birth registration cards issued by the Commonwealth as proof of legal presence on applications for driver's licenses or special identification cards.

Patron - Cleaveland

HB1489 Texting while driving. Repeals the "secondary enforcement" provisions of the statute prohibiting texting, etc., while driving.

Patron - Spruill

HB1502 Special license plates; supporters of the Friends of the Blue Ridge Parkway, Inc. Authorizes the issuance of revenue-sharing special license plates to members and supporters of the Friends of the Blue Ridge Parkway, Inc. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets), \$15 would go to the Friends of the Blue Ridge Parkway, Inc., to support its operation and programs in Virginia. This bill was incorporated into HB 1418.

Patron - Putney

HB1515 Traffic lights; enforcement. Provides that, in addition to observing the violation directly, a law-enforcement officer may detain or arrest the driver of a motor vehicle violating a traffic light signal if the officer observes the violation through the use of a red light activation terminal approved by the Virginia State Police Superintendent.

Patron - Orrock

HB1520 Driver's licenses, etc. Provides that presentation of a birth certificate or other verifiable document issued by a state agency is sufficient to prove U.S. citizenship when applying to DMV for a driver's license, permit, or special identification card.

Patron - Orrock

HB1546 Use of handheld personal communications devices in motor vehicles; penalty. Makes texting while driving a primary offense.

Patron - Kory

HB1564 Lien of keeper of garage; storage charges. Provides that if the lienor does not retrieve the vehicle within seven business days after being notified by certified mail, the keeper of garage may charge the lienor with all applicable storage charges.

Patron - Miller, P.J.

HB1618 Mopeds. Allows any city by ordinance to prohibit the operation of mopeds on highways with posted speed limits of 45 miles per hour or more.

Patron - Ward

HB1630 Cell phone use while driving prohibited. Prohibits operation of a motor vehicle while using a cell phone or other wireless telecommunications device, other than a citi-

zens band radio, in any manner. The offense would be a secondary offense punishable as a Class 3 misdemeanor when the operator of the motor vehicle is charged with any other moving violation.

Patron - Watts

HB1637 Possession of open container of alcohol in a motor vehicle; penalty. Provides that no person shall possess an alcoholic beverage in the passenger area of a motor vehicle upon a public highway of the Commonwealth in other than the manufacturer's unopened, original container. The bill punishes violators with a civil penalty of \$25.

Patron - Purkey

HB1677 Parking in spaces reserved for persons with disabilities. Increases the maximum fine from \$500 to \$750.

Patron - Englin

HB1683 Following too closely; passing other vehicles. Adds bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds to the list of vehicles that the driver of a motor vehicle shall not follow more closely than is reasonable. In addition, the bill increases passing distance for passing bicycles from two to three feet.

Patron - Toscano

HB1728 Vehicle window tinting films. Increases the allowed tinting of front side windows so as to reduce permitted light transmittance from the present minimum of 50 percent to a minimum of 35 percent.

Patron - Carrico

HB1733 Commercial vehicles; persons required to register with the Sex Offender and Crimes Against Minors Registry. Prohibits persons for whom registration with the Sex Offender and Crimes Against Minors Registry is required from (1) driving school buses and passenger-carrying commercial vehicles and (2) being issued commercial driver's licenses and instruction permits to drive school buses and passenger-carrying commercial vehicles. This bill was incorporated into HB 2026.

Patron - Carrico

HB1740 Designation of special safety corridors for vehicles transporting explosives or inflammable gas or liquid. Allows the governing body of any county or city to designate any portion of the primary or secondary road system as a special safety corridor if the number of vehicles transporting explosives or inflammable gas or liquid averages more than 200 vehicles per day and the corridor is located near a school. Applicable fines for certain violations within the established special safety corridor shall be doubled.

Patron - Bulova

HB1764 Mopeds. Requires moped riders and passengers to wear helmets.

Patron - Crockett-Stark

HB1816 Special license plates; supporters of The Arc of Virginia. Authorizes the issuance of revenue-sharing special license plates bearing the legend A LIFE LIKE YOURS to members and supporters of The Arc of Virginia. The annual surcharge for these plates would be \$25 instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets), \$15 would go to The Arc of Virginia, to support its operation and programs in Virginia.

Patron - Hope

HB1821 Special license plates; American Legion. Provides for the issuance of special license plates for veterans who are members of the American Legion.

Patron - Ware, R.L.

HB1827 Overweight permits for haulers of farm animal feed. Provides for issuance of overweight permits for operation of certain vehicles used for hauling farm animal feed.

Patron - Scott, E.T.

HB1850 Riding on motorcycles. Prohibits children under the age of eight from riding on motorcycles.

Patron - Stolle

HB1873 Converted vehicles. Creates a definition for vehicles converted from gas to electric power and provides that such vehicles, when accompanied by certain documents, need not be examined by the Department of Motor Vehicles.

Patron - Toscano

HB1879 Designation of school zones in unincorporated planned residential communities. Provides for the designation and enforcement of school zones within unincorporated planned residential communities with the costs borne entirely by the communities in which they are located.

Patron - Filler-Corn

HB1924 Water-damaged vehicles. Requires that insurance companies report to DMV when they pay claims of \$3,500 or more for water damage to a vehicle. This bill was incorporated into HB 1412.

Patron - Abbott

HB1946 Commercial vehicles on interstate highways. Prohibits driving of commercial vehicles on the left-most lanes of interstate highways except where (i) the posted speed limit is less than 65 miles per hour or (ii) the average annual daily traffic exceeds 10,000 vehicles per lane per day.

Patron - Cox, J.A.

HB1956 Regulation of trespassing vehicles; localities. Provides that, when a local governing body regulates towing by ordinance, such ordinance shall not limit the ability to remove a trespassing vehicle from one locality and store or release it in another as long as the stored or released location is within five miles of the actual tow.

Patron - Rust

HB1959 Administrative impoundment of motor vehicle. Adds certain driving on suspended or revoked license offenses to list of instances when a motor vehicle must be impounded.

Patron - Rust

HB1970 "Move over" law. Provides that if changing lanes would be unreasonable or unsafe when approaching a stationary emergency vehicle, the driver must slow the vehicle by at least 10 mph below the posted speed limit and operate the vehicle at that reduced speed until the stationary vehicle is passed.

Patron - Robinson

HB1991 Traffic lights. Allows motorcycle and moped drivers and bicycle riders, in certain situations, to proceed through intersections controlled by traffic lights showing steady red signals. This bill was incorporated into HB 1981.

Patron - Janis

HB1993 Reckless driving offenses. Provides that any person who operates a motor vehicle in violation of § 46.2-833 (running a red light) is guilty of reckless driving.

Patron - Janis

HB2029 Vehicle emissions inspection program. Provides for an on-road clean screen program, allowing a motor vehicle owner to certify compliance with emissions standards by means of on-road remote sensing.

Patron - May

HB2054 Special license plates; Smith Mountain Lake. Authorizes the issuance of special license plates celebrating Smith Mountain Lake.

Patron - Poindexter

HB2135 Expiration and renewal of registration. Provides an option for the permanent registration of motor vehicles.

Patron - Barlow

HB2136 Motor vehicle safety belts. Makes nonuse of motor vehicle safety belts a primary offense.

Patron - Barlow

HB2194 Following too closely; passing other vehicles. Adds bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds to the list of vehicles that the driver of a motor vehicle shall not follow more closely than is reasonable. In addition, the bill increases passing distance for passing bicycles from two to three feet.

Patron - Ebbin

HB2245 Special license plates; IN REMEMBRANCE, APRIL 16, 2007. Authorizes the issuance of revenue-sharing special license plates bearing the legend IN REMEMBRANCE, APRIL 16, 2007. The annual surcharge for these plates would be \$25 instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets) \$15 will go to the VTV Family Outreach Foundation, to support its operation and programs in Virginia.

Patron - Torian

HB2307 Texting while driving; highway work zones. Provides that the fines imposed for texting while driving shall be doubled if the offense is committed within a highway work zone.

Patron - Sickles

HB2322 Speeding; reckless driving. Raises the threshold for per se reckless driving for speeding from 80 miles per hour to 90 miles per hour, though the threshold of 20 miles per hour or more in excess of the applicable speed limit remains unchanged. The bill also imposes a fine on speeding of \$50 per mile-per-hour in excess of 80 miles per hour. The fine for speeding at speeds of 80 miles per hour or less remains at \$6 per mile-per-hour in excess of the applicable speed limit.

Patron - Carrico

HB2349 Maximum speed limits. Provides that the maximum speed limit shall be 60 miles per hour where indicated by lawfully placed signs, erected subsequent to a traffic engineering study and analysis of available and appropriate accident and law-enforcement data, on primary highways where they are nonlimited access, multilane, divided highways.

Patron - Morrissey

HB2350 Exceeding speed limit; reckless driving. Removes driving in excess of 80 mph regardless of the applicable speed limit as an instance of reckless driving.

Patron - Morrissey

HB2399 Snow and ice on vehicles. Requires operators of motor vehicles to remove accumulated snow and ice from their vehicles.

Patron - Ward

HB2403 Authority to use certain streets and highways; oversize and overweight permits. Provides that the Secretary of Transportation, in consultation with the Commonwealth Transportation Board, will have the authority to limit control for oversize and overweight permitting purposes for certain roads to the Commissioner of the Department of Motor Vehicles. The bill sets out considerations when determining routes to be controlled for permitting purposes.

Patron - Cox, J.A.

HB2414 Special license plates; supporters of the James River Park System. Authorizes the issuance of revenue-sharing special license plates to supporters of the James River Park System. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other non-revenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets), \$15 will go to the Friends of James River Park to support its operation and programs in Virginia. This bill was incorporated into HB 1418.

Patron - McQuinn

HB2466 Virginia Biased-Based Profiling and Traffic Statistics Reporting Act. Requires state and local police officers to record certain data regarding motor vehicle stops, and report this information to the Department of State Police. The Department of State Police is required to develop a state-wide database to analyze the data to determine the existence and prevalence of biased-based profiling in the Commonwealth. The Superintendent of State Police is required to report annually on the findings of the analysis to the Governor, the General Assembly, and the Attorney General. The provisions of the act are set to expire on July 1, 2015.

Patron - Englin

HB2497 Board of Towing and Recovery Operators. Abolishes the Board of Towing and Recovery Operators.

Patron - Barlow

HB2528 Department of Motor Vehicles; vision screening. Provides that Department of Motor Vehicles shall waive its vision screening conducted in Customer Service Centers at the time of application for a driver's license or learner's permit when the applicant (i) presents a certificate that verifies that the vision test conducted at a public school shows that he meets the visual acuity and field of vision requirements, and (ii) the vision test conducted by the school has been certified by a qualified organization.

Patron - Garrett

SB760 Suspension of operator's license for failure to pay child support. Provides that the Department of Motor Vehicles shall not renew a driver's license or terminate a license suspension imposed because of nonpayment of child support until it has received from the Department of Social Services a certification that the person has (i) paid the delinquency in full or (ii) reached an agreement with the Department of Social Services to satisfy the delinquency within a period not to exceed 10 years and at least one payment, representing at least five percent of the total delinquency or \$500,

whichever is less, has been made pursuant to the agreement. Current law requires either (i) full payment of the delinquency or (ii) a payment of at least five percent of the total delinquency or \$500, whichever is greater.

Patron - Puller

SB768 Designation of school zones in certain residential communities. Provides for the designation and enforcement of school zones within common interest communities with the costs borne entirely by the communities in which they are located.

Patron - Marsden

SB776 DMV offices and agencies; agreements. Provides that in any county, city, or town that does not have either a branch office or an automated agency, the Commissioner shall, upon request of any commissioner of the revenue, treasurer, or local governing body, jointly or separately, enter into an agreement with such commissioner of the revenue, treasurer, or local governing body, to act as an agent of the Commissioner and maintain a branch office. This bill incorporates SB 1225.

Patron - Marsh

SB804 Special license plates; IN REMEMBRANCE, APRIL 16, 2007. Authorizes the issuance of revenue-sharing special license plates bearing the legend IN REMEMBRANCE, APRIL 16, 2007. The annual surcharge for these plates would be \$25 instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets) \$15 will go to the VTV Family Outreach Foundation, to support its operation and programs in Virginia.

Patron - Marsden

SB807 Commercial vehicles; persons required to register with the Sex Offender and Crimes Against Minors Registry. Prohibits persons for whom registration with the Sex Offender and Crimes Against Minors Registry is required from (1) driving school buses and passenger-carrying commercial vehicles and (2) being issued commercial driver's licenses and instruction permits to drive school buses and passenger-carrying commercial vehicles.

Patron - Obenshain

SB835 Disabled parking; contents of permanent windshield placards. Requires that permanent windshield placards used in connection with disabled parking display a symbol indicating the sex of the person to whom the placard was issued.

Patron - Petersen

SB858 Right turns by vehicles facing left green arrow signals. Allows vehicles facing left green arrow signals to treat such signals as yield right-of-way signs for the purposes of making right turns.

Patron - Wagner

SB905 Reckless cycling. Prohibits operating a bicycle in willful or wanton disregard of the safety of persons or property. No demerit points are to be assigned for violations.

Patron - Deeds

SB928 Following too closely; passing other vehicles. Adds bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds to the list of vehicles that the driver of a motor vehicle shall not follow more closely than is reasonable. In addition, the bill increases passing distance for passing bicycles from two to three feet.

Patron - McDougale

SB993 Motor vehicle emissions; testing procedures. Removes the requirement that BAR-90 and ASM 50-15 are the only authorized motor vehicle emissions testing equipment and allows the use of any computer software programs and emissions testing procedures necessary to comply with the applicable provisions of the Clean Air Act.

Patron - Stuart

SB1002 Vehicle emissions inspection program. Provides for an on-road clean screen program, allowing a motor vehicle owner to certify compliance with emissions standards by means of on-road remote sensing.

Patron - Watkins

SB1018 Causing the death of another while engaging in a vehicle race; penalty. Raises the penalty for causing the death of another person while engaging in a vehicle race to a mandatory minimum 20 years. The current penalty is a term of confinement of not less than one nor more than 20 years, one year of which is a mandatory minimum term of confinement. The racing must be done in a manner so gross, wanton and culpable as to show a reckless disregard for human life.

Patron - Puckett

SB1042 Texting while driving. Repeals the "secondary enforcement" provisions of the statute prohibiting texting, etc., while driving.

Patron - Barker

SB1047 Provisional driver's license holders. Makes cell phone use while driving by a provisional driver's license holder a primary offense.

Patron - Barker

SB1075 Administrative suspension of license. Changes the period of administrative license suspension upon arrest for a DUI from seven to 60 days and, for a second or subsequent offense, from 60 days until the time of trial.

Patron - Barker

SB1154 Special license plate fee; charitable donation. Requires the Department of Motor Vehicles, with the assistance of the Department of Taxation, to identify those special license plates for which a portion of the fee benefits a charitable organization and qualifies as a charitable donation. The list of qualified license plates must be made available on the Department of Motor Vehicle's website and in its office. The Department of Motor Vehicles must also provide a receipt for the registration or renewal of a registration for a special license plate indicating the amount of the fee that will be credited to the charitable organization. This will allow the person registering the license plate to claim a charitable tax deduction.

Patron - Quayle

SB1157 Citations for vehicle equipment violations. Provides for a simplified procedure for processing simple vehicle equipment violations punishable as traffic infractions. If the defects are remedied within 24 hours, the case is dismissed.

Patron - Quayle

SB1179 Regulation of trespassing vehicles; localities. Provides that, when a local governing body regulates towing by ordinance, such ordinance shall permit the towing company to tow the vehicle at least 10 miles from the origination of the tow.

Patron - Marsden

SB1225 DMV offices and agencies; agreements; compensation. Provides that in any county, city, or town that

does not have either a branch office or an automated agency, the Commissioner shall, upon request of any commissioner of the revenue, treasurer, or local governing body, jointly or separately, enter into an agreement with such commissioner of the revenue, treasurer, or local governing body, to act as an agent of the Commissioner and maintain a branch office. The bill also increases the compensation fixed for each nonautomated agency for the purpose of maintaining adequate annual service from 3.5 to 4.5 percent of the first \$500,000 of gross collections made by the agency and increases the current two percent on gross collections between \$500,000 and \$1 million and one percent on gross collections over \$1 million to five percent on all gross collections in excess of \$500,000 during each fiscal year. This bill was incorporated into SB 776.

Patron - Petersen

SB1234 One-way roadways and highways; bicycle operation. Allows the governing body of City of Charlottesville to permit the operation of bicycles in either direction of traffic on one-way roadways and highways.

Patron - Deeds

SB1248 Passing a stopped school bus. Rewrites the Code section that punishes passing a school bus as reckless driving to correct an error in legal construction and to further clarify the language. The bill contains an emergency clause. This bill has been incorporated into SB 769.

Patron - Vogel

SB1293 Disabled parking placards. Provides that placards will be valid for no more than five years and that renewals must be accompanied by the same certification of the applicant's disability as the original.

Patron - Miller, J.C.

SB1351 Wireless telecommunications devices in motor vehicles. Extends prohibition on use of wireless telecommunications devices in motor vehicles to initiating or answering a call on such device, unless the device is configured for hands-free operation and is being used in the hands-free mode. The bill also provides for graduated penalties for violations.

Patron - Norment

SB1372 Motor Vehicle Transaction Recovery Fund. Increases from \$20,000 to \$50,000 (i) the maximum claim of one judgment creditor against the Motor Vehicle Transaction Recovery Fund based on an unpaid final judgment arising out of loss or damage for certain claims and (ii) the maximum recovery on bonds.

Patron - Marsden

SB1393 Vehicles transporting utility poles. Provides that vehicles transporting utility poles do not need over-length permits and do not need escort vehicles.

Patron - McDougle

Notaries and Out-of-State Commissioners

Passed

HB1670 Conflict of interests for notaries. Expands what conduct constitutes a conflict of interest for a notary to include the performance of any notarial act with respect to any document, writing, or electronic document where the notary is

a signatory or is named in the document to be notarized. A notary who acts in violation of this bill's provision is guilty of official misconduct.

Patron - Brink

HB2318 Electronic notaries. Allows, in the case of an electronic notarization, a notary to notarize a document when the signer is not in the notary's presence if satisfactory evidence of the identity is established. Furthermore, the bill allows satisfactory evidence to be based on video or audio conference technology that permits the notary to communicate with and identify the principal at the time of the notarial act. This bill is identical to SB 827.

Patron - Byron

SB827 Electronic notaries. Allows, in the case of an electronic notarization, a notary to notarize a document when the signer is not in the notary's presence if satisfactory evidence of the identity is established. Furthermore, the bill allows satisfactory evidence to be based on video or audio conference technology that permits the notary to communicate with and identify the principal at the time of the notarial act. This bill is identical to HB 2318.

Patron - Edwards

Pensions, Benefits, and Retirement

Passed

HB1794 Virginia Retirement System; collection of overpayments. Authorizes the Virginia Retirement System to collect overpayment of retirement benefits from the retiree's employer under certain conditions.

Patron - Tata

HB1795 Virginia Retirement System; employee who becomes member on or after July 1, 2010. Amends certain provisions of the Workforce Transition Act and retirement plans administered by the Virginia Retirement System to recognize the difference in benefits accorded a person who becomes a Virginia Retirement System member before July 1, 2010, and on or after July 1, 2010.

Patron - Tata

HB1796 Plans administered by the Virginia Retirement System; technical changes. Makes certain technical changes to the administration of various Virginia Retirement System plans, including (i) permitting multiple deductions for purchase of prior service and for the purchase of partial months; (ii) clarifying the extent of coverage for the voluntary long-term care insurance programs previously administered by the Department of Human Resources Management; (iii) clarifying the retirement options of persons receiving disability benefits under the Virginia Sickness and Disability Program; (iv) clarifying the eligibility for the health insurance credit as it relates to participants in the defined contribution plan for certain employees of public school divisions; and (v) clarifying the eligibility for participants in the defined contribution plan for certain political appointees to participate in the retiree health benefits program.

Patron - Tata

HB1797 Long-term care insurance provided by the Commonwealth. Clarifies that only employees participating in the Virginia Sickness and Disability Program are to ben-

efit from long-term care insurance paid for by the Commonwealth for state employees. The bill also provides that the long-term care insurance program is to include provisions under which a person may purchase continuing coverage if he ceases to participate in the Virginia Sickness and Disability Program.

Patron - Tata

HB2095 Virginia Retirement System; loss of benefits for certain felony convictions. Provides that a member of any of the retirement programs administered by the Virginia Retirement System forfeits his retirement benefits if it is determined that he has been convicted of a felony that arose out of misconduct in any position covered under the retirement programs administered by the Virginia Retirement System.

Patron - Jones

HB2096 Virginia Retirement System; constitutional officers. Permits any constitutional officer who has 20 or more years of creditable service, and whose office is abolished, to retire with unreduced benefits (i) at the age of 60 if the officer is first elected to office after July 1, 2010, and (ii) at the age of 50 for all others.

Patron - Jones

SB902 Retired judges; appearing as counsel. Permits retired justices or judges to appear as counsel in cases in courts of the Commonwealth if (i) the retired justice or judge has been retired for at least two years and is not authorized for temporary recall by the Chief Justice of the Supreme Court, (ii) the retired justice or judge is appearing as counsel, pro bono, for an indigent person in a civil matter, (iii) such civil matter is assigned or referred to the retired justice or judge by a non-profit legal aid program organized under the auspices of the Virginia State Bar, and (iv) the retired justice or judge is not an employee, officer, or board member of such nonprofit legal aid program.

Patron - Deeds

Failed

HB1497 Judicial retirement; mandatory retirement. Adjusts the mandatory retirement age under judicial retirement to age 73. Currently, judges are required to retire at age 70.

Patron - Herring

HB1594 Virginia Law Officers' Retirement System. Adds attorneys for the Commonwealth and their assistants as members of the Virginia Law Officers' Retirement System.

Patron - Iaquinto

HB1655 Virginia Retirement System; early retirement for certain employees. Removes the option for state employees hired on or after July 1, 2010, who are covered under the main defined benefit plan, (i.e., excluding the separate plans for law-enforcement employees and judges), to retire if they are less than 65 years old. Under current law such employees can retire at the age of 60 with at least five years of service, with reduced benefits, or, in certain instances when the sum of their age and years of service is equal to or greater than 90, with unreduced benefits.

Patron - Purkey

HB1657 Virginia Retirement System. Requires that the Virginia Retirement System (i) adjust annually its calculation of pension fund liabilities and obligations by the rate of interest on 10-year U.S. Treasury notes and (ii) assume a rate

of return on its investments no greater than the rate of interest on such notes. The bill shall expire whenever the funding level for the Virginia Retirement System is at least 90 percent of actuarial attested premium obligations and liabilities for three consecutive years.

Patron - Purkey

HB1745 Virginia Retirement System; purchase of additional prior service credit by school division superintendents. Provides that the reduction in the number of years of certain prior creditable service purchased by a school division superintendent that occurs if the superintendent does not remain in his position for at least the number of years purchased does not apply if the superintendent's termination is due to death, disability, or involuntary separation.

Patron - Ingram

HB1784 Local defined contribution retirement plan. Permits any locality or school board to establish a defined contribution retirement plan in lieu of any other retirement plan, for employees hired after such plan is established.

Patron - Tata

HB1890 Judicial retirement; mandatory retirement. Adjusts the mandatory retirement age under judicial retirement to age 73. Currently, judges are required to retire at age 70. This bill is a recommendation of the Judicial Council.

Patron - Hope

HB2102 Virginia Retirement System; benefits for local law enforcement, correctional, and emergency response employees in certain localities. Permits any locality that is exempt from providing all of the special statutory retirement benefits to local law enforcement, correctional, and emergency response employees because the locality's annual retirement allowance for such employees exceeds the statutory amount, to provide all of the other statutory benefits except the statutory annual retirement allowance (i) to all employees eligible for such benefits or (ii) only to eligible employees hired on or after July 1, 2010. The additional costs of providing the benefits would be borne by the locality making the election.

Patron - Bulova

HB2104 Virginia Retirement System; retirement age for certain employees. Exempts people who are hired after July 1, 2010, as firefighters, emergency medical technicians, or law-enforcement officers from the higher retirement age and service requirements for employees hired on or after July 1, 2010.

Patron - Bulova

HB2144 Virginia Retirement System; health insurance credits for certain employees. Increases the monthly health insurance credits for retired constitutional officers, employees of constitutional officers, general registrars, employees of general registrars, and local social service employees, from \$1.50 for each year of creditable service to \$4 for each year of creditable service.

Patron - Johnson

HB2152 Virginia Retirement System; purchase of prior service credit by certain retirees. Permits a retiree to purchase one additional year of prior service credit as a law-enforcement officer with a locality that does not have a retirement plan administered by the Virginia Retirement System.

Patron - Cline

HB2207 State employees; sick leave and family and personal leave. Removes the statutory formulas for calculating sick leave and family and personal leave for state

employees. The Department of Human Resource Management would establish the formulas for calculating state employee leave by policy.

Patron - Comstock

HB2410 Virginia Retirement System; optional defined contribution retirement program for state and local employees. Creates an optional defined contribution retirement program and other related benefits for state and local employees beginning January 1, 2012. This bill incorporates HB 2465.

Patron - Putney

HB2465 Virginia Retirement System; defined contribution retirement program for state and local employees. Creates a defined contribution retirement program for state and local employees hired on or after January 1, 2012, in place of the current defined benefit plan. Employees hired prior to January 1, 2012, may elect to become members of the defined contribution plan in lieu of the current defined benefit plan. This bill was incorporated into HB 2410.

Patron - Jones

SB805 Health insurance credits for retired school division employees. Provides that the health insurance credit currently being provided to retired teachers would also be provided to all retired employees of the local school division at the option of the local school division and as a cost borne by the local government.

Patron - Marsden

SB848 Virginia Retirement System; benefits for local law enforcement, correctional, and emergency response employees in certain localities. Permits any locality that is exempt from providing all of the special statutory retirement benefits to local law enforcement, correctional, and emergency response employees because the locality's annual retirement allowance for such employees exceeds the statutory amount, to provide all of the other statutory benefits except the statutory annual retirement allowance (i) to all employees eligible for such benefits or (ii) only to eligible employees hired on or after July 1, 2010. The additional costs of providing the benefits would be borne by the locality making the election.

Patron - Petersen

SB861 Local defined contribution retirement plan. Permits any locality or school board to establish a defined contribution retirement plan in lieu of any other retirement plan for employees hired after such plan is established.

Patron - Wagner

SB1008 Virginia Retirement System; defined contribution plan; member contributions. Creates an optional defined contribution retirement plan for state employees. The Commonwealth would contribute to the defined contribution account of each employee as follows: (i) the Commonwealth would contribute two percent of the employee's salary with no contribution required of the employee; (ii) if the employee contributes to his defined contribution account, the Commonwealth would match the employee's contributions at a rate of 100 percent up to the first five percent of the employee's salary, which would be in addition to the Commonwealth's contribution under clause (i); and (iii) if the employee contributes more than five percent of his salary, the Commonwealth would match the employee's contributions at a rate of 50 percent for the employee's contributions that are in excess of five percent of his salary but not in excess of eight percent of the employee's salary, which would be in addition to the Commonwealth's contributions under clauses (i) and (ii). The bill allows political subdivisions that participate in the Virginia Retirement System to participate in the Virginia Retirement System.

ment System to establish a substantially similar defined contribution plan. The bill also requires all state employees who participate in the Virginia Retirement System to contribute five percent of their salary to their defined benefit retirement accounts. Employees not already contributing five percent of their salary would be required to contribute an additional one percent of their salary beginning on each July 1st of 2011, 2012, 2013, 2014, and 2015. Local employers would retain the option of paying member retirement contributions on behalf of their employees participating in the Virginia Retirement System. The provisions of the bill requiring state employees to contribute five percent of their salary are conditioned upon state employees receiving at least a one percent salary increase on July 1, 2011. The bill expresses the intent of the General Assembly that state employees would receive at least an additional one percent salary increase beginning on each July 1st of 2012, 2013, 2014, and 2015.

Patron - Watkins

FSB1022 Virginia Retirement System; creditable compensation of teachers. Provides that the creditable compensation of teachers for retirement purposes under the Virginia Retirement System shall include all compensation payable to teachers by their public school boards, including compensation that is not pursuant to a contract for teaching.

Patron - Puckett

FSB1046 Virginia Retirement System; retirees hired as school board security personnel. Provides that a person retired under the Law-Enforcement Officers' Retirement System, the State Police Officers' Retirement System, or the Virginia Law Officers' Retirement System may be hired as a local school board security officer or security person without interruption of his retirement allowance under the following conditions: (i) the person has attained age 50 and has been retired for at least one full calendar year (or such longer period as established by the Board of the Virginia Retirement System) prior to commencing employment; (ii) the person has not retired pursuant to an early retirement incentive; (iii) the person did not voluntarily resign or voluntarily retire under the Workforce Transition Act of 1995; and (iv) the hiring school division pays to the Virginia Retirement System, during the person's employment as a local school board security officer or security person, the employer share of the retirement funding contribution that would otherwise be due if the person were a covered employee.

Patron - Barker

FSB1066 Judicial retirement; mandatory retirement. Adjusts the mandatory retirement age under judicial retirement to age 73. Currently, judges are required to retire at age 70. This bill is a recommendation of the Judicial Council.

Patron - Edwards

FSB1115 Virginia Retirement System; optional defined contribution retirement program for state and local employees. Creates an optional defined contribution retirement program for state and local employees beginning January 1, 2012.

Patron - Watkins

FSB1155 Virginia Law Officers' Retirement System. Provides that the supplemental allowance currently paid to members upon retirement until age 65 would instead be paid until Social Security Retirement Age. The provisions of the bill are made conditional upon an appropriation of general funds effectuating the provisions of the bill.

Patron - Quayle

FSB1233 Virginia Law Officers' Retirement System; membership. Adds conservation officers of the Department of Conservation and Recreation as members of the Virginia Law Officers' Retirement System. Conservation Officers would accrue retirement benefits under the Virginia Law Officers' Retirement System only for creditable service on or after July 1, 2011.

Patron - Deeds

FSB1305 Virginia Sickness and Disability Program; open-enrollment period. Opens enrollment into the Virginia Sickness and Disability Program between October 1, 2011, and January 1, 2012, for eligible employees not currently participating in the program. Any employee electing to participate in the program would convert his sick leave balances to (i) additional retirement service credit on the basis of one month of service for each 173 hours of sick leave or (ii) disability credits on the basis of one hour of disability credit for each hour of sick leave. Disability credits would be used to continue periods for which the employee would receive income replacement at 100 percent of creditable compensation for a disability. An election to participate in the program must be in writing and is irrevocable.

Patron - Ruff

FSB1383 Virginia Retirement System; retirees hired as law-enforcement officers of certain towns. Provides that a person retired under the Local Enforcement Officers' Retirement System, the State Police Officers' Retirement System, or the Virginia Law Officers' Retirement System may be hired by a town with a population of less than 10,000 as its Chief Law-Enforcement Officer without interruption of his retirement allowance under the following conditions: (i) the person has attained age 50 and has been retired for at least one full calendar year (or such longer period as established by the Board of the Virginia Retirement System) prior to commencing employment; (ii) the person has not retired pursuant to an early retirement incentive; (iii) the person did not voluntarily resign or voluntarily retire under the Workforce Transition Act of 1995; and (iv) the hiring town pays to the Virginia Retirement System, during the person's employment, the employer share of the retirement funding contribution that would otherwise be due if the person were a covered employee.

Patron - Colgan

Persons with Disabilities

Passed

P HB1839 Statewide Independent Living Fund. Eliminates the Statewide Independent Living Fund, eliminates obsolete language regarding the process by which the Department of Rehabilitative Services provides personal care assistance to persons with significant disabilities, and eliminates obsolete language related to the Department of Rehabilitative Services' role in efforts to eliminate environmental barriers affecting persons with disabilities. This bill is identical to SB 1148.

Patron - Garrett

SB1148 Statewide Independent Living Fund. Eliminates the Statewide Independent Living Fund, eliminates obsolete language regarding the process by which the Department of Rehabilitative Services provides personal care assistance to persons with significant disabilities, and eliminates obsolete language related to the Department of Rehabilitative Services'

role in efforts to eliminate environmental barriers affecting persons with disabilities. This bill is identical to HB 1839.

Patron - Quayle

Failed

HB2014 Disability Commission; study of continued access to assistive technology for students. Directs the Disability Commission to establish a work group to study continued access to assistive technology devices customized for students throughout the education process and upon graduation from or aging out of secondary education.

Patron - Pogge

HB2265 Local disability services boards. Clarifies the role of local disability services boards.

Patron - Morgan

Police (State)

Passed

HB1717 Insurance fraud. Clarifies that the definition of "insurer" includes self-insured private and public employers for the purposes of the Department of State Police's investigation of insurance fraud, including who is entitled to protection from immunity for furnishing information to State Police as part of its investigation. The bill states that it is declarative of existing law.

Patron - Merricks

HB1948 Virginia Fusion Intelligence Center; review of databases. Changes the requirement that data in the Virginia Fusion Intelligence Center databases be reviewed every year to a requirement that it be reviewed every three years. Information that is determined to not be related to terrorist activity shall be removed from the database. This bill is identical to SB 1259.

Patron - Villanueva

SB870 Blue Alert Program. Provides for the establishment of a Blue Alert Program to be administered by the Department of State Police when a suspect for a crime involving the death or serious injury of a law-enforcement officer has not been apprehended and is a serious threat to the public or when a law-enforcement officer is missing while in the line of duty under suspicious circumstances.

Patron - Stuart

SB1259 Virginia Fusion Intelligence Center; review of databases. Changes the requirement that data in the Virginia Fusion Intelligence Center databases be reviewed every year to a requirement that it be reviewed every three years. Information that is determined to not be related to terrorist activity shall be removed from the database. This bill is identical to HB 1948.

Patron - Vogel

Failed

HB1511 Department of State Police; establishment of cold case searchable database. Provides that the Superintendent of State Police may establish and maintain a cold case searchable database including unsolved homicide, missing person, and unidentified person cases. The searchable database may include interactive elements consisting of (i) the type of

case, (ii) the location of where the crime was committed, (iii) the law-enforcement agency name, and (iv) the year the crime occurred.

Patron - Scott, J.M.

HB1934 Enforcement of immigration laws; agreement with United States Immigration and Customs Enforcement. Provides that the Superintendent of State Police shall seek to enter into a memorandum of agreement with Immigration and Customs Enforcement that would allow the State Police to perform certain federal immigration law-enforcement functions in the Commonwealth. Such an agreement is often referred to as an agreement under the federal 287(g) program. This bill incorporates HB 1420.

Patron - Miller, J.H.

HB1953 Virginia Fusion Intelligence Center. Allows the Virginia Fusion Intelligence Center to receive and integrate criminal-related intelligence information, not just terrorist-related intelligence, to assist in preventing and deterring criminal activity generally.

Patron - Villanueva

HB2212 State Police vehicular pursuit database. Provides that the Department of State Police shall develop and maintain a Law-Enforcement Pursuit Database compiling incident reports of vehicular pursuits occurring statewide. The database is to be made available to the Governor and General Assembly upon request and to any other entity so directed by the Governor or General Assembly. The bill requires law-enforcement agencies with law-enforcement duties to submit vehicular pursuit incident reports for each calendar year to the State Police annually on March 1, beginning March 1, 2013. The bill also defines "vehicular pursuit" to mean an active attempt by a law-enforcement officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the law-enforcement officer.

Patron - McQuinn

SB918 Virginia Fusion Intelligence Center. Allows the Virginia Fusion Intelligence Center to receive and integrate criminal-related intelligence information, not just terrorist-related intelligence, to assist in preventing and deterring criminal activity generally.

Patron - McDougle

Prisons and Other Methods of Correction

Passed

HB1613 Local prisoner programs; workforces in certain cemeteries. Allows workforces to assist with maintaining privately owned, abandoned cemeteries.

Patron - Ward

HB1688 Corrections facilities. Requires the Department of Corrections to offer to test an inmate who does not have a record of a positive test result for infection with human immunodeficiency virus within 60 days of his scheduled discharge. Prior to administering the test, the Department shall inform the inmate of the purpose of the test. An inmate may decline being tested. This bill incorporates HB 1662 and is identical to SB 1258.

Patron - Dance

HB2040 Corrections; use of inmate labor. Authorizes the use of inmate labor at rest areas along the Interstate Highway System.

Patron - Anderson

HB2219 Local correctional facilities; jailers; revocation of good conduct credits. Requires the jailer to have a written policy for the revocation of good time credit.

Patron - Stolle

HB2225 Department of Corrections; inmate trust accounts. Requires the Department of Corrections to establish for each inmate a personal trust account consisting of 10 percent of any funds received by an inmate from any source until the account has a balance of \$1,000. Funds in an inmate's personal trust account shall be paid to the inmate upon parole or final discharge. SB 923 is identical.

Patron - Wright

HB2435 DOC; elimination of agency mandates. Directs the Department of Corrections to eliminate mandates related to contract inmate classification reporting requirements imposed on localities.

Patron - Habeeb

SB923 Department of Corrections; inmate trust accounts. Requires the Department of Corrections to establish for each inmate a personal trust account consisting of 10 percent of any funds received by an inmate from any source until the account has a balance of \$1,000. Funds in an inmate's personal trust account shall be paid to the inmate upon parole or final discharge. HB 2225 is identical.

Patron - McDougle

SB1001 Powers of the State Board of Corrections. Repeals the Board's authority to (1) ensure the development of long-range programs and plans for corrections services provided at the state and local level; (2) review and comment on all applications for federal funds and all budget and appropriations requests for the Department of Corrections prior to submission to the Governor; and (3) monitor the activities of the Department and its effectiveness in implementing standards and goals of the Board. The bill also repeals the power of the Board to authorize the payment of medical expenses incurred by a prisoner after his release or discharge from the Department when such expenses are the result of an injury suffered by the prisoner while incarcerated and not caused by the misconduct of the prisoner.

Patron - Watkins

SB1109 Corrections; use of inmate labor. Authorizes the use of inmate labor at rest areas along the Interstate Highway System.

Patron - Hanger

SB1227 Jails; electronic visitation and messaging. Allows sheriffs and jail superintendents who operate correctional facilities to charge a fee for the use of an electronic visitation system or electronic messaging system. The fee may not exceed the actual costs of establishing and operating the system and the proceeds are to be used only to offset those costs.

Patron - Howell

SB1258 Corrections facilities. Requires the Department of Corrections to offer to test an inmate who does not have a record of a positive test result for infection with human immunodeficiency virus within 60 days of his scheduled discharge. Prior to administering the test, the Department shall

inform the inmate of the purpose of the test. An inmate may decline being tested. This bill is identical to HB 1688.

Patron - Vogel

SB1287 Jails; localities' responsibility to pay jail expenses. Provides that a sheriff or jail superintendent may seek payment from the local governing body of the city or county, the regional jail authority, or other body responsible for fiscal management of a regional jail for the cost of food, clothing, and medicines for inmates, and the local governing body of the county or city, the regional jail authority, or other body responsible for fiscal management of a regional jail shall be responsible for the payment of such costs.

Patron - McWaters

Failed

HB1488 Restraint of certain prisoners. Prohibits a state, regional, local, or juvenile correctional facility from using restraints on any prisoner who is pregnant during labor, transport to a medical facility, delivery, or postpartum recovery unless the warden, superintendent, or jailor finds there is a compelling reason to believe that the prisoner poses serious harm to herself or others, is a flight risk, or cannot be reasonably restrained by other means. Such facility shall use the least restrictive restraints necessary on any inmate in the second or third trimester of pregnancy.

Patron - Hope

HB1533 Parole; eligibility for certain inmates otherwise ineligible. Provides that in the case of a person who is ineligible for parole for a combination of three or more offenses involving murder, rape, or robbery, the Parole Board shall consider a petition for reconsideration of ineligibility for parole if the person (i) was convicted only of robbery, (ii) did not injure or attempt to injure any person, (iii) did not have assistance of counsel in preparing a petition for review of ineligibility previously considered on the merits under this provision, (iv) has been continuously confined for at least 15 years, and (v) has a record of good conduct during confinement. The bill contains technical amendments.

Patron - Howell, A.T.

HB1562 Good conduct credits; home electronic incarceration. Requires misdemeanants assigned to home electronic incarceration, unless serving a mandatory minimum sentence, to earn good conduct credit at the rate of one day for each day served if they are participating in work release employment or an educational or other rehabilitative program or due to a medical condition.

Patron - Miller, P.J.

HB1662 Mandatory testing of prisoners for HIV. Requires the Department of Corrections to test all prisoners received by the Department for human immunodeficiency virus upon arrival and prior to release, and authorizes the Department to test for human immunodeficiency virus at other times as the Department deems necessary. This bill was incorporated into HB 1688.

Patron - Alexander

HB2092 Death sentence; execution dates. Removes some of the circumstances in which circuit courts are required to set execution dates before state and federal review of an inmate's death sentence is complete. The federal Antiterrorism and Effective Death Penalty Act of 1996 has revised the remedies available to the convicted person and imposes a one-year

statute of limitations for filing petitions for federal review of state convictions and sentences.

Patron - Herring

HB2298 Marijuana possession by prisoner. Reduces the penalty for possession of marijuana by a prisoner from a Class 5 felony to a Class 6 felony, the same punishment as is currently imposed for possession of a firearm or a knife by a prisoner or for setting off an explosive device in a prison.

Patron - Englin

HB2491 Virginia Correctional Enterprises mandatory procurement; exception. Eliminates the mandatory purchase by state agencies of furniture manufactured by Virginia Correctional Enterprises.

Patron - Landes

SB796 Rehabilitative programming; earned sentence credits. Allows prisoners to earn 10 additional sentence credits for each 30 days of incarceration for participation in programs aimed at earning a GED, college credit, or a certification through an accredited vocational training program or other accredited continuing education program, or interventional rehabilitation programs including mental health and sex offender treatment.

Patron - Locke

SB989 Reports made by sheriffs and jail superintendents. Adds local community services boards and behavioral health authorities to the list of persons and entities that receive written reports made by jail superintendents and sheriffs of local jails showing the number and identity of, and other information about, jailed prisoners and juveniles.

Patron - Puller

SB1316 Rate at which sentence credits may be earned. Allows a maximum of seven and one-half sentence credits, as opposed to the current four and one-half, for each 30 days served.

Patron - McEachin

SB1402 Law-enforcement officer; definition. Expands the definition of law-enforcement officer under the Law Enforcement Officers Procedural Guarantee Act to include a uniformed corrections employee of the Department of Corrections, regardless of the officer's authority to make arrests.

Patron - McEachin

SB1421 Local correctional facilities; collection of fees and costs. Allows sheriffs and jail superintendents to enter into installment payment agreements with prisoners for the payment, after release, of costs and fees owed for the prisoner's keep. The bill also allows the enforcement of such payment agreements through driver's license suspension. The bill allows the sheriffs and jail superintendents to use private attorneys and collection agencies to collect fees and costs due them.

Patron - Quayle

SB1444 Prison printing shops. Provides that state institutions of higher education may, but are not required to, purchase the products of print shops in state correctional facilities.

Patron - Miller, J.C.

Professions and Occupations

Passed

HB1492 Water well systems providers; definition. Clarifies that a water well systems provider is qualified to install, remove or repair geothermal water well systems to the point of connection to the ground source heat pump. This bill is identical to SB 766.

Patron - Cox, M.K.

HB1535 Licensure or certification by the Board of Medicine or Board of Nursing; consideration of military training and experience. Provides that the Boards of Medicine and Nursing shall consider and may accept relevant practical experience and didactic and clinical components of education and training completed by an applicant for licensure as a respiratory care practitioner, occupational therapist, radiologist assistant, radiologic technologist, radiologic technologist, limited, registered nurse, and practical nurse and for certification as a nurse aide as evidence of satisfaction of the educational requirements for licensure or certification, as appropriate.

Patron - Merricks

HB1659 Funeral services; prerequisites for cremation. Allows a sheriff to make visual identification of a body prior to cremation if no next-of-kin or other named representative is available upon court order.

Patron - Alexander

HB1734 Board for Professional Soil Scientists and Wetland Professionals; licensed professional soil scientists. Requires professional soil scientists to be licensed by the Board for Professional Soil Scientists and Wetland Professionals effective July 1, 2013. Currently, professional soil scientists are subject to voluntary certification. The bill sets out the requirements for licensure and continuing education and grandfatheres soil scientists under certain conditions. The bill contains technical amendments and is identical to SB 1265.

Patron - Carrico

HB1768 Mold remediation; exemption from licensure; mold in dwelling units. Clarifies that a tenant, after a temporary relocation for mold remediation, is still responsible for payment of rent for the remainder of the term of the rental agreement following the remediation. The bill provides that the affected Code sections do not entitle the tenant to a termination of a tenancy where the landlord has remediated a mold condition in accordance with professional standards set in law.

Patron - Shuler

HB1819 Department of Professional and Occupational Regulation; registration of athlete agents; penalty. Creates a registration requirement for athlete agents administered by the Director of the Department of Professional and Occupational Regulation, sets out the requirements for registration and conduct of athlete agents, and provides for administrative, civil, and criminal penalties. The bill has a delayed effective date of January 1, 2012.

Patron - Ware, R.L.

HB1862 Professions and occupations; expiration of certain documents issued to spouses of citizens of Virginia serving in the armed forces of the United States. Provides an extension of the expiration of certain licenses, certifications, registrations or other documents held by the

spouse of a member of the armed forces of the United States when the spouse accompanies the citizen for a period of service outside of the country. This bill is identical to SB 1361.

Patron - Cosgrove

HB1907 Real Estate Board; licensure and practice of real estate. Requires the Real Estate Board to approve a continuing education program of at least three hours on the changes in the law made by this bill as a prerequisite for renewal or reinstatement of a broker or salesperson license. The bill further limits the liability of real estate licensees in their real estate dealings. The bill (i) defines the terms for property management agreements and brokerage agreements, and sets out required provisions in such agreements; (ii) revises the dual representation provisions for real estate licensees and provides standard disclosure forms to be used in connection therewith; (iii) allows all required documents and records to be maintained by real estate licensees to be kept in electronic form; and (iv) revises the required disclosures under the Virginia Residential Property Disclosure Act and requires certain disclosures to be made on the Virginia Real Estate Board's website. The bill contains technical amendments and contains a delayed effective date for certain provisions contained in the bill.

Patron - Miller, J.H.

HB1968 Physician assistants; when signature accepted. Provides that whenever any law or regulation requires a signature, certification, stamp, verification, affidavit, or endorsement by a physician, it shall be deemed to include a signature, certification, stamp, verification, affidavit, or endorsement by a physician assistant.

Patron - Robinson

HB1974 Department of Professional and Occupational Regulation; architects and engineers; prerequisites for obtaining business license. Requires any architect or professional engineer applying for or renewing a business license in any locality to furnish prior to the issuance or renewal of the business license either (i) satisfactory proof that he is duly licensed or (ii) a written statement, supported by an affidavit, that he is not subject to licensure as an architect or engineer. The bill also prohibits any locality from issuing or renewing a business license unless the architect or professional engineer has furnished his license number or evidence of being exempt from licensure.

Patron - Robinson

HB2018 Cemetery Board; exemptions; resale of interment right. Establishes requirements for the resale of interment rights in a cemetery located in the state. Any resale conducted in compliance with the requirements set out by the bill shall be exempt from regulation by the Cemetery Board. In addition the bill provides that any resale of an interment right in a regulated cemetery that was conducted prior to July 1, 2011, shall not be considered to have violated Chapter 23.1 of Title 54.1.

Patron - Alexander

HB2037 Social work; title protection. Provides that it shall be unlawful for any person not licensed by the Board of Social Work to use the title "Social Worker" in writing or in advertising in connection with his practice unless he simultaneously uses the clarifying initials signifying a degree in social work. The bill provides exceptions for federally required and defined social workers in nursing homes and hospices and has a delayed effective date of July 1, 2013.

Patron - Peace

HB2193 Podiatry; expands definition. Expands the definition of podiatry to include the diagnosis and treatment of lower extremity ulcers, provided that the treatment of severe lower extremity ulcers proximal to the foot and ankle only be performed by appropriately trained, credentialed podiatrists in an approved hospitals or ambulatory surgery center at which the podiatrist has privileges. This bill is identical to SB 1396 (Lucas).

Patron - Ebbin

HB2216 Laboratory results; authority to receive directly. Allows a laboratory, with authorization from patient, to provide a copy of the report of the results directly to the insurance carrier, health maintenance organization, or self-insured plan that provides health insurance or similar coverage to the patient. This bill is identical to SB 1116.

Patron - Stolle

HB2218 Health care providers; third-party reimbursement programs. Clarifies that physicians shall not be required to participate in any public or private third-party reimbursement program as a condition of licensure.

Patron - Stolle

HB2220 Pharmacies; continuous quality improvement program. Requires pharmacies to implement a continuous quality improvement program to provide for a systematic, ongoing process of analysis of dispensing errors that uses findings to formulate an appropriate response and to develop or improve pharmacy systems and workflow processes designed to prevent or reduce future errors. This bill requires the Board of Pharmacy to work cooperatively with pharmacists representing all areas of pharmacy practice in implementing the requirements of this act.

Patron - Rust

HB2229 Health professionals; competency assessments. Changes the requirement for assessing physicians who have had three medical malpractice judgments or claims in a 10-year period so that it only affects actively practicing physicians. The bill also changes the amount required to trigger the assessment from \$10,000 to \$75,000 and allows the Board of Medicine to post the number of assessments done on its website, rather than through a report to the General Assembly.

Patron - O'Bannon

HB2253 Health professions; reciprocity exemption from licensing. Provides an exemption for the requirement that health professionals be licensed for a practitioner who is in good standing with the applicable regulatory agency in another state and who is treating a patient who is being transported to or from Virginia for care. This bill is identical to SB 828.

Patron - Nutter

HB2256 Schedule II drugs; identification required in filling prescriptions. Specifies that certain duties imposed upon a pharmacist in the delivery of Schedule II drugs may be undertaken by the agent of the pharmacist. The bill also provides that if the person seeking to take delivery of a drug listed on Schedule II pursuant to a prescription is not the patient for whom the drug is prescribed and the person is not known to the pharmacist or his agent, the pharmacist or his agent shall either make a photocopy or electronic copy of the person's identification or record the full name and address of the person. The bill also reduces the period of time for which the pharmacist must maintain records of the names and addresses or copies of the proof of identification of persons taking delivery of Schedule II drugs when they are not the person for whom the drug is pre-

scribed from one year to one month. This bill is identical to SB 1150.

Patron - Nutter

HB2464 Drug Control Act; Schedule II. Conforms Schedule II of the Drug Control Act to the federal drug classification schedule.

Patron - Nutter

SB766 Water well systems providers; definition. Clarifies that a water well systems provider is qualified to install, remove or repair geothermal water well systems to the point of connection to the ground source heat pump. This bill is identical to HB 1492.

Patron - Northam

SB809 Attorney liability to client. Removes language from statute authorizing attorney malpractice actions that provides that damages not exceeding 15%, in lieu of interest, may be awarded against the attorney. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Obenshain

SB828 Health professions; reciprocity exemption from licensing. Provides an exemption for the requirement that health professionals be licensed for a practitioner who is in good standing with the applicable regulatory agency in another state and is in Virginia temporarily in order to transport a patient to a neighboring state for care. This bill is identical to HB 2253.

Patron - Edwards

SB983 Department of Professional and Occupational Regulation; common interest communities; powers of certain regulatory boards and programs. Extends the expiration deadline for provisional common interest community manager licenses from June 30, 2011, to June 30, 2012. The bill also (i) amends bonding requirements for associations whose residents are exempt from licensure by the Common Interest Community (CIC) Board to conform to the Condominium and Property Owners Association Acts, (ii) provides for the payment of court-appointed receivers from the Common Interest Community Management Recovery Fund, and (iii) clarifies the CIC Board's authority to promulgate regulations. In addition, the bill clarifies Virginia Real Estate Time-Share Act and Condominium Act provisions governing the irrevocable appointment for service of process to apply only to nonresidents and corrects an erroneous reference contained in the Condominium Act. The bill has an emergency clause and incorporates SB 1244.

Patron - Whipple

SB1014 Dental hygienists; extension of educational and preventive care protocol. Extends for one year the protocol allowing dental hygienists to provide educational and preventive dental care in the Lenowisco, Cumberland Plateau, and Southside Health Districts, which are designated as Virginia Dental Health Professional Shortage Areas by the Department of Health. The bill also delays the report required until January 1, 2012.

Patron - Puckett

SB1078 Local government run child care; administration of certain medicines. Allows the employees of a child day program regulated by a local government to administer medication to a child if such employee (i) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, licensed practical nurse, doctor of medicine or osteopathic medicine, or pharmacist; (ii) has obtained written authorization from a par-

ent or guardian; (iii) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (iv) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be administered by a parent or guardian to the child.

Patron - Barker

SB1093 Administration of assisted living facilities. Provides that in cases in which a licensed assisted living facility administrator dies, resigns, is discharged, or becomes unable to perform his duties, an assisted living facility may continue to operate for up to 150 days with an acting administrator who has applied to an approved administrator-in-training program or has completed such program and is awaiting licensure, or for up to 90 days with an acting administrator who has not applied for licensure. The bill allows for a single 30-day extension for facilities operating with an acting administrator who has applied for licensure, completed the administrator-in-training program, and is awaiting the results of the national examination, and provides that no assisted living facility shall operate under the supervision of an acting administrator for more than one time during any two-year period unless authorized to do so by the Department of Social Services.

Patron - Hanger

SB1096 Pharmacies; access to Prescription Monitoring Program. Provides that the Board of Pharmacy shall include in its regulations a requirement that nothing shall prevent a pharmacist who is eligible to receive information from the Prescription Monitoring Program from requesting and receiving such information. However, no pharmacy shall be required to maintain Internet access to the Prescription Monitoring Program.

Patron - Hanger

SB1116 Laboratory results; authority to receive directly. Allows a laboratory, with authorization from patient, to provide a copy of the report of the results directly to the insurance carrier, health maintenance organization, or self-insured plan that provides health insurance or similar coverage to the patient. This bill is identical to HB 2216.

Patron - Northam

SB1146 Dentists; sedation and anesthesia permits. Requires dentists, with certain exceptions, who use sedation or anesthesia in a dental office to obtain either a conscious/moderate sedation permit or a deep sedation/general anesthesia permit issued by the Board of Dentistry. Also requires the Board of Dentistry to promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

Patron - Quayle

SB1147 Health professions; social security numbers for investigations. Allows the investigative personnel of the Department of Health Professions to request and receive social security numbers from practitioners or federal employee identification numbers from facilities.

Patron - Quayle

SB1150 Schedule II drugs; identification required in filling prescriptions. Specifies that certain duties imposed upon a pharmacist in the delivery of Schedule II drugs may be undertaken by the agent of the pharmacist. The bill also provides that if the person seeking to take delivery of a drug listed on Schedule II pursuant to a prescription is not the patient for whom the drug is prescribed and the person is not known to the pharmacist or his agent, the pharmacist or his agent shall either

make a photocopy or electronic copy of the person's identification or record the full name and address of the person. The bill also reduces the period of time for which the pharmacist must maintain records of the names and addresses or copies of the proof of identification of persons taking delivery of Schedule II drugs when they are not the person for whom the drug is prescribed from one year to one month. This bill is identical to HB 2256.

Patron - Quayle

SB1182 Board of Bar Examiners; exam application. Expands the methods of submitting an application to take the bar exam to include third party commercial carriers in addition to mailing using the U.S.P.S.

Patron - Norment

SB1245 Registered nurses; provisional licensure. Allows the Board of Nursing to issue a provisional license to an applicant for licensure as a registered nurse who has met the educational and examination requirements for licensure, in order to allow the applicant to obtain clinical experience. A person practicing under a provisional license shall only practice under the supervision of a licensed registered nurse, in accordance with regulations established by the Board.

Patron - Vogel

SB1265 Board for Professional Soil Scientists and Wetland Professionals; licensed professional soil scientists. Requires professional soil scientists to be licensed by the Board for Professional Soil Scientists and Wetland Professionals effective July 1, 2013. Currently, professional soil scientists are subject to voluntary certification. The bill sets out the requirements for licensure and continuing education and grandfathered soil scientists under certain conditions. The bill contains technical amendments. This bill is identical to HB 1734.

Patron - Vogel

SB1361 Professions and occupations; expiration of certain documents issued to spouses of citizens of Virginia serving in the armed forces of the United States. Provides an extension of the expiration of certain licenses, certifications, registrations or other documents held by the spouse of a member of the armed forces of the United States when the spouse accompanies the citizen for a period of service outside of the country. This bill is identical to HB 1862.

Patron - Stosch

SB1375 Board for Contractors; regulation of building analysts. Provides for the licensure of residential building energy analysts by the Board for Contractors. The bill defines residential building energy analysis.

Patron - Wagner

SB1396 Podiatry; expands definition. Expands the definition of podiatry to include the diagnosis and treatment of lower extremity ulcers, provided that the treatment of severe lower extremity ulcers proximal to the foot and ankle only be performed by appropriately trained, credentialed podiatrists in certain approved hospitals or ambulatory surgery centers. This bill is identical to HB 2193.

Patron - Lucas

Failed

HB1405 Revocation of law license; petition for reinstatement of law license; members of the General Assembly. Requires the Chief Justice of the Supreme Court to appoint only retired judges to hear cases involving the revoca-

tion of the law license of a member of the General Assembly or his firm. The bill further requires the justices of the Supreme Court to recuse themselves from consideration of any petition for reinstatement of the law license of a member of the General Assembly. Such petition shall instead be acted upon by seven retired justices or judges of the Supreme Court or the Court of Appeals.

Patron - Loupassi

HB1510 Pawnbrokers and Precious Metals Dealers; records required to be maintained; electronic reports. Requires pawnbrokers and precious metals dealers to take a photograph or digital image of (i) the person pawning or pledging or selling an article, precious metal or gem taken at the time of the transaction and (ii) the article, precious metal or gem pawned or pledged or sold. The bill also requires the pawnbrokers and precious metals dealers to submit a daily report containing information on transactions to law-enforcement officials by electronic means. Currently, for pawnbrokers the requirement to submit electronic reports is a local option and precious metals dealers are required to mail or deliver the report within 24 hours of the transaction. This bill incorporates HB 1709.

Patron - Scott, J.M.

HB1528 Precious metals dealers; daily reports. Requires every dealer to prepare a daily report containing certain information and to file such report by noon of the following day with the chief of police or other law-enforcement officer of the county, city or town where his business is conducted designated by the local attorney for the Commonwealth to receive it. The bill allows a dealer to compile and maintain the daily report in an electronic format and, if so maintained, to file the required daily report electronically with the appropriate law-enforcement officer through use of a disk, electronic transmission, or any other electronic means of reporting approved by the law-enforcement officer. Any local governing body may, by ordinance, require a dealer to maintain and file a daily report electronically through the use of a disk, electronic transmission, or any other electronic means of reporting approved by the law-enforcement officer. The bill allows a dealer to charge a service fee per transaction for making the daily electronic reports to the appropriate law-enforcement officers and for creating and maintaining the electronic records. Such fee shall not exceed five percent of the amount paid by the dealer for an item or \$3, whichever is less. The bill requires the Superintendent of State Police to adopt regulations for the uniform reporting of information required by this section. The bill also contains technical amendments.

Patron - Bell, Richard P.

HB1559 Audiologists; sale of hearing aids. Exempts audiologists with a doctoral degree in audiology licensed to practice in Virginia from the examination requirement for issuance of a license to engage in the practice of fitting or dealing in hearing aids.

Patron - Scott, E.T.

HB1571 Professions; lawyers; client accounts. Repeals the provision prohibiting the Supreme Court from adopting a disciplinary rule requiring that lawyers deposit client funds in an interest-bearing account.

Patron - Cleaveland

HB1627 Common Interest Community Board; annual payment by common interest communities. Changes the minimum amount payable annually by common interest communities to the Common Interest Community Board from the lesser of \$1,000 or five hundredths of one percent (0.05%)

to the lesser of \$3,000 or three hundredths of one percent (0.03%).

Patron - Watts

HB1642 Dental school faculty; licensure. Provides that the Board of Dentistry may issue a faculty license to a faculty member of an accredited dental program who is (i) a graduate of a dental school or college or dental department of a college or university, is licensed to practice dentistry in another state and has never been licensed in Virginia, or (ii) a graduate of a dental school or college or dental department of a college or university, has completed an advanced dental education program, and has never been licensed in Virginia. This bill also provides that faculty licenses issued by the Board and temporary licenses issued by the Board for persons enrolled in advanced dental education programs, serving as dental interns or residents, or post-doctoral certificate or degree candidates shall be for patient care activities associated with the educational program and that take place within facilities owned or operated by or affiliated with the dental school or program.

Patron - O'Bannon

HB1709 Pawnbrokers and precious metals dealers; records required to be maintained. Requires pawnbrokers and precious metals dealers to take a photograph or digital image of (i) the person pawning or pledging or selling an article, precious metal or gem at the time of the transaction; (ii) the identification used by the person in the transaction; and (iii) the article, precious metal or gem pawned or pledged or sold. The bill provides for pawnbrokers to retain a pawned or pledged item and for precious metal dealers to retain precious metals or gems purchased for 60 days. Currently pawnbrokers are required to retain an item for 45 days and precious metal dealers for 10 days. This bill was incorporated into HB 1510.

Patron - Merricks

HB1762 Inclusion of substance in controlled substances Schedule I. Adds 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT), a hallucinogenic substance found in psychoactive toads and plants, to the list of controlled substances in Schedule I.

Patron - Crockett-Stark

HB1803 Board for Contractors; regulation of home energy auditors. Provides for the certification of home energy auditors by the Board for Contractors. The bill defines home energy audits and includes one licensed home energy auditor to be appointed to the Board for Contractors.

Patron - Surovell

HB1961 Board of Pharmacy; recusal requirement. Requires the Board of Pharmacy to promulgate regulations including the criteria for recusal of individual Board members from participation in any disciplinary proceeding involving a pharmacy, pharmacist or pharmacy technician with whom the Board member works, or by whom the member is employed.

Patron - Rust

HB1966 Pharmacists; voluntary reporting. Allows anyone to report to the Board of Pharmacy any information on a pharmacist, pharmacy intern, or pharmacy technician who may have substance abuse or mental health issues that render him a danger to himself or others.

Patron - Rust

HB2005 Firearms shows; dissemination of information about firearms laws. Requires the Virginia Department of State Police to develop materials concerning federal and state firearms laws and to make such materials available on its website. A firearms show promoter shall prominently dis-

play these materials at the entrance to the firearms show, and anyone selling or transferring firearms at a fixed location at the show must also make the materials available.

Patron - LeMunyon

HB2068 Health Care Decisions Act; medically inappropriate treatment. Clarifies that for the purpose of determining when a physician may refuse to provide medically or ethically inappropriate treatment, medical treatment shall not be deemed medically or ethically inappropriate on the basis of a view (i) that values extending the life of a younger, nondisabled, non-terminally ill individual more than extending the life of an elderly, disabled, or terminally ill individual; or (ii) different from that of the patient, or the individual authorized to act on the patient's behalf, on the tradeoff between extending the length of the patient's life and the risk of disability.

Patron - Bell, Robert B.

HB2083 Prescription requirements; treatment of sexually transmitted disease. Allows a Department of Health practitioner to prescribe antibiotic therapy to the sexual partner of a patient diagnosed with a sexually transmitted disease without the physical examination normally required. This bill also requires the Commissioner of Health to convene a workgroup consisting of Department of Health staff and private practitioners to evaluate services provided by the Department of Health pursuant to this act, and to make appropriate recommendations for the use of expedited partner therapy in Virginia. The Commissioner shall report to the Secretary of Health and Human Resources concerning his findings and recommendations by July 1, 2012. The bill also has a sunset date of July 1, 2013.

Patron - Herring

HB2097 Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects; required insurance for certain licensees. Provides that the Board shall, by regulation, require each architect or professional engineer to maintain an errors and omissions policy that is acceptable to the Board and to provide a certification or attestation that such policy is in effect as a prerequisite to license issuance or renewal.

Patron - Jones

HB2169 Continuing education for prescribers; substance abuse, addiction, and related pain management and prescribing practices. Requires the Board of Dentistry, Board of Medicine, and Board of Optometry to require continuing education on the topics of substance abuse, addiction, and related pain management and prescribing practices for licensed practitioners who are authorized to prescribe controlled substances.

Patron - Phillips

HB2195 Devocalization of cats and dogs; penalty. Requires veterinarians to keep records of devocalization procedures and provides that any person, including a licensed veterinarian, who performs a surgical devocalization on a cat or dog when such procedure is not necessary to treat or relieve an illness, disease, or injury or to correct a congenital abnormality that is causing or may cause the animal physical pain or harm is guilty of a Class 6 felony.

Patron - Hope

HB2252 Prescription Monitoring Program; report required for certain prescriptions. Requires prescribers to request a report from the Prescription Monitoring Program if (i) the prescription is for a controlled substance listed in Schedule II, III, or IV of the Drug Control Act (§ 54.1-3400 et seq.); (ii) the prescriber has reasonable belief that the patient may be seeking the controlled substance, in whole or in part, for any

reason other than for the treatment of an existing medical condition and (a) the patient is a new patient of the prescriber's or (b) the patient has not received a prescription for a controlled substance from the prescriber in the past 12 months.

Patron - Nutter

HB2260 Board for Contractors; well water systems provider license; exception. Provides an exception to the licensing provisions relating to well water systems providers for any licensed plumbing tradesman performing normal maintenance and repair of water wells, water well pumps, and other equipment associated with the repair of water wells and water well systems, provided such tradesman has been continuously licensed as a plumbing tradesman under this article for at least three years, has not been the subject of any disciplinary proceeding by the Board, and has not engaged in any act that would constitute grounds for disciplinary action by the Board.

Patron - Morgan

HB2306 Board of Health Professions; membership. Adds two representatives of the health care service delivery system appointed by the Governor to the Board of Health Professions.

Patron - Sickles

HB2487 Naturopaths; license required. Requires the Board of Medicine to license and regulate naturopaths. The bill defines a naturopath as an individual, other than a doctor of medicine, osteopathy, chiropractic, or podiatry, who may diagnose, treat, and help prevent diseases using a system of practice that is based on the natural healing capacity of individuals, using physiological, psychological, or physical methods, and who may also use natural medicines, prescriptions, legend drugs, foods, herbs, or other natural remedies, including light and air.

Patron - Kilgore

SB817 Professions; lawyers; client accounts. Repeals the provision prohibiting the Supreme Court from adopting a disciplinary rule requiring that lawyers deposit client funds in an interest-bearing account.

Patron - McEachin

SB878 Drug Control Act; pseudoephedrine. Adds pseudoephedrine to Schedule III of the Drug Control Act, which would prohibit it from being sold without a prescription.

Patron - Reynolds

SB1095 Prescribing Schedule II, Schedule III, or Schedule IV controlled substances. Requires any prescriber who prescribes a controlled substance included in Schedule II, Schedule III, or Schedule IV of the Drug Control Act to request and review information about that patient from the Prescription Monitoring Program, and to continue to do so at least annually for so long as the prescriber continues to prescribe the controlled substance to the patient.

Patron - Hanger

SB1097 Continuing education for prescribers; substance abuse, addiction, and related pain management and prescribing practices. Requires the Board of Dentistry, Board of Medicine, and Board of Optometry to require continuing education on the topics of substance abuse, addiction, and related pain management and prescribing practices for practitioners licensed by such Board who are authorized to prescribe controlled substances.

Patron - Hanger

SB1151 Health professions; licensure of surgical assistants. Requires surgical assistants to be licensed by the

Board of Medicine and creates an Advisory Board on Surgical Assistants to assist with such licensure and regulation. A surgical assistant is an individual other than a licensed physician assistant, podiatrist assistant, nurse practitioner, clinical nurse specialist, dental hygienist, or registered nurse who, under the direct supervision of a qualified surgeon, directly performs significant surgical tasks including manipulating tissues or organs, manipulating or inserting subcutaneous sutures, placing hemostatic agents, injecting local anesthetic, harvesting veins, and implanting devices.

Patron - Quayle

SB1244 Common Interest Community Board; common interest community manager; provisional licenses. Extends the expiration deadline for provisional common interest community manager licenses from June 30, 2011, to June 30, 2012. The bill includes an emergency clause. This bill was incorporated into SB 983.

Patron - Vogel

SB1311 Dental school faculty; licensure. Revises several provisions related to temporary licenses for dental school faculty who are not otherwise licensed to practice dentistry in the Commonwealth.

Patron - McEachin

SB1317 Prescription requirements; treatment of sexually transmitted disease. Allows a practitioner to prescribe antibiotic therapy to the sexual partner of a patient diagnosed with a sexually transmitted disease without the physical examination normally required.

Patron - McEachin

SB1341 Department of Professional and Occupational Regulation; Board for Contractors; regulation of locksmiths. Transfers the regulation of locksmiths and locksmith services from the Department of Criminal Justice Services to the State Board for Contractors.

Patron - Norment

SB1374 Social work; title protection. Provides that it shall be unlawful for any person not licensed by the Board of Social Work to use the title "Social Worker" in writing or in advertising in connection with his practice unless he simultaneously uses the clarifying initials signifying a degree in social work. The bill provides exceptions for federally required and defined social workers in nursing homes and hospices and has a delayed effective date of July 1, 2013.

Patron - Lucas

SB1419 Continuing education for prescribers; substance abuse, addiction, and related pain management and prescribing practices. Requires the Board of Dentistry, Board of Medicine, and Board of Optometry to require continuing education on the topics of substance abuse, addiction, and related pain management and prescribing practices for licensed practitioners who are authorized to prescribe controlled substances. The bill also requires the relevant Boards to seek to provide free online courses to fulfill this requirement.

Patron - Reynolds

SB1420 Controlled substances; mandatory reporting. Requires, rather than authorizes, prescribers of controlled substances to notify law enforcement when they have reason to suspect that a person has obtained or attempted to obtain a controlled substance or prescription for a controlled substance by fraud or deceit.

Patron - Reynolds

FSB1422 Practice of law. Provides that the practice of law shall not include (i) the design, creation, publication, distribution, display or sale of written materials, books, forms, computer software, or similar products, including publication, distribution, display, or sale by means of an Internet website, or (ii) the assembling of legal documents for use by consumers through an automated Internet website, if there is a clear and conspicuous notice to the consumer that the products or assembled documents are not a substitute for the advice of an attorney.

Patron - Quayle

FSB1449 Sale of certain products containing Bisphenol A prohibited. Prohibits the sale of child-care products containing Bisphenol A in the Commonwealth. A "child-care product" means a consumer product designed or intended primarily for children three years of age or younger.

Patron - Barker

FSB1463 Kinesiotherapists; licensure required. Requires the Board of Medicine to license and regulate kinesiotherapists.

Patron - Ticer

Property and Conveyances

Passed

PHB1610 Defective Chinese drywall; disclosure, assessed value, real estate tax exemption. Requires licensees engaged by sellers and buyers, and landlords who have actual knowledge of defective Chinese drywall in a dwelling unit, to disclose that information to the prospective tenant or buyer. If a tenant is not provided disclosure within 60 days of discovery of defective drywall he may terminate the lease. The bill also provides upon confirmation by a building official that defective Chinese drywall is present, that the commissioner or other assessing official may reassess the property accordingly. Local governments may also designate the property in a rehabilitation district for purposes of granting the owner a partial real estate tax exemption. This bill is a recommendation of the Housing Commission.

Patron - Oder

PHB1611 Landlord and tenant laws. The bill (i) provides that localities must have a uniform set of standards as provided in the Statewide Building Code for smoke detectors, and tenants must maintain smoke detectors, (ii) prohibits tenants from painting or altering a dwelling unit without the prior written approval of the landlord, and (iii) defines private process server. The bill also allows a landlord to take legal action against a relocated tenant for noncompliance during the relocation and, in cases involving a deceased tenant, authorizes the landlord to dispose of such tenant's property if not claimed by the person identified on the lease to be notified in the event of the death of a tenant after the 10-day notice to such person. Currently, such person has 30 days after the 10-day notice to remove the decedent's property before it may be disposed of by the landlord. The bill further provides that withholding tax from a Virginia source for a nonresident landlord is not required where the landlord owns no more than four dwelling units and removes the grandfather provision for a rental inspection district created by Fairfax City before January 1, 2009. Finally, the bill includes the following provisions that are subject to a reenactment clause: (a) authorization for service of process to be accomplished by a sheriff and for service to be

received and accepted electronically provided sufficient proof of delivery is retained, (b) increasing the fee which may be charged from \$12 to \$25, (c) allowing the sheriff to charge an additional \$10 for electronic service.

Patron - Oder

PHB1674 Common interest communities; definitions; fees for disclosure packets. Delays until July 2012 the time by which an employee of a common interest community manager must hold a certificate from the Common Interest Community Board. The bill, in cases where a receiver has been appointed, allows the receiver to recover the unpaid portion of any attorney fees, costs, and expenses from the Common Interest Community Management Recovery Fund, if there are sufficient funds in that Fund. The bill reduces from 90 to 45 days the time when the selling owner will be responsible for the fees for preparation of the disclosure packet when no settlement occurs on the unit or lot. The bill contains technical amendments.

Patron - Pogge

PHB1682 Subordinate mortgage. Increases to \$150,000 from \$50,000 the maximum amount of a subordinate mortgage that retains its subordinate status upon the refinancing of the primary mortgage. This bill incorporates HB 2061.

Patron - Toscano

PHB1741 Common interest communities; charges for access to association books and records. Provides that charges for access to association books and records may be imposed only in accordance with a cost schedule adopted by the board. The cost schedule shall (i) specify the charges for materials and labor, (ii) apply equally to all members in good standing, and (iii) be provided to such requesting member at the time the request is made. The bill has a delayed effective date of July 1, 2012.

Patron - Bulova

PHB2099 Real estate settlements; disclosures. Provides that the disclosure required by the seller under the Virginia Residential Property Disclosure Act may be provided by electronic means and overnight delivery using a commercial service or the U.S. Postal Service. Currently the disclosure must be made by either hand delivery or by United States mail. Regarding disclosures related to settlement service providers, the bill requires that a person making a referral to an affiliated settlement service provider where the person owns more than one percent of the affiliated service provider must disclose the percentage of the interest. Under the bill if the percentage is higher than 50 percent, the disclosure must state that the service provider is a subsidiary of the person making the referral.

Patron - Scott, J.M.

PHB2133 Land trusts; successor trustee. Provides that where a land trust has been created by the recordation of a deed of conveyance to a trustee, and the trustee named in the deed is unable to serve, the beneficiaries of the trust, by majority decision, shall name a successor trustee. If the beneficiaries cannot be identified, or cannot agree on a successor trustee, the circuit court where the deed was recorded shall name the successor trustee. The name and address of the successor trustee shall be recorded with the clerk.

Patron - Barlow

PHB2160 Implied warranties on new homes; notice of breach. Allows a vendee to give notice of a breach to the vendor by hand delivery.

Patron - Iaquinto

HB2162 Property transfer; Department of General Services; Mennel Milling Company. Authorizes the Department of General Services to convey certain real property to the Mennel Milling Company located in Roanoke County, Virginia. The property is in exchange for three parcels of land for use by the Virginia Department of Transportation for an area maintenance headquarters to serve the southwestern portion of Roanoke County. The bill includes an emergency clause. This bill is identical to SB 1211.

Patron - Cleaveland

HB2188 Common interest communities; payment of resale disclosure packet fees. Decreases from 90 to 45 days, where settlement does not occur, the time when a seller of a condominium unit or lot will be responsible for the payment of all allowable fees related to the preparation of the disclosure packet provided by the association. The bill provides that such assessment must be made by the association within one year after delivery of the disclosure packet.

Patron - Lewis

HB2209 Property transfer; Virginia Commonwealth University; City of Richmond. Authorizes the board of visitors of Virginia Commonwealth University to convey certain real property to the City of Richmond. Under the bill, the property must be used for the official Richmond Slave Trail located in the Richmond, Virginia, and that such use must commence within five years of the conveyance. If these conditions are not met, the property shall revert to the board of visitors of Virginia Commonwealth University. This bill is identical to SB 971.

Patron - McQuinn

HB2289 Common interest communities; rules violations; jurisdiction of general district courts. Provides that a court may order the owner of common interest community property who is in violation of such community's rules to abate or remedy the violation. The bill also provides that a general district court may enter default judgment against an owner on the association's sworn affidavit. The bill contains technical amendments. This bill is identical to SB 1327.

Patron - Sickles

HB2290 Virginia Property Owners' Association Act; notice to lot owners of pesticide use. Requires the association to post notice of all pesticide applications in or upon the common areas at least 48 hours prior to the application.

Patron - Sickles

HB2498 Property conveyance. Authorizes the Department of General Services, with the approval of the Governor, to convey certain property to Isle of Wight County.

Patron - Barlow

HB2507 Form of deeds. Provides that when a trust is the grantor or grantee of a deed, the deed shall contain the names of the trust's trustees serving at the time the deed was made.

Patron - Morgan

SB829 Tenants' assertion; rent escrow. Incorporates sections from the Virginia Residential Landlord Act into the Virginia Landlord Tenant Act to more clearly direct a tenant on procedure when the tenant asserts that adverse conditions exist on the leased premises: fire hazard, serious threat to the life, health or safety of occupants. Provides for rent to be placed in an escrow account before the judge determines the parties'

responsibilities. This bill is recommended by the Virginia Housing Commission.

Patron - Locke

SB921 Property conveyance. Authorizes the Virginia Marine Resources Commission to grant and convey a permanent easement and right-of-way across the bed of the Piankankank River and a permanent easement and right-of-way across the bed of the Narrows, including a portion of the Baylor Survey, to Virginia Electric and Power Company (Dominion Virginia Power), for the purpose of installing and operating a submarine electric distribution cable system. This is emergency legislation.

Patron - McDougle

SB931 Transfer fee covenants. Provides that a transfer fee covenant recorded in the Commonwealth on or after July 1, 2011, shall not run with the title to real property and is not binding on, or enforceable against, any subsequent owner, purchaser, or mortgagee of any interest in real property. The bill further provides that any lien purporting to secure the payment of a transfer fee under a transfer fee covenant recorded in the Commonwealth on or after July 1, 2011, is void and unenforceable.

Patron - McDougle

SB942 Defective Chinese drywall; disclosure, assessed value, real estate tax exemption. Requires licensees engaged by sellers and buyers, and landlords who have actual knowledge of defective Chinese drywall in a dwelling unit, to disclose that information to the prospective tenant or buyer. If a tenant is not provided disclosure within 60 days of discovery of defective drywall he may terminate the lease. The bill also provides upon confirmation by a building official that defective Chinese drywall is present, that the commissioner or other assessing official may reassess the property accordingly. Local governments may also place the property in a rehabilitation district for purposes of granting the owner a partial real estate tax exemption. This bill is a recommendation of the Housing Commission.

Patron - Miller, J.C.

SB971 Property transfer; Virginia Commonwealth University; City of Richmond. Authorizes the board of visitors of Virginia Commonwealth University to convey certain real property to the City of Richmond. Under the bill, the property must be used for the official Richmond Slave Trail located in the Richmond, Virginia, and that such use must commence within five years of the conveyance. If these conditions are not met, the property shall revert to the board of visitors of Virginia Commonwealth University. This bill is identical to HB 2209.

Patron - Marsh

SB1072 Inter vivos QTIP trusts. Provides that the donor spouse who establishes for his spouse a QTIP (qualified terminable interest property) trust, which effectively gives the donee spouse a life estate in the trust property, or an inter vivos power of appointment marital deduction trust shall not have the trust property included in the donor spouse's estate for estate tax purposes.

Patron - Edwards

SB1211 Property transfer; Department of General Services; Mennel Milling Company. Authorizes the Department of General Services to convey certain real property to the Mennel Milling Company located in Roanoke County, Virginia. The property is in exchange for three parcels of land for use by the Virginia Department of Transportation for an area maintenance headquarters to serve the southwestern portion of

Roanoke County. The bill includes an emergency clause. This bill is identical to HB 2162.

Patron - Smith

PSB1220 Virginia Residential Landlord Tenant Act; notice to tenant in event of foreclosure. Provides that if a landlord fails to notify the tenant of a notice of mortgage acceleration, or notice of foreclosure sale relative to the loan on the dwelling unit then the tenant has the right to terminate the rental agreement upon written notice to the landlord at least five business days prior to the effective date of termination. In addition, the bill requires a landlord to disclose in writing to any prospective tenant if he has received any notice of mortgage default, notice of mortgage acceleration, or notice of foreclosure sale relative to the loan on the dwelling unit.

Patron - Barker

PSB1323 Common interest communities; payment of resale disclosure packet fees. Decreases from 90 to 45 days, where settlement does not occur, the time when a seller of a condominium unit or lot will be responsible for the payment of all allowable fees related to the preparation of the disclosure packet provided by the association.

Patron - Marsden

PSB1327 Common interest communities; rules violations; jurisdiction of general district courts. Provides that a court may order the owner of common interest community property who is in violation of such community's rules to abate or remedy the violation. The bill also provides that a general district court may enter default judgment against an owner on the association's sworn affidavit. The bill contains technical amendments. This bill is identical to HB 2289.

Patron - Herring

Failed

FHB1499 Unlawful detainer, etc.; storage of tenant's property. Provides that when the personal property of a tenant is removed from a premises pursuant to an unlawful detainer, ejectment, or any other action, the property shall be placed in a storage area designated by the landlord. Currently, such property may be placed in such a storage area or in the public way.

Patron - Ware, O.

FHB1506 Foreclosure procedures; assignment of deed of trust. Provides that the trustee under any deed of trust or mortgage shall not proceed with any sale of the property unless the land records of the locality in which the property is located contain a duly recorded assignment to the person who asserts that he is the holder of the obligation. The trustee may proceed with the sale (i) upon the recordation of any assignments not recorded or, if an intervening assignment cannot be located, upon the receipt of an affidavit from the party secured that he is the party secured by the deed of trust, and (ii) upon the payment by the person who asserts that he is the holder of the obligation of any fees and taxes for recording the assignment. The bill also provides that a nominee of a grantee or mortgagee for a deed of trust or mortgage has no authority to request that the trustee proceed with any sale of the property conveyed to him by the deed of trust or mortgage. The bill also requires that the party secured by the deed of trust or mortgage provide notice of his intent to foreclose to the property owner at least 45 days before any proposed sale. The bill provides further that a person who (i) knowingly makes, used, or causes to be made or used any false or fraudulent record, document, or statement or (ii) knowingly swears or affirms falsely to any matter, in support of any foreclosure is liable for a civil penalty

of \$5,000, which shall be paid into the local treasury. The bill also creates a civil cause of action for such a violation in favor of the owner of the property foreclosed upon.

Patron - Marshall, R.G.

FHB1577 Duties of lien and secured creditors. Changes from 90 to 60 the number of days by which a secured creditor is required to submit for recording a satisfaction of a security instrument after the creditor receives full payment or performance of the secured obligation. The bill similarly changes from 90 to 60 the number of days by which a lien creditor is required, after full or partial payment or satisfaction has been made of a debt secured by a deed of trust, vendor's lien, or other lien, to provide a certificate of satisfaction to the settlement agent or deliver it to the clerk's office with the necessary fee for filing.

Patron - Dance

FHB1665 Mortgage foreclosures; notices and reinstatement right. Requires certain institutional lenders that are the beneficiary of a first priority deed of trust securing a loan on residential real property that is the primary residence of the grantor, within two days after characterizing the loan as being in default, accelerating the balance due on the loan, or otherwise instituting collection proceedings on the loan as a result of the grantor's failure to make any payment due on the loan, to send written notice to the grantor informing the grantor (i) that the beneficiary has taken such action with respect to the loan and (ii) of any programs or options that the beneficiary provides, conducts, or has knowledge of that may permit the grantor to avoid foreclosure of the deed of trust and a telephone number or Internet address through which the grantor may find contact information for counseling agencies approved by the U.S. Department of Housing and Urban Development. The measure prohibits the beneficiary of such a loan that is in default status from unreasonably refusing to provide information regarding the status of the loan or to reply to inquiries from the grantor regarding the status of the loan or programs or options that may permit the grantor to avoid foreclosure. The measure also gives the grantor a new right, exercisable at any time up to the date of the sale of the property, to cure the default, deaccelerate, and reinstate the loan by paying all sums that would have been due in the absence of default and performing any other obligation that the grantor would have been bound to perform in the absence of the default or acceleration. The grantor may exercise the right to cure a default as to a particular loan and reinstate that mortgage once every 18 months.

Patron - Alexander

FHB1765 Manufactured Home Lot Rental Act. Makes several changes to the Manufactured Home Lot Rental Act (Act) regarding obligations imposed on the landlord: (i) changes the requirement to provide a copy of the lease agreement from within seven days of the tenant's signing of the agreement to within seven days of both parties signing; (ii) removes the requirement that the landlord provide tenants with a copy of the Act at the time of contract and post on the premises of the park a copy of the Act and the Virginia Residential Landlord and Tenant Act; (iii) provides that the rental agreement, under certain conditions, may make the tenant responsible for garbage collection and removal; and (iv) reduces the automatic renewal period from one year to 60 days. The bill also clarifies the responsibility of the tenant for the conduct of guests, invitees, and other persons on the premises with the tenant's consent. In addition, the bill adds a nondiscrimination clause to the Act and removes language providing that the refusal or restriction of the sale or rental of a manufactured home based exclusively or predominantly on the age of the home is unreasonable.

Patron - Crockett-Stark

HB1894 Condominium Act; Property Owners' Association Act; foreclosure on lien for unpaid assessments; priority of certain liens. Provides that a property owners' or condominium association may conduct a foreclosure sale on a lien for unpaid assessments subject to the lien of a first trust. The bill also provides that such portion of the unpaid assessments due and owing the association for a period not to exceed three years that is attributable to providing the maintenance and upkeep of the common areas and such other areas of association responsibility expressly provided for in the declaration, including capital expenditures, shall be prior to all other liens and encumbrances. The bill contains technical amendments. This bill was incorporated into HB 2530.

Patron - Watts

HB1920 Recording assignment of deed of trust; prerequisite to sale. Provides that the trustee under a deed of trust or mortgage entered into on or after July 1, 2011, shall not proceed with any sale of property at the request of a person asserting that he is the holder of the obligation secured by the deed of trust or mortgage unless an instrument evidencing the assignment of the deed of trust or mortgage to such person is recorded in the land records of the locality where the property is located.

Patron - Abbott

HB1921 Sale by trustee; recordation of assignments. Provides that the trustee under any deed of trust or mortgage entered into on or after July 1, 2011, shall not proceed with any sale of the property unless the land records of the locality in which the property is located contain a duly recorded assignment to the person who asserts that he is the holder of the obligation. If the deed of trust or mortgage has been assigned more than once, the trustee shall not proceed with any sale unless each assignment has been duly recorded.

Patron - Abbott

HB2061 Subordinate mortgage. Increases to \$150,000 from \$50,000 the maximum amount of a subordinate mortgage that retains its subordinate status upon the refinancing of the primary mortgage. This bill has been incorporated into HB 1682.

Patron - Bell, Robert B.

HB2304 Common interest communities; suspension of certain owner rights for rules violations. Gives common interest community boards the authority, even in cases where the declaration does not expressly grant the authority to the boards, to (i) suspend a unit owner's right to use facilities or services, including utility services, provided directly through the association for nonpayment of assessments that are more than 60 days past due, to the extent that access to the unit through the common elements is not precluded and provided that such suspension shall not endanger the health, safety, or property of any owner, tenant, or occupant and (ii) assess charges against any owner for any violation of the declaration or of the rules or regulations promulgated pursuant thereto for which such owner or his family members, tenants, guests, or other invitees are responsible. The bill contains technical amendments.

Patron - Brink

HB2473 Foreclosure procedures; assignment of deed of trust. Provides that the trustee under any deed of trust or mortgage shall not proceed with any sale of the property unless the land records of the locality in which the property is located contain a duly recorded assignment to the person who asserts that he is the holder of the obligation. The trustee may proceed with the sale (i) upon the recordation of any assign-

ments not recorded or, if an intervening assignment cannot be located, upon the receipt of an affidavit from the party secured that he is the party secured by the deed of trust, and (ii) upon the payment by the person who asserts that he is the holder of the obligation of any fees and taxes for recording the assignment. The bill also provides that a nominee of a grantee or mortgagee for a deed of trust or mortgage has no authority to request that the trustee proceed with any sale of the property conveyed to him by the deed of trust or mortgage. The bill also requires that the party secured by the deed of trust or mortgage provide notice of his intent to foreclose to the property owner at least 45 days before any proposed sale. The bill provides further that a person who (i) knowingly makes, used, or causes to be made or used any false or fraudulent record, document, or statement or (ii) knowingly swears or affirms falsely to any matter, in support of any foreclosure is liable for a civil penalty of \$5,000, which shall be paid into the local treasury. The bill also creates a civil cause of action for such a violation in favor of the owner of the property foreclosed upon.

Patron - Marshall, R.G.

HB2530 Condominium Act; Property Owners' Association Act; lien for assessments; priority. Provides that such portion of the unpaid assessments due and owing the association for a period not to exceed three years that is attributable to providing the maintenance and upkeep of the common areas and such other areas of association responsibility expressly provided for in the declaration, including capital expenditures, shall be prior to all other liens and encumbrances except any real estate tax liens on the unit or lot. The bill contains technical amendments. This bill incorporates HB 1894.

Patron - Scott, J.M.

SB795 Foreclosure procedures. Makes various changes to procedures for foreclosure, including requiring additional documentation showing the right of the beneficiary to request foreclosure, altering the requirements for providing notice prior to a foreclosure sale, and imposing additional fiduciary duties on the trustee. The bill also provides that violating foreclosure provisions is a prohibited practice under the Virginia Consumer Protection Act.

Patron - McEachin

SB798 Judicial foreclosure. Provides that a court must order the sale of property subject to foreclosure for deeds of trust entered into on or after July 1, 2011. Property secured by deeds of trust entered into prior to July 1, 2011, may still be foreclosed upon using current non-judicial procedures.

Patron - McEachin

SB836 Notice of foreclosure. Provides that written notice of the intent to foreclose shall be sent to the present owner of the property at least 30 days before any proposed sale in execution of a deed of trust. The notice shall contain the name and contact information for (i) the party secured, (ii) the mortgage servicer, if any, and (iii) an agent of the party secured who is authorized to modify the terms of the loan. The failure to comply with the notice requirements gives a private cause of action to the property owner.

Patron - Petersen

SB837 Foreclosure; use of false records, documents, or statements. Provides that any person who knowingly makes, uses, or causes to be made or used a false or fraudulent record, document, or statement in support of any foreclosure upon property under Chapter 4 of Title 55 shall be liable to the injured party. Upon proof of such violation and damages arising therefrom, the injured party shall be entitled to appropriate equitable relief and to recover such compensatory damages as may be proven. If compensatory damages are awarded, a vic-

tim may also be awarded punitive damages. A person violating the provisions of this bill shall be liable for reasonable attorney fees and costs of a civil action.

Patron - Petersen

FSB838 Recordation of certificate of assignment of debt secured by deed of trust. Requires the assignee of a debt or other obligation that is secured by a deed of trust, mortgage, or vendor's lien on real estate to record a certificate of assignment in the clerk's office of the circuit court where the deed of trust, mortgage, or vendor's lien is recorded. Effective July 1, 2011, the recordation of a certificate of assignment will be necessary to transfer the benefit of the security provided by the deed of trust or mortgage.

Patron - Petersen

FSB1071 Irrevocable trusts; trustee's power to appoint assets into second trust. Authorizes the trustee of an irrevocable trust to appoint all or part of the principal or income of a trust into a second trust for the benefit of the beneficiaries of the original trust.

Patron - Edwards

FSB1080 Virginia Condominium Act; amendment of condominium instruments; limitation of future sales as smoke-free units. Authorizes the condominium instruments to be amended by agreement of two-thirds of the unit owners, or by a larger majority if the condominium instruments specify, to require that units conveyed or transferred after the effective date of amendment be smoke-free units.

Patron - Hanger

FSB1253 Virginia Property Owners' Association Act; control of association by declarant. Provides that a declaration may allow for declarant control of an association and its board of directors until three months after 80 percent of all lots that the declarant has reserved the right to develop in all phases of development have been conveyed to a person other than a declarant. The bill also provides that the declarant has the right to develop all additional lots in accordance with provisions in effect at the time of transfer of control and gives the declarant a seat on the board of the association until such time as all lots have been conveyed to a person other than a declarant. In addition, the bill prohibits, unless the declaration expressly provides otherwise, a declarant from amending the declaration to extend the period of declarant control including the power to appoint and remove some or all of the members of the board of directors or to exercise powers and responsibilities otherwise assigned to the board of directors or association unless the amendment is agreed to by 100 percent of the votes of the association.

Patron - Vogel

Public Service Companies

Passed

PHB1658 Public-Private Education Facilities and Infrastructure Act of 2002; legislative review of certain proposals initiated by private entities. Provides that any responsible public entity that is a state agency receiving a detailed proposal from a private entity for a qualifying transportation facility that is a port facility shall provide notice to the Public-Private Partnership Advisory Commission.

Patron - Purkey

PHB1686 Distributed solar generation demonstration programs. Directs the State Corporation Commission (SCC) to exercise its existing authority to consider for approval petitions filed by a utility to own and operate distributed solar generation facilities and to offer special tariffs to facilitate customer-owned distributed solar generation as alternatives to net energy metering. The SCC's approval of such programs shall follow notice to all affected parties and opportunity for hearing. After distributed solar generation installations cease to be part of a demonstration program, they shall continue to operate either as utility-owned facilities or as customer-owned installations pursuant to the terms of a tariff arrangement.

Patron - Toscano

PHB1912 Electric utility ratemaking procedures; recognition of Commonwealth Energy Policy. Directs the State Corporation Commission (SCC), when required to approve the construction of an electric utility facility, to consider the economic and job creation objectives of the Commonwealth Energy Policy. The SCC is also directed, when determining the reasonableness or prudence of a utility's use of renewable energy resources, to consider the extent to which the use of such resources furthers the objectives of the Commonwealth Energy Policy and whether the cost of such resources is likely to result in unreasonable increases in rates paid by consumers.

Patron - Miller, J.H.

PHB1983 Net energy metering program. Increases the maximum capacity of an electrical generation facility of a residential customer that qualifies for participation in a net energy metering program from 10 to 20 kilowatts. The measure also provides that a customer-generator whose generating facility has a capacity that exceeds 10 kilowatts shall pay a monthly standby charge. A supplier's methodology for assessing a standby charge is required to allow the supplier to recover only the portion of its infrastructure costs that are properly associated with serving the eligible customer-generators. The State Corporation Commission is directed to conduct a proceeding to determine the reasonableness of standby charges.

Patron - Kilgore

PHB2024 Electrical transmission lines; impact minimizations plans. Requires that applications to the State Corporation Commission for approval of an electrical transmission line of 138 kilovolts or more include a summary of the applicant's efforts to reasonably minimize adverse impacts on the scenic assets, historic districts, and environment of the area concerned.

Patron - May

PHB2027 Underground transmission lines; pilot program. Extends the scheduled expiration of the pilot program established in 2008 for the underground placement of certain electric transmission lines from July 1, 2012, to July 1, 2014. The due date for the State Corporation Commission's final report on the pilot program is postponed until December 1, 2014.

Patron - May

PHB2105 Public utilities; electric vehicle charging service. Excludes any person who is not a public service corporation and who provides electric vehicle charging service at retail from the meaning of the terms "public utility," "public service corporation," or "public service company." The ownership or operation of a facility at which electric vehicle charging service is sold, and the selling of electric vehicle charging service from that facility, does not render the person a public utility, public service corporation, or public service company

solely because of that sale, ownership, or operation. The provision of electric vehicle charging service by a person who is not a public utility shall not constitute the retail sale of electricity if the electricity furnished in connection with the provision of electric vehicle charging service is used solely for transportation purposes and the person providing the electric vehicle charging service has procured the furnished electricity from the public utility that is authorized by the State Corporation Commission to engage in the retail sale of electricity within the exclusive service territory in which the service is provided. Providing electric vehicle charging service is declared to be a permitted electric utility activity of a certificated electric utility. The Commission is barred from setting the rates, charges, and fees for the provision of retail electric vehicle charging service provided by nonutilities. The measure directs public utilities to evaluate options to develop and offer off-peak charging rates or other incentives to encourage owners of an electric vehicle to charge or recharge its battery during nonpeak times, when practical. Finally, the measure provides that the Commission is authorized to approve pilot programs conducted by public electric utilities. The pilot programs may offer special rates, contracts, or incentives to determine the feasibility of allowing time-differentiated rates that encourage users of electric motor vehicles to charge vehicles during nonpeak periods. An electric utility that participates in a pilot program will be entitled to recover annually the costs of its participation in such a program conducted on or after January 1, 2011.

Patron - Bulova

HB2125 Electric utilities; biennial rate cases.

Requires the State Corporation Commission to enter its final order in biennial rate review proceedings not more than eight months after the date of filing. Currently, such an order is required to be entered not more than nine months after the end of the investor-owned electric utility's test period under review. The measure has an emergency clause. SB 1472 is identical.

Patron - Poindexter

HB2159 Electric utility service terminations; customers with a serious medical condition.

Directs the State Corporation Commission to establish limitations on the authority of electric utilities to terminate electric service to the residence of a customer who has a serious medical condition or resides with a family member with a serious medical condition. The Commission is further directed to adopt regulations, by October 31, 2011, to implement the limitations. The regulations shall establish a cost recovery mechanism. SB 1165 is identical.

Patron - Iaquinto

HB2184 Telecommunications fees.

Limits liability for the wireless E-911 surcharge to wireless customers with devices capable of two-way interactive voice communication.

Patron - Janis

HB2237 Electric utility ratemaking incentives; coalbed methane gas.

Authorizes investor-owned electric utilities to earn an enhanced rate of return, equal to 150 basis points above the authorized rate of return, on their investments in generation facilities that are fired at least 50 percent by coalbed methane gas produced from Virginia wells. SB 1392 is identical.

Patron - Morefield

HB2367 Telecommunications services; regulation.

Eliminates certain requirements applicable to competitive telecommunications services. The requirement that competitive services be offered for sale under a filed tariff is eliminated. The State Corporation Commission shall permit, but may not mandate, the detariffing of any or all terms, conditions, or rates

for retail telephone service not found prior to January 1, 2011, to be a basic local exchange telephone service. After July 1, 2013, the Commission shall permit, but may not mandate, the detariffing of any or all terms, conditions, or rates for any or all retail telephone services. In addition, the measure (i) eliminates the facility-building requirement of telephone companies in instances where a person has service available from one or more alternative providers of wireline or terrestrial wireless communications service at prevailing market rates; (ii) permits an incumbent provider to meet its obligation to furnish reasonably adequate service and facilities through the use of any and all wireline or terrestrial wireless technology, subject to a requirement that when a telephone company restores service to an existing wireline customer, the company shall offer the option to furnish service using wireline facilities; (iii) provides that the Commission may conclude that competition can effectively ensure reasonably adequate retail services in competitive exchanges and may carry out its duty to ensure that a public utility is furnishing reasonably adequate retail service in its competitive exchanges by monitoring individual customer complaints and requiring appropriate responses to such complaints; (iv) amends the requirement of prior approval for the sale of all of the assets of a telephone company to provide that the Commission in such a proceeding shall consider only the financial, managerial, and technical resources to render local exchange telecommunications services of the person acquiring ownership or control; (v) eliminates requirements associated with telegraph service that is no longer offered in the Commonwealth; (vi) expands the definition of mail used for providing notice to customers to include electronic mail; (vii) provides that the prohibition on multiple rate increases within a 12-month period does not apply to competitive services; (viii) exempts telephone companies from provisions relating to energy and capital resource use conservation, standard units of products or service, and fuel purchases; (ix) eliminates provisions relating to the authority of the Commission to establish areas where a telephone company may provide mobile telephone service; (x) deletes obsolete provisions applicable to the extension of telephone facilities into rural areas and to the rates of telephone companies set by municipal ordinances; (xi) allows the detariffing of interexchange service; and (xii) provides that requirements that telephone companies file reports, other than reports relating to the special revenue tax, will expire on December 31 of each year unless the Commission extends the requirement after notice and an opportunity for a hearing. SB 1368 is identical.

Patron - Hugo

SB787 Wireless E-911 Services Board; name.

Changes the name of the Wireless E-911 Services Board to the E-911 Services Board.

Patron - Watkins

SB788 Wireless E-911 Fund; distributions.

Amends the procedure by which the Wireless E-911 Services Board distributes funds in the Wireless E-911 Fund. The measure requires the Board to recalculate the distribution percentage for each public safety answering point annually before the start of each fiscal year based on the cost and call load data from one or more of the previous fiscal years. Currently, the Board calculates the distribution formula each October based on the data from the prior year.

Patron - Watkins

SB895 Donation of capital stock of turnpike or ferry corporations.

Repeals Code provision allowing any turnpike or ferry corporation to donate and transfer its entire capital stock to the Commonwealth Transportation Board or to political subdivisions.

Patron - Miller, Y.B.

SB1123 Wireless E-911 surcharge. Requires that all E-911 surcharges collected from customers be remitted to the Department of Taxation rather than the Wireless E-911 Services Board. This was a recommendation of the Governor's Commission on Government Reform and Restructuring.

Patron - Stosch

SB1127 Public-Private Education Facilities and Infrastructure Act of 2002; review of proposals initiated by private entities. Provides that whenever a responsible public entity rejects a proposal initiated by a private entity that purports to develop specific cost savings, the public entity shall specify the basis for the rejection.

Patron - Stosch

SB1165 Electric utility service terminations; customers with a serious medical condition. Directs the State Corporation Commission to establish limitations on the authority of electric utilities to terminate electric service to the residence of a customer who has a serious medical condition or resides with a family member with a serious medical condition. The Commission is further directed to adopt regulations, by October 31, 2011, to implement the limitations. The regulations shall establish a cost recovery mechanism. HB 2159 is identical.

Patron - Reynolds

SB1368 Telecommunications services; regulation. Eliminates certain requirements applicable to competitive telecommunications services. The requirement that competitive services be offered for sale under a filed tariff is eliminated. The State Corporation Commission shall permit, but may not mandate, the detariffing of any or all terms, conditions, or rates for retail telephone service not found prior to January 1, 2011, to be a basic local exchange telephone service. After July 1, 2013, the Commission shall permit, but may not mandate, the detariffing of any or all terms, conditions, or rates for any or all retail telephone services. In addition, the measure (i) eliminates the facility-building requirement of telephone companies in instances where a person has service available from one or more alternative providers of wireline or terrestrial wireless communications service at prevailing market rates; (ii) permits an incumbent provider to meet its obligation to furnish reasonably adequate service and facilities through the use of any and all wireline or terrestrial wireless technology, subject to a requirement that when a telephone company restores service to an existing wireline customer, the company shall offer the option to furnish service using wireline facilities; (iii) provides that the Commission may conclude that competition can effectively ensure reasonably adequate retail services in competitive exchanges and may carry out its duty to ensure that a public utility is furnishing reasonably adequate retail service in its competitive exchanges by monitoring individual customer complaints and requiring appropriate responses to such complaints; (iv) amends the requirement of prior approval for the sale of all of the assets of a telephone company to provide that the Commission in such a proceeding shall consider only the financial, managerial, and technical resources to render local exchange telecommunications services of the person acquiring ownership or control; (v) eliminates requirements associated with telegraph service that is no longer offered in the Commonwealth; (vi) expands the definition of mail used for providing notice to customers to include electronic mail; (vii) provides that the prohibition on multiple rate increases within a 12-month period does not apply to competitive services; (viii) exempts telephone companies from provisions relating to energy and capital resource use conservation, standard units of products or service, and fuel purchases; (ix) eliminates provisions relating to the authority of the Commission to establish

areas where a telephone company may provide mobile telephone service; (x) deletes obsolete provisions applicable to the extension of telephone facilities into rural areas and to the rates of telephone companies set by municipal ordinances; (xi) allows the detariffing of interexchange service; and (xii) provides that requirements that telephone companies file reports, other than reports relating to the special revenue tax, will expire on December 31 of each year unless the Commission extends the requirement after notice and an opportunity for a hearing. HB 2367 is identical.

Patron - Saslaw

SB1392 Electric utility ratemaking incentives; coalbed methane gas. Authorizes investor-owned electric utilities to earn an enhanced rate of return, equal to 150 basis points above the authorized rate of return, on their investments in generation facilities that are fired at least 50 percent by coalbed methane gas produced from Virginia wells. HB 2237 is identical.

Patron - Puckett

SB1472 Electric utilities; biennial rate cases. Requires the State Corporation Commission to enter its final order in biennial rate review proceedings not more than eight months after the date of filing. Currently, such an order is required to be entered not more than nine months after the end of the investor-owned electric utility's test period under review. The measure has an emergency clause. HB 2125 is identical.

Patron - Stanley

Failed

HB1439 Pole attachments. Authorizes a telecommunications service provider or cable television system that is unable to arrive at a mutually agreeable contract with an electric cooperative for pole attachments to the electric cooperative's facilities to petition the State Corporation Commission to establish the rates, terms, and conditions for such a contract. The Commission's actions shall be consistent with the goal of promoting access to electric cooperative facilities by telecommunications service providers and cable television systems in order to promote broadband connections and deployment throughout the Commonwealth. The Commission shall utilize the principles established by the Federal Communications Commission in regulations and case law for pole attachments regulated pursuant to federal law in establishing such rates, terms, and conditions. A rate set by the Commission shall not exceed the highest rate for a similar attachment that is charged by an investor-owned electric utility that provides service in an area adjacent to the electric cooperative's service territory.

Patron - Janis

HB1539 Tolls on Dulles Toll Road and Dulles Greenway. Requires advance approval of any tolls for use of the Dulles Toll Road or Dulles Greenway by every local governing body of every county, city, and town through which the facility passes.

Patron - LeMunyon

HB1685 Agricultural net energy metering. Creates a category of eligible customer-generators under the net energy metering program for operators of agricultural net metering facilities. An agricultural net energy metering facility may be served by multiple meters located at separate but contiguous sites owned or controlled by the same entity. The facility may aggregate the electricity generation and consumption as measured at these meters for purposes of participating in the net energy metering program. The measure also revises the criteria for qualifying as an "eligible customer-generator" to provide

that a utility may elect a higher capacity for customer classes, rather than higher limits for a generating facility.

Patron - Toscano

HB1736 Electric utility rates; added returns. Eliminates provisions of the Virginia Electric Utility Regulation Act that authorize investor-owned electric utilities to earn added basis points and other performance incentives that would increase the utility's fair combined rate of return on common equity above the rate determined by the Commission in biennial rate review proceedings. Currently, such utilities are authorized to earn performance incentives and enhanced rates of return on common equity if they satisfy performance standards, make certain investments in generation facilities, and successfully participate in a renewable energy program.

Patron - Pollard

HB2107 Reduced electricity rates for low-income residential customers; tax credit. Requires investor-owned electric utilities to offer eligible residential customers a reduced rate for electric service during December through April of each year. The reduced rate is 20 percent less than the rate that would be applicable to the customer if the customer was ineligible for the special rate. To be eligible for the special rate, a customer must be receiving (i) supplemental security income, (ii) aid to families with dependent children, (iii) aid to families with dependent children-unemployed, or (iv) food stamps, if the food stamp recipients are 60 years of age or older. The State Corporation Commission is required to certify each utility's revenue deficiency resulting from the special reduced rates, and the utility will receive an income tax credit calculated at 1.45 percent of the revenue deficiency. The Department of Social Services is required to adopt regulations establishing procedures to inform persons about the availability of the special reduced rates, assist applicants for the special reduced rates in proving their eligibility therefor, and assist utilities in determining the eligibility of persons for such rates. The Commission and the Department are required to adopt temporary emergency regulations implementing the program by October 1, 2011.

Patron - Armstrong

HB2117 Electric utility regulation. Reinstates much of the system under which investor-owned electric utilities were regulated prior to 1999. The measure repeals the Virginia Electric Utility Regulation Act and reenacts provisions relating to State Corporation Commission (SCC) ratemaking, including provisions addressing the recovery of fuel and purchased power costs, that existed prior to the 2007 legislation that re-regulated most of Virginia's investor-owned electric utilities. Existing provisions of the Virginia Electric Utility Regulation Act pertaining to ratemaking for electric cooperatives, to net energy metering, to consumer education programs, and to interconnections by farms are relocated to other chapters in Title 56. Rate adjustment clauses approved by the SCC will remain in effect as set forth in an enactment clause.

Patron - Armstrong

HB2118 Electric utility regulation. Rebundles charges for the transmission, distribution, and generation services into the base rates of investor-owned electric utilities and revises the system enacted in 2007 by which rates of investor-owned electric utilities are to be set. The measure restores the State Corporation Commission's authority to set the utility's authorized rate of return on equity at a level that reflects the utility's risk, allows the utility to attract capital, and will be fair to ratepayers. Existing provisions of the Virginia Electric Utility Regulation Act that establish floors on a utility's rate of return based on returns reported by peer group utilities in other Southeastern states are repealed. Other provisions (i) eliminate

the ability of a utility to earn a margin on operating expenses for energy efficiency programs; (ii) limit the incentive for participation in the renewable energy portfolio program to an additional 50 basis points above the otherwise-available rate of return on new renewable energy generation facilities, in lieu of the existing provision that grants a participating utility a 50 basis point increase in its rate of return on all of its equity; (iii) authorize the Commission to increase the allowed return on equity for certain investments by up to 200 basis points for a period between 5 and 25 years based on the risk of the project, in lieu of the existing provision that establishes incentives with specific ranges and durations based on the type of project; (iv) require the Commission to consider all rate adjustment clause petitions in single annual proceedings in order to limit the number of rate increases; (v) provide that costs recoverable through rate adjustment clauses may be deferred and paid from earnings from other sources, in order to ensure that rates are not increased to recover such costs when the utility is overearning through its base rates; (vi) permit the Commission to extend the period for its review in cases by up to nine months, provided that the utility may place its proposed rate increase in effect subject to refund at the end of the original period; (vii) direct that a utility that has earned more than a fair rate of return in a biennium, after crediting the overage to deferred amounts under rate adjustment clauses, shall credit the overage to customers; (viii) eliminate a provision that limits the Commission's authority to lower a utility's rates to cases where the utility has earned more than 50 basis points above a fair rate of return for two consecutive biennia; and (ix) delete provisions requiring stand-alone determinations of income tax costs in ratemaking proceedings.

Patron - Armstrong

HB2270 Electric utility rate structures; advancing conservation and efficiency. Directs the State Corporation Commission to encourage investor-owned electric utilities to file tariffs with rate structures that reflect time of day and seasonal cost differentials. In proceedings that involve a new or amended retail rate structure, the Commission is directed to consider several factors, including the extent to which the rates are designed to align with the utility's marginal cost of providing service at different times of the day. In such rate structure proceedings, electric utilities may seek, and the Commission may approve, financial incentives for the implementation of creative rate options that would allow the utility and its customers to share the economic benefits of rate structures that lower the utility's fuel costs. The measure also directs the Commission to give the highest level of priority in its development of the electric energy consumer education program to efforts to increase consumer awareness and knowledge of electric rate structures and the overall cost of electricity.

Patron - Keam

HB2353 Renewable energy portfolio standard. Requires each investor-owned electric utility and distribution cooperative to participate in a renewable energy portfolio standard program commencing with calendar year 2013. Under the program, each utility is required to generate renewable energy or to purchase renewable energy certificates, or both, in amounts that start in 2013 at three percent of the total electric energy sold in the base year of 2007 and that increase to 20 percent of such amount in 2020 and thereafter. A portion of the renewable energy used to meet the percentage goals is required to be from distributed generation. Renewable energy generated in-state, or from a community-based project, is eligible for additional credit toward meeting the RPS Goals. Failure to meet the required percentages will result in the assessment of alternative compliance payments, which payments are to be paid into the newly created Virginia Sustainable Energy Fund. The measure provides that an investor-owned electric utility

that was authorized to receive a performance incentive as a consequence of its participation in the renewable portfolio standard program as it existed prior to the effective date of this act shall continue to receive the incentive until the utility's next biennial rate review proceeding.

Patron - Morrissey

HB2417 Electric cooperatives; attachments to utility poles by cable television systems; penalty. Provides that placing an unauthorized attachment to utility poles owned by an electric cooperative is a Class 1 misdemeanor. The measure also requires cable television systems to adhere to conditions and standards when attaching to an electric cooperative's poles. These conditions and standards include payment for unauthorized attachments, standards for overlappings, evidence of authority to occupy the right-of-way, and nondiscriminatory access to broadband services. In addition, a cable television system that violates safety and response provisions is subject to fines of up to \$10,000.

Patron - Landes

HB2446 Renewable energy portfolio standard program. Provides that an investor-owned electric utility will receive (i) double credit toward meeting the goals of the renewable energy portfolio standard program for energy from biomass or waste-to-energy; (ii) triple credit toward such goals for energy from sunlight; and (iii) quadruple credit toward such goals for energy from sunlight if the facility is located in Virginia and the majority of the products used to generate the energy are manufactured or assembled in the United States.

Patron - Cosgrove

HB2447 Renewable energy incentives. Creates incentives for the development of renewable energy facilities in the Commonwealth. The incentives include (i) clarifying the definition of renewable energy to include wood waste materials; (ii) establishing a preference in energy procurement for state facilities for the use of renewable energy; (iii) directing the establishment of goals for the increased use by state agencies of renewable energy that will seek to have 20 percent of the energy consumed at state facilities to be renewable energy by 2025; (iv) allowing the Department of General Services to contract for renewable energy on a negotiated basis without using a competitive procurement process; (v) establishing a program to be administered by the Virginia Resources Authority under which 70 percent of the amount of loans for the capital cost of a qualifying facility may be guaranteed; and (vi) expanding the existing permit-by-rule program for small renewable energy facilities to include all renewable energy facilities, regardless of size.

Patron - Cosgrove

HB2514 Electric utility regulation. Excludes any investor-owned electric utility that was as of July 1, 1999, not bound by a rate case settlement adopted by the State Corporation Commission (SCC) that extended in its application beyond January 1, 2002, from provisions of the Virginia Electric Utility Regulation Act that establish floors on a utility's rate of return based on returns reported by peer group utilities in other Southeastern states. Petitions by such investor-owned electric utilities for rate adjustment clauses are required to be consolidated into a single annual proceeding. Changes in the rates of such a utility resulting from biennial reviews and annual rate adjustment clause proceedings will be effective no later than May 1 each year. In rate adjustment clause proceedings involving such utilities, the SCC is required to ensure that rate riders do not provide revenues that allow the utility to earn in excess of the authorized rate of return. The SCC will also be allowed to adjust rate riders in the future based on earnings.

Patron - Merricks

SB741 Terminations of electric utility service; endangerment of customer's health. Requires an electric utility to postpone its termination of service of a residential customer for five days, or to reconnect service to such a customer within five days, if the customer notifies the utility that termination of electric service endangers the health of the customer or member of the customer's household. If the customer provides a physician's written certification within the five-day period describing how the termination of electric service, by curtailing the operation of electric-powered life-supporting equipment, would aggravate an existing medical condition or pose a danger to the customer or a member of the customer's household who is medically dependent on the equipment, the utility is required to refrain from terminating the customer's service for an additional period of at least 10 days, during which time the utility and customer may negotiate a deferred payment agreement if the customer demonstrates he can pay the outstanding balance but only in installments. The utility shall not terminate service on account of the outstanding balance as long as the customer complies with the deferred payment agreement and pays ongoing charges for electric service.

Patron - Reynolds

SB794 Electric utilities; integrated resource plans. Provides that an electric utility's integrated resource plan should take into consideration environmental impacts, externalities, and price stability. Externalities are defined as including the costs, benefits, and other effects on societal welfare, health, and the environment that result from the production of energy, delivery of energy, or reduction in the use of energy through efficiency improvements, and that are external to a transaction between the supplier of energy or efficiency improvements and the wholesale or retail customer of the energy.

Patron - McEachin

SB875 Renewable portfolio standards; forest products. Removes the requirement that utilities participating in a renewable portfolio standard (RPS) program collectively use no more than 1.5 million tons of forest products such as wood chips, bark, and sawdust each year towards meeting RPS goals.

Patron - Stuart

SB882 Electric utility regulation. Rebundles charges for the transmission, distribution, and generation services into the base rates of investor-owned electric utilities and revises the system enacted in 2007 by which rates of investor-owned electric utilities are to be set. The measure restores the State Corporation Commission's authority to set the utility's authorized rate of return on equity at a level that reflects the utility's risk, allows the utility to attract capital, and will be fair to rate-payers. Existing provisions of the Virginia Electric Utility Regulation Act that establish floors on a utility's rate of return based on returns reported by peer group utilities in other Southeastern states are repealed. Other provisions (i) eliminate the ability of a utility to earn a margin on operating expenses for energy efficiency programs; (ii) limit the incentive for participation in the renewable energy portfolio program to an additional 50 basis points above the otherwise-available rate of return on new renewable energy generation facilities, in lieu of the existing provision that grants a participating utility a 50 basis point increase in its rate of return on all of its equity; (iii) authorize the Commission to increase the allowed return on equity for certain investments by up to 200 basis points for a period between 5 and 25 years based on the risk of the project, in lieu of the existing provision that establishes incentives with specific ranges and durations based on the type of project; (iv) require the Commission to consider all rate adjustment clause petitions in single annual proceedings in order to limit the

number of rate increases; (v) provide that costs recoverable through rate adjustment clauses may be deferred and paid from earnings from other sources, in order to ensure that rates are not increased to recover such costs when the utility is overearning through its base rates; (vi) permit the Commission to extend the period for its review in cases by up to nine months, provided that the utility may place its proposed rate increase in effect subject to refund at the end of the original period; (vii) direct that a utility that has earned more than a fair rate of return in a biennium, after crediting the overage to deferred amounts under rate adjustment clauses, shall credit the overage to customers; (viii) eliminate a provision that limits the Commission's authority to lower a utility's rates to cases where the utility has earned more than 50 basis points above a fair rate of return for two consecutive biennia; and (ix) delete provisions requiring stand-alone determinations of income tax costs in ratemaking proceedings.

Patron - Reynolds

FSB883 Electric utility regulation. Reinstates much of the system under which investor-owned electric utilities were regulated prior to 1999. The measure repeals the Virginia Electric Utility Regulation Act and reenacts provisions relating to State Corporation Commission (SCC) ratemaking, including provisions addressing the recovery of fuel and purchased power costs, that existed prior to the 2007 legislation that re-regulated most of Virginia's investor-owned electric utilities. Existing provisions of the Virginia Electric Utility Regulation Act pertaining to ratemaking for electric cooperatives, to net energy metering, to consumer education programs, and to interconnections by farms are relocated to other chapters in Title 56. Rate adjustment clauses approved by the SCC will remain in effect as set forth in an enactment clause.

Patron - Reynolds

FSB890 Pole attachments. Authorizes a telecommunications service provider or cable television system that is unable to arrive at a mutually agreeable contract with an electric cooperative for pole attachments to the electric cooperative's facilities to petition the State Corporation Commission to establish the rates, terms, and conditions for such a contract. The Commission's actions shall be consistent with the goal of promoting access to electric cooperative facilities by telecommunications service providers and cable television systems in order to promote broadband connections and deployment throughout the Commonwealth. The Commission shall utilize the principles established by the Federal Communications Commission in regulations and case law for pole attachments regulated pursuant to federal law in establishing such rates, terms, and conditions. A rate set by the Commission shall not exceed the highest rate for a similar attachment that is charged by an investor-owned electric utility that provides service in an area adjacent to the electric cooperative's service territory.

Patron - Wampler

FSB907 Electric utilities; inclining block rate schedules. Requires the State Corporation Commission, in any proceeding in which an electric utility asks to modify an existing residential retail rate structure, or to offer a new residential retail rate structure, to consider the extent to which such proposed rates encourage conservation and the efficient use of electricity by incorporating inclining block rate schedules. Inclining block rates charge higher rates for consumption that exceeds a certain amount per billing period. The Commission is also required to consider in such proceedings (i) the extent to which the utility expands the desired effect of its inclining block rate schedule by incorporating three or more blocks and by incorporating elements that are currently fixed rate and (ii) the extent to which the utility incorporates consumer awareness of the new rate structure and helps customers make

informed choices and decisions with respect to efficiency investments. If requested by the utility, the Commission shall allow for the recovery of revenue reductions related to a decrease in energy consumption directly attributed to the new schedules. Finally, the measure directs the Commission to encourage investor-owned electric utilities to file a proposal to offer their residential customers a revenue neutral standard tariff under which rates reflect inclining block rate schedules that charge higher rates for consumption over a certain amount per billing period for the seven non-heating months of April through October and flat rates for the five heating months of November through March. The Commission is directed to publish, by January 1, 2012, guidelines that provide design standards for inclining block rates.

Patron - McEachin

FSB1011 Reduced electricity rates for low-income residential customers; tax credit. Requires investor-owned electric utilities to offer eligible residential customers a reduced rate for electric service during December through April of each year. The reduced rate is 20 percent less than the rate that would be applicable to the customer if the customer was ineligible for the special rate. To be eligible for the special rate, a customer must be receiving (i) supplemental security income, (ii) aid to families with dependent children, (iii) aid to families with dependent children-unemployed, or (iv) food stamps, if the food stamp recipients are 60 years of age or older. The State Corporation Commission is required to certify each utility's revenue deficiency resulting from the special reduced rates, and the utility will receive an income tax credit calculated at 1.45 percent of the revenue deficiency. The Department of Social Services is required to adopt regulations establishing procedures to inform persons about the availability of the special reduced rates, assist applicants for the special reduced rates in proving their eligibility therefor, and assist utilities in determining the eligibility of persons for such rates. The Commission and the Department are required to adopt temporary emergency regulations implementing the program by October 1, 2011.

Patron - Puckett

FSB1461 Universal broadband deployment. Establishes a process for the State Corporation Commission to certify priority rural broadband suppliers. Applicants for certification are required to identify the rural counties in which they commit to provide universal broadband service. Rural counties are counties with a population of less than 25,000 in which fewer than 90 percent of business locations or 50 percent of homes have access to broadband service. Rates of certificated priority rural broadband suppliers are subject to regulation by the Commission and other obligations imposed on public utilities.

Patron - Puckett

Religious and Charitable Matters; Cemeteries

Passed

PHB2177 Access to private cemeteries. Prevents a landowner from erecting a wall, fence or other structure or device that prevents ingress and egress to the cemetery or grave on the landlord's private property by persons authorized by law to have a right of ingress and egress, unless the wall,

fence or other structure or device has a gate or other means by which ingress and egress can be accomplished.

Patron - Phillips

SB1235 Charitable organizations; exemptions to reporting requirements. Abolishes the exemption from submitting annual registration statements that was extended to certain veterans' posts and organizations during the 2010 Session of the General Assembly.

Patron - Ticer

SB1483 Limitation of state and local government authority; certain charitable organizations. Places limits on the authority of state and local government entities over charitable organizations that are nonstock corporations granted tax-exempt status under § 509(a) of the Internal Revenue Code. Under the bill, government agencies are prohibited from (i) requiring disclosure of demographic information regarding employees, officers, directors, trustees, owners of the organization or recipients of money or in-kind contributions without the consent of such individuals or entities; (ii) requiring the membership of the governing body to include individuals based on demographic characteristics; and (iii) requiring the distribution of funds to an individual or entity based on the demographic characteristics of the individual or entity.

Patron - Vogel

Failed

HB1409 Prayer at public events. Provides that whenever an individual is requested to provide prayer, invocation, or benediction at a public event that is sanctioned by a governmental agency, such governmental agency shall have no authority to regulate how that individual refers to God in prayer or to prohibit the religious content of the individual's prayer, invocation, or benediction, provided such prayer, invocation, or benediction is not used to advance a particular religion or to disparage another faith or belief.

Patron - Bell, Richard P.

HB2441 Cemeteries; abandoned interment rights; notice. Requires a cemetery to publish a general notice of its intent to declare interment rights abandoned in a newspaper of general circulation in the county or city where the cemetery is located for four consecutive weeks when the cemetery has no information about the owner of interment rights. The bill spells out the requirements for declaring the interment abandoned.

Patron - Crockett-Stark

State Corporation Commission

Passed

SB1131 State Corporation Commission; conflicts of interest. Requires a member of the State Corporation Commission (SCC) or any subordinate or employee of the SCC to recuse himself from and not participate in any regulatory matter at the SCC in which an entity whose rates, services, or financial ability to meet its obligations to the public is subject to supervision or regulation by the SCC is a party if the entity employs a member of the immediate family of the SCC member, subordinate, or employee.

Patron - Stosch

Failed

HB2451 State Corporation Commission; discovery. Provides that staff of the State Corporation Commission shall be treated as a party for purposes of the Commission's rules governing discovery and hearing preparation procedures. The measure applies to matters that involve the Securities Act, the Retail Franchise Act, the Underground Utility Damage Prevention Act, or the taxation of public service corporations, or that are initiated by a rule to show cause. This provision does not permit discovery pertaining to settlement negotiations. This bill is identical to SB 1413.

Patron - Byron

SB1413 State Corporation Commission; discovery. Provides that staff of the State Corporation Commission shall be treated as a party for purposes of the Commission's rules governing discovery and hearing preparation procedures. The measure applies to matters that involve the Securities Act, the Retail Franchise Act, the Underground Utility Damage Prevention Act, or the taxation of public service corporations, or that are initiated by a rule to show cause. This provision does not permit discovery pertaining to settlement negotiations. This bill is identical to HB 2451.

Patron - Norment

Taxation

Passed

HB1425 Local taxes; collection. Reduces the period of nonpayment of taxes, from six months to three months, before private collection agents may be used to collect delinquent local taxes. The bill also removes the exclusion of real estate taxes from the local taxes that treasurers may refer to private collection agents for collection.

Patron - Albo

HB1437 Business, professional and occupational license tax; gross receipts or Virginia taxable income. Allows localities to decide whether to impose the BPOL tax on a business's gross receipts or its Virginia taxable income. The provisions of the bill would not apply to certain utility businesses.

Patron - Cole

HB1447 Income tax; research and development expenses tax credit. Allows income tax credits for individuals and businesses for qualified research and development expenses for taxable years beginning on or after January 1, 2011, but before January 1, 2016. The tax credit amounts are (i) 15% of the first \$167,000 in Virginia qualified research and development expenses, or (ii) 20% of the first \$175,000 of Virginia qualified research and development expenses if the research was conducted in conjunction with a Virginia public or private college and university. The Tax Department shall develop policies and procedures for the application process for the tax credits. There is a \$5 million cap on the total amount of credits allowed in any taxable year. Incorporates HB 2325.

Patron - Cline

HB1451 Combined transient occupancy and food and beverage tax. Permits Madison County to impose a combined transient occupancy and food and beverage tax, at a rate not to exceed four percent, on the total amount charged by a bed and breakfast when the charges for the occupancy of the

room or space and for the sale of food and beverages are assessed in the aggregate and not separately stated. The tax shall be levied only if a food and beverage tax has been approved in a referendum within the county.

Patron - Scott, E.T.

HB1452 Transient occupancy tax. Adds Madison County, Accomack County, Washington County, and Brunswick County to the list of counties that may impose a transient occupancy tax rate up to three percent in addition to the two percent rate available to all counties (a total maximum tax rate of five percent). All revenue from the additional three percent rate shall be used solely for travel and tourism. This bill incorporates HB 1467, HB 1634 and HB 1711.

Patron - Scott, E.T.

HB1470 Real property tax; membership of boards of equalization. Permits appointment of alternate members to boards of equalization to serve if a member is absent or abstains.

Patron - Greason

HB1524 Sales and use tax; collection by certain contractors. Provides that any person or entity primarily engaged in the business of furnishing and installing tangible personal property that provides electronic or physical security on real property for the use of a financial institution shall be deemed a retailer of such personal property and the sales and use tax for such property shall be collected from the contractor's customer rather than being paid by the contractor when he purchases the property. Such collection procedure shall also apply when the contractor installs the personal property on real property not for the use of a financial institution.

Patron - Landes

HB1526 Real property tax; appeal. Provides that information regarding the income and expenses of income-producing real property may be used in a complaint to a board of equalization, even though such information was not timely presented to the assessor, provided that the income and expense information is provided to the board of equalization no later than the appeal filing deadline of the board.

Patron - Greason

HB1532 Local tax administration; special commissioner to execute title to real estate. Lowers the threshold percentage of taxes and liens together on property from 50 percent to 35 percent of the assessed value of the parcel and, if only taxes, from 25 percent to 15 percent of the assessed value of the parcel in order to allow more properties to be conveyed to the cities of Hopewell, Newport News, Norfolk, Petersburg, and Richmond in lieu of a public sale at auction.

Patron - Howell, A.T.

HB1587 Local license taxes. Permits any county, city or town to provide relief from license taxes to any business locating in such county, city or town for the first time, for the first two years after such location.

Patron - Iaquinto

HB1588 Real property tax assessments; appeals. Specifies that the burden of proof is on a taxpayer, when he appeals the assessment of real property to a board of equalization or to a circuit court, to show by a preponderance of the evidence that the property in question is valued at more than fair-market value or the assessment is not uniform in its application. The bill includes requirements on assessors to provide certain notice and to furnish certain information in appeals of

assessments. The bill is applicable to tax years beginning on or after January 1, 2012.

Patron - Iaquinto

HB1645 Real property tax; exemption for disabled veterans. Codifies the constitutional amendment adopted by voters in November, 2010, that provides for a property tax exemption for veterans who have a 100 percent, service-related disability. The exemption would apply to the principal residence and the land, not exceeding one acre, upon which it is situated. However, if the locality exempts more than one acre under its tax relief program for the elderly, then the real estate tax exemption for the disabled veteran would apply to the principal residence and the same number of acres as are exempt under the tax relief program for the elderly. The constitutional amendment requires the General Assembly to enact the exemption in general law.

Patron - O'Bannon

HB1672 Real property tax; land use valuation. Adds James City County to those localities permitted to enact certain other provisions regarding the zoning classifications applicable to all localities in implementing land use valuation for real property taxes.

Patron - Pogge

HB1798 Motor vehicle rental tax. Removes the administration and collection of the motor vehicle rental tax from the Department of Motor Vehicles and transfers it to the Department of Taxation.

Patron - Brink

HB1820 Land preservation tax credits. Provides that the maximum amount of credits that may be issued in any calendar year by the Department of Taxation shall be \$100 million plus any previously issued credits that have been disallowed or invalidated by the Department. The bill also allows the Tax Commissioner to have a second appraisal conducted on property for which an application for the credit has been made if he provides written notice to the donor within 30 days of the application being filed, and requires that the Tax Commissioner make a final determination within 180 days of such notice. This bill incorporates HB 1445.

Patron - Ware, R.L.

HB1822 Local incentives for the design, development, or production of goods for national defense. Creates a separate classification of machinery and tools designed and used directly in manufacturing or processing materials, components, or equipment for national defense. Local governments would be authorized to tax such machinery and tools at a rate that is less than the rate generally applicable to machinery and tools. The bill also authorizes local governments to establish, by ordinance, local defense production zones including incentives and regulatory flexibility for the design, development, or production by a defense production business of materials, components, or equipment for national defense. The bill incorporates HB 2215.

Patron - Peace

HB1837 Income tax; farm wineries and vineyards tax credit. Creates an income tax credit for licensed farm wineries equal to 25 percent of the cost of certain winery equipment and materials for taxable years beginning on and after January 1, 2011. There is a \$250,000 cap on the total amount of credits allowed in a calendar year.

Patron - Garrett

HB1840 Individual income tax; long-term care insurance tax credit. Doubles the amount of the credit an indi-

vidual can take for long-term care insurance from 15 percent to 30 percent of the amount of the premium paid for such insurance, for taxable years beginning on and after January 1, 2012. The bill has a reenactment clause.

Patron - Garrett

HB1851 Real property tax; classification of certain historical buildings. Creates a separate class of property for real property tax rate purposes, consisting of buildings that are on the Virginia Landmarks Register that are maintained in proper condition, permitting localities to impose a lower tax rate than that imposed on other types of real property.

Patron - Stolle

HB1874 Commonwealth's tax code; conformity with federal law; emergency. Advances the conformity with the federal tax code from January 22, 2010, to December 31, 2010, and restores conformity to the qualified motor vehicle tax deduction. The bill also contains an emergency clause and ensures that the measure will override certain budget language.

Patron - Purkey

HB1899 Real property tax assessment; partial exemption for certain improvements. Clarifies that the partial exemption from the assessed value of real property subject to real property tax for improvements to rehabilitated, renovated, or replacement residential structures or for improvements in rehabilitation districts or redevelopment or conservation areas runs with the land and shall not be reduced during the period of exemption, unless the locality notifies the taxpayer at the time the exemption is approved that the amount may be reduced. The bill contains technical amendments. This bill is identical to SB 785.

Patron - Hugo

HB1941 Communications sales and use tax; Lancaster County. Changes the distribution formula for communications sales and use tax revenues so that Lancaster County receives an increased amount each month, based on the amount it would have received in 2006, if the locality had imposed the local consumer utility tax.

Patron - Pollard

HB1942 Sales tax and litter tax; agricultural produce. Exempts agricultural produce or eggs from the sales and use tax when sold in farmers markets and at roadside stands provided the individual's annual income from such sales does not exceed \$1,000. The bill also exempts agricultural produce or eggs from the litter tax when sold in farmers markets and at roadside stands provided the individual's annual income from such sales does not exceed \$1,000 and any container provided by the individual to hold purchased items has been previously used.

Patron - Pollard

HB1950 Livable home tax credit. Increases the maximum amount of credit that may be allowed from \$2,000 to \$5,000 and makes licensed contractors eligible to receive the credit. Incorporates HB 1753.

Patron - Villanueva

HB2019 Town and county treasurer reciprocal agreements. Allows the treasurer of any county and the treasurer of any town partially or totally within that county to enter into a reciprocal agreement granting each treasurer the authority to collect the other's local real and personal property taxes. The governing body of each locality must approve the agreement. Identical to SB 909.

Patron - May

HB2038 Local cigarette tax enforcement. Calls for the Tax Commissioner to convene a working group of interested parties to review policies with regard to how the local cigarette tax is enforced and administered.

Patron - Peace

HB2141 Tax; filing tax returns by overnight delivery service. Places filing of tax returns by overnight delivery service in the same category as filing by U.S. mail for timely filing purposes.

Patron - Johnson

HB2145 Tax documents admissible in court. Specifies that tax bulletins, guidelines, and other published tax documents are admissible in court. The bill includes technical amendments.

Patron - Cline

HB2155 Publication of information contained in local payment warrants. Authorizes local governments to publish aggregated information relating to warrants paid by the locality.

Patron - Cline

HB2183 Sales tax registration with local commissioners of the revenue. Allows dealers to register for sales tax purposes with the local commissioner of the revenue, if such commissioner elects to provide such service. Currently, dealers may register only with the Tax Commissioner. This bill incorporates HB 1676 and is identical to SB1226

Patron - Cline

HB2197 Income tax; telework expenses tax credit. Provides a tax credit to employers for expenses incurred in allowing employees to telework pursuant to a signed telework agreement for taxable years beginning on or after January 1, 2012, but before January 1, 2014. An employer would be eligible for a credit of up to \$1,200 per teleworking employee. The total credit amount any one employer may take for 2012 and 2013 is \$50,000. The aggregate amount of tax credits that will be issued is capped at \$1 million annually for taxable years 2012 and 2013.

Patron - Comstock

HB2221 Aircraft sales and use tax; exemptions. Creates an exemption from the aircraft sales and use tax for qualified companies that are headquartered in Virginia, make a minimum of a \$4 million capital investment in Virginia, create at least 50 new jobs in Virginia, and enter into a memorandum of agreement with the Virginia Economic Development Partnership. The exemption expires December 31, 2014. The bill also creates an exemption from the aircraft sales and use tax for aircraft that are purchased in Virginia, but are registered outside of the Commonwealth and removed from the Commonwealth within 60 days of purchase.

Patron - Oder

HB2231 Neighborhood Assistance Act income tax credit. Permits trusts to be eligible for the Neighborhood Assistance Act income tax credit.

Patron - Anderson

HB2244 Personal Property Tax Relief Act; transmission of certain information. Provides that the Department of Motor Vehicles shall include in the information furnished to commissioners of the revenue regarding vehicles qualifying for personal property tax relief whether the vehicle is held in a pri-

vate trust for nonbusiness purposes by an individual beneficiary.

Patron - Torian

HB2278 Real estate tax relief for the elderly and permanently and totally disabled. Authorizes local governments to establish annual income or financial worth limitations as a condition of eligibility for real property tax relief for the elderly and permanently and totally disabled. The bill implements the amendment to Article X, Section 6 (b) of the Constitution of Virginia that limits the General Assembly's ability to establish the limitations and allows the General Assembly to authorize local governments to establish the limitations. The bill contains an emergency clause. The bill incorporates HB 1866.

Patron - Keam

HB2285 Tourism zones; tax revenues for tourism projects. Entitles certain tourism projects to a percentage of the state and local sales tax revenues generated on the premise of the project, to be used towards debt service to bridge the gap between available debt and equity and the expected costs of the project. In order to qualify for the entitlement, the project must have at least 80 percent of the funding for the project in place. If a locality passes an ordinance adopting a tourism plan and identifies by ordinance a tourism project that meets a deficiency in the plan, and the State Comptroller certifies the project, then the project is entitled to one percent of the state sales tax generated on the premise of the project. The locality must also provide, by ordinance, one percent of the local sales generated on the premises, and the tourism project must provide a match for the one percent state sales tax revenue. This bill is identical to SB 1193.

Patron - James

HB2335 Insurance premiums tax; retaliatory costs tax credit. Enhances the retaliatory tax credit for the insurance premiums tax by increasing the amount of the refund for certain taxpayers receiving the credit in 2000, beginning in taxable year 2011, from a maximum of \$800,000 annually to \$7 million annually.

Patron - Garrett

HB2385 Income tax; barge and rail usage tax credit. Grants an income tax credit for the usage of barge and rail to move cargo containers throughout the Commonwealth rather than trucks or other motor vehicles on the Commonwealth's highways. The amount of the credit is \$50 per 20-foot equivalent unit (TEU) moved by barge or rail. The credit will be available for taxable years beginning on January 1, 2011, but before January 1, 2015. The Tax Commissioner would be allowed to issue up to \$1.5 million in tax credits in a fiscal year.

Patron - Purkey

HB2419 Sales tax revenue distribution; certain public facilities. Expands the definition of the public facilities in which the sales and use taxes collected are distributed to the locality in which the facility is located for repayment of bonds issued to create the public facility. The bill also expands the time in which such bonds may be issued.

Patron - Villanueva

HB2531 Corporate income tax; Virginia port volume increase tax credit. Provides an income tax credit to taxpayers engaged in manufacturing goods or the distribution of manufactured goods that use Virginia port facilities and increase their port cargo volume by five percent in a single year over their base year port cargo volume. The five percent requirement may be waived for a taxpayer qualifying as a

major facility. A taxpayer would apply to the Virginia Port Authority and the authority would calculate the amount of the credit based on several factors. The total credit amount available in a calendar year is \$3.2 million and each taxpayer would be limited to \$250,000 annually. The credit would be available for taxable years beginning on and after January 1, 2011, but before January 1, 2016.

Patron - Purkey

SB742 Neighborhood assistance tax credits; eligibility of certain pharmacists. Clarifies that pharmacists donating pharmaceutical services to patients of a free clinic, which clinic is an organization exempt from taxation under the provisions of § 501(c)(3) of the Internal Revenue Code, with such pharmaceutical services performed at the direction of an approved neighborhood organization, shall be eligible for neighborhood assistance tax credits.

Patron - Howell

SB784 Assessments of real property; affordable housing. Requires owners of four or fewer rental units of real property to furnish to a real estate assessor, board, or department statements of income and expenses attributable to the property to determine that it is affordable rental housing. This bill is recommended by the Virginia Housing Commission.

Patron - Watkins

SB785 Real property tax assessment; partial exemption for certain improvements. Clarifies that the partial exemption from the assessed value of real property subject to real property tax for improvements to rehabilitated, renovated, or replacement residential structures or for improvements in rehabilitation districts or redevelopment or conservation areas shall not be reduced during the period of exemption, and that the exemption runs with the land, unless the local governing body by written notice advises the property owner at the initial time of approval of the exemption that the exempt amount may be decreased during the period of the exemption. This bill is identical to HB 1899.

Patron - Watkins

SB844 Publication of information contained in local warrants. Authorizes local governments to publish aggregated information relating to warrants paid by the locality.

Patron - Petersen

SB860 Real property tax; classification of certain historical buildings. Creates a separate class of property for real property tax rate purposes, consisting of buildings that are on the Virginia Landmarks Register that are maintained in proper condition, permitting localities to impose a lower tax rate than that imposed on other types of real property.

Patron - Wagner

SB863 Neighborhood Assistance Act Tax Credit; definition of impoverished people. Amends the definition of "impoverished people." Currently the definition differs based on what type of proposal is being submitted by a nonprofit entity requesting an allocation of tax credits under the Neighborhood Assistance Act Tax Credit. This legislation would eliminate any differences and define "impoverished people" as individuals with family annual incomes not in excess of 200 percent of the current poverty guidelines.

Patron - Wagner

SB909 Town and county treasurer reciprocal agreements. Allows the treasurer of any county and the treasurer of any town partially or totally within that county to enter into a reciprocal agreement granting each treasurer the authority to collect the other's local real and personal property taxes. The

governing body of each locality must approve the agreement. This bill is identical to HB 2019.

Patron - Herring

SB957 City of Poquoson real estate tax rates. Authorizes the City of Poquoson to impose a tax rate on improvements to real property at a tax rate that is different than the City's tax rate on the land upon which the improvements are located.

Patron - Miller, J.C.

SB965 Retail sales and use tax exemption for spaceport activities. Eliminates the sunset date of the sales and use tax exemption for personal property involved in spaceport activities. The sales and use tax exemption is set to expire on July 1, 2011.

Patron - Northam

SB974 Income tax; agricultural best management practices. Allows any taxpayer to apply for a refund of individual income tax credits that he receives for agricultural best management practices and that he cannot use, which would be refunded by the Tax Commissioner on behalf of the Commonwealth for 100 percent of their face value.

Patron - Whipple

SB979 Land preservation tax credit; threshold for verification of conservation value. Provides that the annual report compiled by the Department of Conservation and Recreation on qualified donations of less-than-fee interests include information on riparian buffers required by deed restriction on land qualifying for tax credits.

Patron - Whipple

SB984 Transient Occupancy Tax; Brunswick County. Adds Brunswick County and Washington County to those localities authorized to impose a transient occupancy tax not to exceed five percent, with any excess over two percent to be spent solely on tourism. Under current law, any county may impose a transient occupancy tax not to exceed two percent. This bill incorporates SB 793.

Patron - Lucas

SB987 Real property tax; exemption for disabled veterans. Codifies the constitutional amendment adopted by voters in November 2010 that provides for a property tax exemption for veterans who have a 100 percent, service-related disability. The constitutional amendment requires the General Assembly to enact the exemption in general law. This bill incorporates SB 1358.

Patron - Puller

SB999 Local incentives for the design, development, or production of goods for national defense. Creates a separate classification of machinery and tools designed and used directly in manufacturing or processing materials, components, or equipment for national defense. Local governments would be authorized to tax such machinery and tools at a rate that is less than the rate generally applicable to machinery and tools. The bill also authorizes local governments to establish, by ordinance, local defense production zones including incentives and regulatory flexibility for the design, development, or production by a defense production business of materials, components, or equipment for national defense. This bill incorporates SB 970.

Patron - Stosch

SB1073 Real estate tax relief for the elderly and permanently and totally disabled. Authorizes local governments to establish annual income or financial worth limitations

as a condition of eligibility for real property tax relief for the elderly and permanently and totally disabled. The bill implements the amendment to Article X, Section 6 (b) of the Constitution of Virginia that limits the General Assembly's ability to establish the limitations and allows the General Assembly to authorize local governments to establish the limitations. The bill contains an emergency clause.

Patron - Barker

SB1085 Local cigarette tax enforcement. Calls for the Tax Commissioner to convene a working group of interested parties to review policies with regard to how the local cigarette tax is enforced and administered. The working group will issue a report with recommendations to the Chairmen of the Senate and House Finance Committees by December 1, 2011.

Patron - Hanger

SB1111 Virginia Coal Employment and Production Incentive Tax Credit. Extends from July 1, 2011, to July 1, 2016, the sunset date for the redemption or refund provision of the tax credit, which would allow a person with an economic interest in coal to redeem with the Tax Commissioner that portion of the tax credit that exceeds the person's tax liability.

Patron - Wampler

SB1129 Neighborhood Assistance Act Tax Credit program. Extends the sunset date of the Neighborhood Assistance Act Tax Credit program from July 1, 2011, to July 1, 2014.

Patron - Stosch

SB1130 Taxation. Removes obsolete language from various sections of Title 58.1. The bill contains technical amendments.

Patron - Stosch

SB1132 Motor vehicle rental tax. Removes the administration and collection of the motor vehicle rental tax from the Department of Motor Vehicles and transfers it to the Department of Taxation.

Patron - Stosch

SB1136 Income tax; international trade facility tax credit. Grants an income tax credit equal to (i) \$3,000 for every employee hired by Virginia shippers that results from increased cargo moving through a Virginia cargo facility operated by the Virginia Port Authority or (ii) two percent of any capital investment made by a Virginia shipper to facilitate increased cargo moving through a Virginia cargo facility operated by the Virginia Port Authority. The taxpayer would elect which credit to take. The Tax Commissioner would be allowed to issue up to \$250,000 in tax credits in a fiscal year under the tax credit program. The credit will become available for taxable years on and after January 1, 2011, but before January 1, 2015.

Patron - Wagner

SB1137 Virginia Fuels Tax Act; definition of commercial watercraft. Clarifies that the exemption from sales and use tax for motor fuels used in commercial watercraft applies to any watercraft owned by a private business and used in the conduct of its business and operations.

Patron - Wagner

SB1152 Taxation; accrual of interest on assessments in dispute. Provides that after a taxpayer is audited and assessed and an application for correction is filed with the Tax

Commissioner, interest will accrue at the Federal short-term rate starting nine months from the assessment date.

Patron - Quayle

SB1153 Land preservation tax credit. Provides that a land preservation tax credit shall not be reduced by the amount of unused credit that could have been claimed in a prior year by the taxpayer but was unclaimed.

Patron - Quayle

SB1188 Aircraft sales and use tax; exemptions. Creates an exemption from the aircraft sales and use tax for qualified companies that are headquartered in Virginia, make a minimum of a \$4 million capital investment in Virginia, create at least 50 new jobs in Virginia, and enter into a memorandum of agreement with the Virginia Economic Development Partnership. The exemption expires December 31, 2014. The bill also creates an exemption from the aircraft sales and use tax for aircraft that are purchased in Virginia, but are registered outside of the Commonwealth and removed from the Commonwealth within 60 days of purchase.

Patron - Norment

SB1193 Tourism zones; tax revenues for tourism projects. Entitles certain tourism projects to a percentage of the state and local sales tax revenues generated on the premise of the project, to be used towards debt service to bridge the gap between available debt and equity and the expected costs of the project. In order to qualify for the entitlement, the project must have at least 80 percent of the funding for the project in place. If a locality passes an ordinance adopting a tourism plan and identifies by ordinance a tourism project that meets a deficiency in the plan, and the State Comptroller certifies the project, then the project is entitled to one percent of the state sales tax generated on the premise of the project. The locality must also provide, by ordinance, one percent of the local sales generated on the premises, and the tourism project must provide a match for the one percent state sales tax revenue. This bill is identical to HB 2285.

Patron - Norment

SB1226 Sales tax registration with local commissioners of the revenue. Allows dealers to register for sales tax purposes with the local commissioner of the revenue, if such commissioner elects to provide such service. Currently, dealers may register only with the Tax Commissioner. This bill is identical to HB 2183.

Patron - Petersen

SB1232 Land preservation tax credits. Provides that the maximum amount of credits that may be issued in any calendar year by the Department of Taxation shall be \$100 million plus any previously issued credits that have been disallowed or invalidated by the Department. The bill also allows the Tax Commissioner to have a second appraisal conducted on property for which an application for the credit has been made if he provides written notice to the donor within 30 days of the application being filed, and requires that the Tax Commissioner make a final determination within 180 days of such notice. This bill incorporates SB 1087.

Patron - Deeds

SB1236 Clean fuel vehicle and advanced cellulosic biofuels job creation tax credit; sunset date. Extends the sunset date of the tax credit from the 2011 taxable year to the 2014 taxable year. This bill incorporates SB 1404.

Patron - Ticer

SB1264 Income tax; farm wineries and vineyards tax credit. Creates an income tax credit for licensed farm win-

eries or vineyards equal to 25 percent of the cost of certain capital expenditures relating to new, or improvements to, Virginia farm wineries or vineyards for taxable years beginning on and after January 1, 2011. Total amount of credits for a calendar year is limited to \$250,000.

Patron - Vogel

SB1282 Income tax; barge and rail usage tax credit. Grants an income tax credit for the usage of barge and rail to move cargo containers throughout the Commonwealth rather than trucks or other motor vehicles on the Commonwealth's highways. The amount of the credit is \$50 per 20-foot equivalent unit (TEU) moved by barge or rail. The credit will be available for taxable years beginning on January 1, 2011, but before January 1, 2015. The Tax Commissioner would be allowed to issue up to \$1.5 million in tax credits in a fiscal year.

Patron - McWaters

SB1326 Income tax; research and development expenses tax credit. Allows income tax credits for individuals and businesses for qualified research and development expenses for taxable years beginning on or after January 1, 2012, but before January 1, 2016. The tax credit amounts are (i) 15% of the first \$167,000 of Virginia qualified research and development expenses, or (ii) 20% of the first \$175,000 of Virginia qualified research and development expenses, if the research was conducted in conjunction with a Virginia public or private college and university. The Tax Department shall develop policies and procedures for the application process for the tax credits. There is a \$5 million cap on the total amount of credits allowed in any taxable year.

Patron - Herring

SB1335 Income tax; telework expenses tax credit. Provides a tax credit to employers for expenses incurred in allowing employees to telework pursuant to a signed telework agreement for taxable years beginning on or after January 1, 2012, but before January 1, 2014. An employer would be eligible for a credit of up to \$1,200 per teleworking employee. The total credit amount any one employer may take for 2012 and 2013 is \$50,000. The aggregate amount of tax credits that will be issued is capped at \$1 million annually for taxable years 2012 and 2013.

Patron - Herring

SB1343 Retail sales and use tax; commercial and industrial exemptions. Extends from July 1, 2011, to July 1, 2016, the sunset date for the retail sales and use tax exemption for property used in the drilling, extraction, or processing of natural gas or oil and the reclamation of the well area.

Patron - Norment

SB1344 Additional transient occupancy tax; Historic Triangle area. Prohibits more than one person of the same local government, including the governing body of the locality, from serving as a member of the Williamsburg Area Destination Marketing Committee at the same time. This bill also provides that any person who has been selected to the Committee by other than a local governing body who becomes or is a member of the local governing body of the City of Williamsburg, the County of James City, or the County of York shall be ineligible to serve on the Committee. The Committee is charged with advertising the Historic Triangle area from the revenues of the additional local transient occupancy tax established for the same purpose.

Patron - Norment

SB1350 Real property tax assessments; appeals. Specifies that the burden of proof is on a taxpayer, when he

appeals the assessment of real property to a board of equalization or to a circuit court, to show by a preponderance of the evidence that the property in question is valued at more than fair-market value or the assessment is not uniform in its application. The bill includes requirements on assessors to provide certain notice and to furnish certain information in appeals of assessments. The bill is applicable to tax years beginning on or after January 1, 2012.

Patron - Norment

SB1359 Insurance premiums tax; retaliatory costs tax credit. Enhances the retaliatory tax credit for the insurance premiums tax by increasing the amount of the refund for certain taxpayers receiving the credit in 2000, beginning in taxable year 2011, from a maximum of \$800,000 annually to \$7 million annually.

Patron - Stosch

SB1384 Commonwealth's tax code; conformity with federal law; emergency. Advances the conformity with the federal tax code from January 22, 2010, to December 31, 2010, and restores conformity to the qualified motor vehicle tax deduction. The bill also contains an emergency clause and ensures that the measure will override certain budget language.

Patron - Colgan

SB1408 Business, professional, occupational license tax; exemption for unprofitable business. Allows localities to exempt from the BPOL tax businesses that lose money and are unprofitable during the taxable year, for taxable years beginning on or after January 1, 2012. The business is required to submit its income tax return as proof to the local commissioner of revenue.

Patron - Ruff

SB1431 Tire recycling fee. Provides that tire recycling fee shall be collected by the person who installs tires in the Commonwealth, pursuant to an agreement with a person who (i) makes the retail sale of such tires and (ii) does not collect the tire recycling fee.

Patron - Wagner

SB1447 Tax revenues generated by commercial spaceflight; Virginia Commercial Space Flight Authority. Transfers to the Virginia Commercial Space Flight Authority the portion of corporate income tax collected from corporations attributable to the sale of commercial human spaceflights and spaceflight training. The transfer to the Virginia Commercial Space Flight Authority begins on July 1, 2011, and lasts through fiscal year 2015.

Patron - Wampler

SB1450 Taxation; fillable tax forms. Requires the Tax Commissioner to ensure that all state tax forms are fillable forms in a portable document format for taxable years beginning on and after January 1, 2012, and made available on the Department's website. The Tax Commissioner must develop guidelines for using the forms and publish them on the website. Finally, such forms shall not replace, supersede, modify, duplicate, or compete with the Virginia Free File program.

Patron - Deeds

SB1478 Judicial sale of real estate. Authorizes a locality to institute proceedings to sell real property that is located within or abutting a community development authority and upon which special taxes or assessments have been imposed when the special tax or assessment is delinquent on the first anniversary of the date on which the tax or assessment became due. Under the bill, a locality is not allowed to institute proceedings to sell property that is (i) a single-family residence

if the owner of the property is the resident on such first anniversary or (ii) an individual residential unit in a multi-unit structure or building if the owner of the unit is the resident of the unit on such first anniversary. The bill contains an emergency clause.

Patron - Stosch

SB1481 Corporate income tax; Virginia port volume increase tax credit. Provides an income tax credit to taxpayers engaged in manufacturing goods or the distribution of manufactured goods that use Virginia port facilities and increase their port cargo volume by five percent in a single year over their base year port cargo volume. The five percent requirement may be waived for a taxpayer qualifying as a major facility. A taxpayer would apply to the Virginia Port Authority and the authority would calculate the amount of the credit based on several factors. The total credit amount available in a calendar year is \$3.2 million and each taxpayer would be limited to \$250,000 annually. The credit would be available for taxable years beginning on and after January 1, 2011, but before January 1, 2016.

Patron - Wagner

Failed

HB1410 Corporate income tax; small business reduced rate. Allows a reduction of one-half of one percent in the corporate income tax rate for up to three years for certain small businesses that increase the number of their employees by a minimum of five percent over the previous year, for taxable years beginning on and after January 1, 2012.

Patron - Bell, Richard P.

HB1413 Motor fuels tax rate. Converts the rate of taxation on motor fuels from cents per gallon to a percentage rate. The bill provides that the Commissioner of the Department of Motor Vehicles shall calculate the percentage rate in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, the percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the Department of Motor Vehicles over rolling six-month periods, to determine the cents to be charged.

Patron - Scott, J.M.

HB1431 Recordation tax. Reduces the state recordation tax on deeds of trust from \$0.25 per \$100 of the amount financed to \$0.2375 per \$100 of such amount. The bill also eliminates the reduced recordation tax based on deeds of trust securing a refinanced mortgage with the same lender. Under current law, the recordation tax on deeds of trust for such refinancing applies only to the extent that the amount of the refinancing exceeds the original amount of financing.

Patron - Albo

HB1445 Income tax; land preservation tax credit limits. Limits the maximum amount that any taxpayer may receive in land preservation tax credits to \$10 million annually, beginning in calendar year 2012. This bill was incorporated into HB 1828.

Patron - Morgan

HB1467 Transient Occupancy Tax; Accomack County. Adds Accomack County to those localities authorized to impose a transient occupancy tax not to exceed five percent, with any excess over two percent to be spent solely on tourism. Under current law, any county may impose a transient occu-

pancy tax not to exceed two percent. This bill was incorporated into HB 1452.

Patron - Lewis

HB1513 Transient occupancy tax; Arlington County. Extends the sunset date for the additional transient occupancy tax in Arlington County from January 1, 2012, to January 1, 2015. Current law requires that the revenues from the tax be designated and spent for promoting tourism and business travel in the county.

Patron - Brink

HB1531 Motor fuels tax; rate increase. Increases the motor fuels tax rate by \$0.10 per gallon and dedicates the additional revenue to the operation, maintenance, improvement, and expansion of the Commonwealth's transportation system.

Patron - Howell, A.T.

HB1542 Income tax; renewable energy property and energy audit tax credits. Grants an income tax credit for taxable years beginning on or after January 1, 2012, to individuals for renewable energy property and residential energy audits as follows: Solar panels tax credit - \$1.25/watt for first 2,000 watts; \$0.75/watt for 2,001-8,000 watts; \$0.25/watt for 8,001-20,000 watts; not to exceed \$10,500. Solar hot water tax credit - up to \$2,000. Geothermal heat pumps - 10 percent of installed cost up to \$3,000 tax credit. Residential energy audits - 50 percent of cost up to \$250 tax credit; one per five-year period. The bill also grants an income tax credit for taxable years beginning on or after January 1, 2012, to commercial business taxpayers for renewable energy property and energy audits as follows: Solar panels tax credit - \$1.25/watt for first 2,000 watts; \$0.75/watt for 2,001-8,000 watts; \$0.25/watt for 8,001-20,000 watts; not to exceed \$2.5 million. Solar hot water tax credit - 25 percent of installed cost up to \$10,000. Geothermal heat pumps tax credit - 10 percent of installed cost up to \$10,000. Commercial building energy audit - 50 percent of cost up to \$500 tax credit; one per five-year period.

Patron - Kory

HB1544 Commonwealth Mass Transit Fund. Increases the percentage of Transportation Trust Fund revenues flowing into the Commonwealth Mass Transit Fund from 14.7 to 19 percent.

Patron - Kory

HB1547 Income tax; nonprofit charitable donations for Energy Star qualified products tax credit. Grants an income tax credit for taxable years beginning on or after January 1, 2012, to individual taxpayers and business taxpayers that make a cash donation to charitable nonprofit organizations that use the donation to construct, purchase, or lease Energy Star qualified products for their headquarters on or after January 1, 2012. The amount of the credit equals 50 percent of such equipment expenditures but not more than \$25,000 total.

Patron - Kory

HB1604 Corporate income tax; market-based sourcing. Changes the way the sales factor is determined, for purposes of the corporate income tax, so that it will be market-based sourcing rather than costs-of-performance, which is the current method used.

Patron - Albo

HB1634 Transient occupancy tax; Washington County. Adds Washington County to the list of counties that may impose a transient occupancy tax rate up to three percent in addition to the two percent rate available to all counties (a

total maximum tax rate of five percent). All revenue from the additional three percent rate shall be used solely for travel and tourism. This bill was incorporated into HB 1452.

Patron - Johnson

HB1636 Intangible personal property tax; machinery and tools. Classifies as intangible personal property, and therefore subject solely to state taxation, (i) machinery and tools purchased on or after July 1, 2011, for the first three years following the date of purchase and (ii) machinery and tools used for business purposes, for the first three years after being brought into the Commonwealth for the first time. The bill also classifies as intangible personal property, and therefore subject solely to state taxation, machinery and tools that have been in use for at least 10 years and are located in any county, city, or town in which the assessed value of the machinery and tools is greater than one percent of the original cost.

Patron - Purkey

HB1638 Sales and use tax exemptions; commercial and industrial. Extends the sunset date from July 1, 2011, to July 1, 2016, for (i) machinery, tools, and equipment used in drilling for natural gas or oil and (ii) orbital or suborbital space facilities. This bill incorporates HB 1704.

Patron - Purkey

HB1652 Personal property tax; valuation of certain motor vehicles. Provides that the cost basis used in the valuation of motor vehicles that are not listed in an official pricing guide be reduced by the amount of any rebates.

Patron - Cosgrove

HB1653 Motor fuels tax in certain transportation districts; referendum. Imposes an additional 2.1 percent tax on motor fuels sold by a wholesale distributor to retailers in the counties and cities within each transportation district wherein the citizens affirm the imposition at referendum on November 8, 2011. The revenue attributable to each transportation district shall be used solely for the construction of highways, bridges, or tunnels within the respective transportation district.

Patron - Purkey

HB1654 Motor fuels tax rate; adjusted by motor fuel price index. Provides that beginning April 1, 2012, the rate of tax on motor fuel shall be increased or decreased annually by the percentage increase or decrease in the retail price of motor fuel. The bill does not become effective unless approved by the voters at the election to be held November 8, 2011. The bill has a sunset date of December 1, 2016.

Patron - Purkey

HB1676 Sales tax registration with local commissioners of the revenue. Allows dealers to register for sales tax purposes with the local commissioner of the revenue. Currently, dealers may register only with the Tax Commissioner. This bill was incorporated into HB 2183.

Patron - Englin

HB1701 Retail sales tax exemption; gold and silver bullion. Establishes a retail sales tax exemption for sales of (i) nongraded United States gold or silver bullion coins or (ii) gold or silver bullion bars or ingots.

Patron - Athey

HB1704 Retail sales and use tax exemption for spaceport activities. Eliminates the sunset date of the sales and use tax exemption for personal property involved in space-

port activities. The sales and use tax exemption is set to expire on July 1, 2011. This bill was incorporated into HB 1638.

Patron - Lewis

HB1711 Transient Occupancy Tax; Brunswick County. Adds Brunswick County to those localities authorized to impose a transient occupancy tax not to exceed five percent, with any excess over two percent to be spent solely on tourism. Under current law, any county may impose a transient occupancy tax not to exceed two percent. This bill was incorporated into HB 1452.

Patron - Wright

HB1750 Cigarette tax rate. Increases the cigarette tax rate from \$0.30 per pack to \$0.80 per pack and increases the cigarette excise tax rate on roll-your-own tobacco from 10 percent to 27 percent.

Patron - Plum

HB1753 Income tax; livable home tax credit. Adds building contractors to those taxpayers who are allowed an income tax credit when they build new residences or retrofit existing residences to provide universal accessibility, for taxable years beginning on and after January 1, 2011. This bill was incorporated into HB 1950.

Patron - Plum

HB1756 Retail sales tax exemption; gold and silver bullion coins. Establishes a retail sales tax exemption for sales of nongraded United States gold or silver bullion coins. This bill was incorporated into HB 1906.

Patron - Wilt

HB1802 Personal property tax; classification. Creates a separate class of property, for personal property tax rate purposes, for motor vehicles with an Environmental Protection Agency combined city and highway fuel-efficiency rating of 40 or more miles per gallon. The bill also makes a technical amendment.

Patron - Surovell

HB1805 Tax administration; awards for detection of tax underpayments. Creates a program for the payment of monetary rewards to individuals who provide information to the Tax Commissioner that leads to the successful collection of taxes that are owed by other individual or business taxpayers. Awards may only be given if the underpaying individual taxpayer's income exceeds \$100,000 and the underpaying business taxpayer's income exceeds \$500,000.

Patron - Surovell

HB1815 Cigarette and other tobacco products tax rates. Increases the cigarette tax rate from \$0.30 per pack to \$1.45 per pack and increases the cigarette excise tax on roll-your-own tobacco from 10 percent to 50 percent. The bill also increases the tax rate on certain other tobacco products from 10 percent of the manufacturer's sales price to 50 percent. The additional revenue attributable to the increase in tax rates on cigarettes and roll-your-own tobacco is distributed as follows: 52 percent for Medicaid waivers for intellectual disabilities, 40 percent for Medicaid reimbursement to hospitals and doctors, four percent to the Virginia Department of Health for the Virginia state tobacco quitline, and four percent to the Virginia Healthy Youth Foundation to prevent tobacco use. The additional revenue attributable to the increase in the tax rate on other tobacco products is dedicated to Medicaid waivers for intellectual disabilities.

Patron - Hope

HB1866 Real estate tax relief for the elderly and permanently and totally disabled. Authorizes a local government to cap real property taxes of the elderly and permanently and totally disabled, at an amount equivalent to a percentage of their income, as determined by the local government. The bill is applicable to tax years beginning on or after January 1, 2011. This bill was incorporated into HB 2278.

Patron - Cole

HB1875 Income tax; rent reduction tax credit. Extends the sunset date for the rent reduction tax credit from December 31, 2010 to December 31, 2015.

Patron - Purkey

HB1880 Taxation of trusts established for disabled individuals. Establishes an individual income tax deduction not to exceed \$2,000 for the fair market value of contributions made during the taxable year to certain supplemental needs trusts established for disabled individuals. The bill also would exempt from taxation the income earned by such trusts. The bill would become effective for taxable years beginning on or after January 1, 2011.

Patron - Filler-Corn

HB1892 Transportation funding and administration. Provides additional funding for transportation by (i) imposing a motor fuels sales tax rate of four percent, phased in over four years, for highway maintenance, (ii) increasing the state sales tax in Northern Virginia by 0.5 percent for transportation projects in Northern Virginia, and (iii) increasing the recordation tax in Northern Virginia at a rate of \$0.40 per \$100 valuation. The motor fuels tax is not effective until the unemployment rate in the Commonwealth decreases for four consecutive quarters after July 1, 2010. The bill also reduces the sales and use tax rate on food for human consumption from 1.5 percent to one percent, and repeals the authority for certain localities to impose a local income tax. The bill requires the Department of Motor Vehicles, in consultation with the Virginia Port Authority and the Commonwealth Transportation Commissioner, to develop a fee schedule for overweight vehicles, to be presented to the Joint Commission on Transportation Accountability by December 15, 2011. In addition, the bill removes the sunset date from the 2009 Act of Assembly that reduced the special real property tax rate on commercial property in the localities embraced by the Northern Virginia Transportation Authority from \$0.25 per \$100 of assessed value, to \$0.125 per \$100 of assessed value. Finally, the bill increases the special real property tax rate on commercial property in localities in Hampton Roads from \$0.10 per \$100 of assessed value to \$0.125 per \$100 of assessed value.

Patron - Watts

HB1906 Sales and use tax exemption; gold, silver, and platinum bullion. Exempts from sales and use tax gold, silver, or platinum bullion whose sales price exceeds \$1,000. This bill incorporates HB 1756.

Patron - Miller, J.H.

HB1908 Recordation and grantor taxes. Changes the basis on which recordation and grantor taxes are calculated on the conveyance of real estate to the consideration for the property conveyed, effective July 1, 2013. Under current law, the basis is the greater of such consideration or the actual value of the property conveyed. For a three-year period, the bill also expands the reduced recordation tax accorded to deeds of trust securing a refinanced mortgage with the same lender, to all such refinancings, regardless of lender. Finally, the bill increases the penalty for fraudulent understatement of the con-

sideration for the property conveyed, from an amount equal to the tax due on the understatement to twice that amount.

Patron - Miller, J.H.

HB2047 Paper and plastic bag fee. Imposes a fee of \$0.05 on paper and plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning and prescription drugs are exempt from the fee. Retailers are allowed to retain \$0.01 of the \$0.05 fee or \$0.02 if the retailer has a customer bag credit program. The revenues raised by the fee will be deposited in the Virginia Water Quality Improvement Fund. Failure to collect and remit the fee will result in fines of \$250, \$500, and \$1,000 for the first, second, third and thereafter offenses.

Patron - Ebbin

HB2056 Income tax; travel expenses reimbursement tax credit. Grants an income tax credit for the total amount paid annually by an employer for employees' travel expenses when such employees are required to travel outside Virginia in the natural gas industry. The credit will become available for taxable years on or after January 1, 2011, but before January 1, 2015.

Patron - Poindexter

HB2109 Income tax; credit for diesel power to natural gas power truck conversion. Provides an income tax credit to individual truck owners who convert or have converted their diesel-powered trucks to natural gas power for taxable years beginning on and after January 1, 2011. The amount of the credit shall not exceed \$3,500 or the cost of the conversion, whichever is less.

Patron - Armstrong

HB2122 Sales and use tax exemption; certain computer equipment and enabling software. Expands the sales and use tax exemption for the purchase or lease of computer equipment or enabling software by data centers if new jobs are created by not only the data center operator but also collectively by the tenants of the data center.

Patron - Greason

HB2127 Income tax; deduction for certain volunteer services. Allows a deduction of \$1,500 when determining Virginia taxable income for professional services provided by mental health professionals and educators who volunteer with inmate programs in the Departments of Corrections, Correctional Education or Social Services, for taxable years beginning on or after January 1, 2012.

Patron - McClellan

HB2138 Local cigarette tax; counties. Authorizes any county to impose a local cigarette tax at a rate not to exceed \$0.05 per pack or the amount levied under state law, whichever is greater. It also repeals the Code section that allows only certain counties to impose a local cigarette tax.

Patron - Barlow

HB2151 Corporate income tax. Eliminates Virginia's corporate income tax for taxable years beginning on and after January 1, 2011.

Patron - Cline

HB2215 Local government; local defense manufacturing zones. Allows local governments to designate local defense manufacturing zones, similar to local technology zones and tourism zones, in which tax incentives and regulatory flexibility may be provided. Such zones would give local govern-

ments another economic development tool. This bill was incorporated into HB 1822.

Patron - McQuinn

HB2232 Personal property tax; valuation of motor vehicles. Requires that valuation of motor vehicles be at the lowest price in the NADA pricing guide. If a motor vehicle's model and year are not listed in such pricing guide, the individual vehicle may be valued on the basis of percentage or percentages of original cost.

Patron - Anderson

HB2239 Sales and use tax exemption; certain computer equipment and enabling software. Expands the sales and use tax exemption for the purchase or lease of computer equipment or enabling software by data centers. There is no longer a requirement for the creation of 50 new jobs, but rather the data center must have a creation of 25 new jobs provided that such jobs pay at least one and one-half times the prevailing average wage, pay any wage rate provided the data center is located in a locality that has an unemployment rate for the preceding year of at least 150 percent of the average statewide unemployment rate for such year, or is located in an enterprise zone.

Patron - Torian

HB2283 Credit against insurance license tax for investments in Virginia small business investment companies. Creates a credit against the state insurance license tax for certain insurance companies that invest in a Virginia small business investment company (VSBIC). A VSBIC is a Virginia-based entity that has as its primary business activity the investment of cash in qualified businesses and that is certified by the Director of the Department of Business Assistance as meeting the program's requirements. An eligible insurance company that makes a qualifying investment in a VSBIC is eligible for a transferable credit against its license tax liability equal to 80 percent of the investment, subject to the program's limits. An investing insurer may claim up to one-sixth of the amount of its credits against its license tax liability in any taxable year beginning January 1, 2013. The total amount of the designated capital for which license tax credits may be allowed is capped at \$100 million for the life of the program. The total amount of the designated capital for which license tax credits may be allowed for all participating investors in any year may not exceed the amount that would entitle all participating investors in VSBICs to take total credits of one-sixth of the \$100 million lifetime capped amount. If the total license tax credits claimed exceeds a limit, allowable license tax credits shall be allocated on a pro rata basis. VSBICs are required to make investments in qualified businesses in accordance with a schedule that requires 15 percent of allocated capital to be in strategic investment areas. To qualify for a VSBIC investment, a business shall have its headquarters and principal place of operations in Virginia, have no more than 100 employees, and be engaged in manufacturing, processing, or assembling products, conducting research and development, or providing certain services. A VSBIC that makes distributions that are neither qualified distributions nor distributions representing repayments of capital contributions to its equity investors is required to pay a profit share tax, which is deposited in the Building Future Jobs Fund. The Director is authorized to decertify, or impose an administrative penalty of up to \$25,000 on, a VSBIC that violates the program's provision. The measure states that the insurance license tax credits shall be paid from the portion of the license tax revenues that are deposited into the general fund of the state treasury.

Patron - Merricks

HB2299 Individual income tax and sales and use tax. Removes the remaining portion of the state sales and use tax (one and one-half percent) from food for human consumption (effective July 1, 2012) and restructures the individual income tax rate brackets for taxable years beginning on or after January 1, 2012.

Patron - Englin

HB2308 Income tax; clean special fuels motor vehicle and plug-in electric motor vehicle tax credit. Grants an income tax credit of \$2,000 to each taxpayer who purchases a clean special fuels motor vehicle or plug-in electric motor vehicle for taxable years beginning on and after January 1, 2011, but before January 1, 2015.

Patron - Sickles

HB2314 Income tax; educational improvement scholarships. Establishes a credit beginning in taxable year 2012 for corporations donating cash to nonprofit organizations providing education improvement scholarships to students who would have been eligible for the free and reduced lunch program under federal law, in order for them to attend nonpublic elementary or secondary schools. Nonprofit organizations to which donations are made would be required to distribute at least 90 percent of their annual receipts for such scholarships. The credit would equal 70 percent of the donation made by the corporation and could be carried forward or back for 15 years. Any corporation taking a charitable deduction on its federal income tax return would be required to add that amount back to its Virginia taxable income in order to receive this credit. There is a \$25 million cap for the credits.

Patron - Massie

HB2321 Virginia Free File tax program. Requires the Tax Commissioner to renegotiate the agreement with the Consortium of Virginia in order to allow any Virginia taxpayer who so desires to file his Virginia tax return electronically without charge, to do so for taxable years beginning on and after January 1, 2012.

Patron - Carr

HB2323 State lottery; instant ticket game to benefit veterans. Directs the State Lottery Board to create an instant ticket lottery game and dedicates the revenue generated for the benefit of veterans who reside in the Commonwealth.

Patron - Lingamfelter

HB2325 Income tax; research and development expenses tax credit. Allows income tax credits for individuals and businesses for qualified research and development expenses for taxable years beginning on or after January 1, 2012, but before January 1, 2017. The tax credit amounts are 3% of the Virginia qualified research and development expenses, not exceeding the Virginia base amount and 10% of the amount by which the Virginia qualified research and development expenses exceed the Virginia base amount. The Virginia Economic Development Partnership shall develop policies and procedures for the application process for the tax credits. There is a \$6 million cap on the total amount of credits allowed in any taxable year. This bill was incorporated into HB 1447.

Patron - Lingamfelter

HB2341 Plastic bag tax. Imposes a tax of \$0.20 on plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning, and prescription drugs are exempt from the tax. Retailers are allowed to retain \$0.05

of the \$0.20 tax or \$0.07 if the retailer has a customer bag credit program. Failure to collect and remit the tax will result in fines of \$250, \$500, and \$1,000 for the first, second, and third and subsequent offenses, respectively.

Patron - Morrissey

HB2342 Income tax; hiring employees with disabilities tax credit. Provides a tax credit for employers who hire qualified persons with disabilities for taxable years beginning on or after January 1, 2011, but before December 31, 2015. The amount of the credit is 20 percent of the first \$5,000 of wages paid annually to such employees during the first two years of employment.

Patron - Morrissey

HB2352 Motor fuels tax; rate increase. Increases the motor fuels tax rate by \$0.10 per gallon and dedicates the additional revenue for the expansion or improvement of rail transportation, and construction and maintenance of roads and bridges within each county, city, and town, on a pro rata basis according to the number of gallons distributed in each locality.

Patron - Morrissey

HB2355 Transient Occupancy Tax; Brunswick County. Adds Brunswick County to those localities authorized to impose a transient occupancy tax not to exceed five percent, with any excess over two percent to be spent solely on tourism. Under current law, any county may impose a transient occupancy tax not to exceed two percent.

Patron - Tyler

HB2360 Taxation; employee transportation assistance tax credit. Allows a tax credit to employers that provide employee transportation assistance for taxable years beginning on and after January 1, 2012. Such credit shall be equal to 25 percent of all expenditures paid or incurred by the employer for such assistance.

Patron - McClellan

HB2371 Real property tax assessment; notice. Requires that notice be published in a newspaper 30 to 45 days prior to the beginning of a reassessment cycle of real property advising taxpayers that they have (i) the right to have the assessor examine their property on site and (ii) the right to be present during such examination.

Patron - Edmunds

HB2390 Income tax; exemption for certain small businesses. Exempts certain small businesses from individual and corporate income tax for the first two years the business operates or until it produces \$300,000 in gross income, whichever occurs first. A small business is defined as a business located in Virginia that is independently owned or operated by U.S. citizens or noncitizens in full compliance with U.S. immigration law and that has 250 or fewer employees.

Patron - Pollard

HB2398 Treasurer; collection of local taxes. Provides that the treasurer of each county and city shall deposit with the State Treasurer an amount equal to 0.2 percent of all local taxes or other charges collected by the treasurer. Out of these deposits: (i) six percent of any tax or other charges collected shall be retained by the Compensation Board for administrative purposes, (ii) 47 percent of any tax or charges collected by the treasurer shall be allocated to the Compensation Board in support of local treasurers in accordance with existing law, and (iii) 47 percent of any tax or other charges collected by the treasurer shall be allocated by the Compensa-

tion Board in support of local commissioners of the revenue in accordance with existing law.

Patron - Joannou

HB2400 Corporate income tax; subcontracts tax credit. Provides a corporate income tax credit for certain large businesses that enter into qualified subcontracts with small businesses. The amount of the credit is six percent of the value of a large business's new qualified subcontracts or the increase in the existing subcontracts.

Patron - Nutter

HB2404 Sales and use tax revenue dedication; transportation in Northern Virginia and Hampton Roads. Dedicates a portion of state sales and use tax revenue for transportation projects in Northern Virginia and Hampton Roads equivalent to a one quarter percent sales and use tax rate in the localities in Northern Virginia and the localities in Hampton Roads, with the amount for each region calculated separately. The amounts calculated for Northern Virginia and Hampton Roads are transferred to the Northern Virginia Transportation Authority and the Hampton Roads Transportation Planning Organization, respectively, to be used solely for projects in the Commonwealth Transportation Board's Six-Year Improvement Program.

Patron - Rust

HB2444 Commissioners of the revenue; authorized to examine books and records for sales tax purposes. Authorizes local commissioners of the revenue to examine books and records of dealers and transportation companies. The commissioner of the revenue would be required to report on the results of his examination to the Tax Commissioner, including but not limited to any local use tax that has been incorrectly distributed to a county or city.

Patron - Keam

HB2476 Estate tax reinstated. Reinstates the estate tax for persons dying on or after July 1, 2011. No estate tax will be imposed on a gross estate (i) whose value is less than \$3 million or (ii) if the majority of the assets of the estate is an interest in a closely held business or a working farm. The revenues from the estate tax would first be used for funding staffing standards in nursing homes required to be established under the bill, which staffing standards would require a minimum period of time of direct care services to each resident per 24-hour period.

Patron - Howell, A.T.

HB2499 Insurance license tax. Dedicates to the Highway Maintenance and Operating Fund one-third of the total revenue from the insurance license tax, phased in over three years, beginning with fiscal year 2013.

Patron - Albo

HB2516 Income tax; agricultural best management practices. Allows any taxpayer to transfer income tax credits that he receives for agricultural best management practices and that he cannot use to another taxpayer who can use the credits, for taxable years beginning on or after January 1, 2011.

Patron - Lewis

HB2518 Income tax; mine inspection tax credit. Provides an income tax credit to mine operators for personnel expenses incurred when providing employees to accompany or assist a mine inspector or delegate of the Secretary of Labor during mine inspections or reviews.

Patron - Morefield

SB743 Transient Occupancy Tax; Washington County. Adds Washington County to those localities authorized to impose a transient occupancy tax not to exceed five percent, with any excess over two percent to be spent solely on tourism. Under current law, any county may impose a transient occupancy tax not to exceed two percent. This bill was incorporated into SB 984.

Patron - Wampler

SB753 BPOL administrative appeals process. Adds additional time limitations by which the Tax Commissioner must rule on BPOL administrative appeals and requests for advisory written opinions. The bill also would limit the Tax Commissioner to reviewing matters of law and would prohibit him from considering any additional or revised facts when ruling on any request for reconsideration of a BPOL determination previously issued by him.

Patron - Saslaw

SB780 Recordation and grantor taxes. Expands, for a three-year period, the reduced recordation tax accorded to deeds of trust securing a refinanced mortgage with the same lender to all such refinancings, regardless of lender.

Patron - Reynolds

SB833 Fuels taxes; indexing of tax rates. Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index. The bill would define the fuel efficiency index as the quotient that is obtained when using as the numerator the total annual vehicle miles traveled in the Commonwealth for the relevant year and using as the denominator the total gallons of motor fuel consumed for highway use in the Commonwealth for the relevant year. The numerator and denominator would be the corresponding amounts as published by the Federal Highway Administration of the United States Department of Transportation. The bill would establish 2007 as the base year for the fuel efficiency index. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the rates of Virginia's fuels taxes. Each December the Commissioner of the Department of Motor Vehicles would compute the adjusted rates of fuels taxes. Currently, Virginia's fuels taxes are fixed at the rate of \$0.175 per gallon for each gallon of gasoline, gasohol, and diesel fuel.

Patron - Petersen

SB969 Local government; local defense manufacturing zones. Allows local governments to designate local defense manufacturing zones, similar to local technology zones and tourism zones, in which tax incentives and regulatory flexibility may be provided. Such zones would give local governments another economic development tool.

Patron - Marsh

SB970 Local government; local defense manufacturing zones. Allows local governments to designate local defense manufacturing zones, similar to local technology zones and tourism zones, in which tax incentives and regulatory flexibility may be provided. Such zones would give local governments another economic development tool. This bill was incorporated into SB 999.

Patron - Marsh

SB972 Retail sales and transient occupancy taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room

and the intermediary charges the customer for the room and such facilitation efforts, the bill would require the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The effective date of the bill is January 1, 2012.

Patron - Whipple

SB980 Transient occupancy tax; Arlington County. Extends the sunset date for the additional transient occupancy tax in Arlington County from January 1, 2012, to January 1, 2015. Current law requires that the revenues from the tax be designated and spent for promoting tourism and business travel in the county.

Patron - Whipple

SB981 Renewable energy sources production tax credit. Establishes, beginning January 1, 2012 and ending July 1, 2016, a \$1-per-megawatt-hour income tax credit for each megawatt-hour of electricity or megawatt-hour equivalent in thermal energy that an energy producer generated from renewable energy sources harvested or captured in Virginia and sold or self-consumed during the taxable year. The bill provides that tax credits would be allowed only for electricity or thermal energy generated from equipment first placed in service on or after January 1, 2012. Under the bill, investor-owned incumbent electric utilities that have applied to the State Corporation Commission for approval to participate in a renewable energy portfolio standard program would be ineligible to receive the tax credit. The bill would provide a 10-year carryforward period for any credit not usable in the taxable year of sale.

Patron - Whipple

SB998 Corporate income tax; lower rate for certain businesses. Reduces the corporate income tax rate from six percent to three percent for the first three years after a business located (i) outside Virginia opens an office in a Virginia locality with population of 200,000 or fewer individuals and (ii) in a Virginia locality with a population exceeding 200,000 people opens a satellite office or operation in a Virginia locality with a population of 200,000 or fewer, for taxable years beginning on or after January 1, 2011. The capital investment made by the corporation must be \$250,000 or more and the tax reduction may not exceed the amount of that capital investment.

Patron - Stuart

SB1006 Corporate income tax; market-based sourcing. Changes the way the sales factor is determined, for purposes of the corporate income tax, so that it will be market-based sourcing rather than costs of performance, which is the current method used. The bill would become effective for taxable years beginning on or after January 1, 2012.

Patron - Watkins

SB1027 Tax credit for hiring recipients of Temporary Assistance for Needy Families. Provides that the tax credit would be issued on a fiscal year basis and that no more than \$3 million in tax credits would be issued in any fiscal year of the Commonwealth. The bill charges the Department of Taxation with administering the tax credit. Under current law, the amount of tax credits that may be issued in a fiscal year is subject to the general appropriation act.

Patron - Puckett

SB1045 Sales and use tax exemption; certain computer equipment and enabling software. Expands the sales and use tax exemption for the purchase or lease of computer equipment or enabling software by data centers. There is no longer a requirement for the creation of 50 new jobs, but rather the data center must have a creation of 25 new jobs provided

that such jobs pay at least one and one-half times the prevailing average wage, pay any wage rate provided the data center is located in a locality that has an unemployment rate for the preceding year of at least 150 percent of the average statewide unemployment rate for such year, or is located in an enterprise zone.

Patron - Barker

SB1086 Motor vehicle sales and use tax; exemptions. Exempts from the motor vehicle sales and use tax certain four-wheel plug-in electric vehicles rated at 8,500 pounds unloaded gross vehicle weight or less and having a maximum speed capability of at least 55 miles per hour. The exemption would be limited to 10 vehicles owned by a business and one vehicle owned by an individual. The aggregate amount of exemptions allowed would be capped at \$1 million, and the exemption would expire on July 1, 2012. The bill establishes a process to apply for an exemption from the Department of Taxation. The bill also includes clarifying amendments in regard to other sales tax exemptions.

Patron - Hanger

SB1087 Transfers of land preservation tax credits. Requires the use of a licensed transfer agent to transfer a land preservation tax credit to a taxpayer who is not an individual. Transfer agents would be licensed by the Department of Taxation. The bill provides licensing requirements for transfer agents. The bill allows the Tax Commissioner to revoke or suspend the license of, or impose a monetary penalty upon, any transfer agent who repeatedly transfers land preservation tax credits that are subsequently disallowed in whole or in part by the Department. This bill was incorporated into SB 1232.

Patron - Hanger

SB1088 Land preservation tax credits; refunded by the Tax Commissioner. Allows a donor of land or any interest in land to request a refund of unused land preservation tax credits with the Tax Commissioner for 90 percent of the face value of the credits. The bill provides for the Comptroller to deposit an amount equal to 10 percent of the face value of the credits into a special nonreverting fund to be used to provide matching grants to local purchase of development rights programs. The bill provides that a donor may be refunded no more than an aggregate of \$100,000 in unused land preservation tax credits regardless of the number of property donations made. No person who has transferred a land preservation tax credit to another person or acquired a land preservation tax credit from another person would be eligible for a refund of such unused tax credits.

Patron - Hanger

SB1101 Income tax credits; electric energy facility producing electricity primarily from agricultural livestock waste nutrients. Establishes individual and corporate income tax credits for energy property under § 48(a) of the U.S. Internal Revenue Code of 1986, as amended, that is (i) placed in service in the Commonwealth on or after January 1, 2011, and (ii) part of an electric energy facility producing electricity primarily from agricultural livestock waste nutrients. The amount of the credit would be equal to the amount of the energy credit allowed for the taxable year under § 48 of the U.S. Internal Revenue Code of 1986, as amended, for placing the energy property in service.

Patron - Hanger

SB1175 Taxation of trusts established for disabled individuals. Establishes an individual income tax deduction not to exceed \$2,000 for the fair market value of contributions made during the taxable year to certain supplemental needs trusts established for disabled individuals. The bill also would

exempt from taxation the income earned by such trusts. The bill would become effective for taxable years beginning on or after January 1, 2011.

Patron - Marsden

SB1194 Income tax; corporate tax credits for donations to nonprofit organizations providing educational scholarships. Establishes a tax credit beginning in taxable year 2012 for corporations donating cash to nonprofit organizations providing scholarships to students in order for them to attend nonpublic elementary or secondary schools. Nonprofit organizations to which donations are made would be required to contribute at least 90 percent of their annual receipts for such scholarships. The tax credit would equal 90 percent of the donation made by the corporation. The Department of Taxation would be responsible for issuing the tax credits. The Department would be allowed to issue up to \$25 million in tax credits in each fiscal year of the Commonwealth.

Patron - Obenshain

SB1205 Retail sales tax exemption; gold and silver bullion coins. Establishes a retail sales tax exemption for sales of nongraded United States gold or silver bullion coins.

Patron - Obenshain

SB1285 State taxes paid by highway contractors dedicated for transportation purposes. Dedicates to the Transportation Trust Fund all state retail sales and use and income taxes paid by highway contractors.

Patron - McWaters

SB1313 Taxation; employee transportation assistance tax credit. Allows a tax credit to employers that provide employee transportation assistance for taxable years beginning on and after January 1, 2012. Such credit shall be equal to 25 percent of all expenditures paid or incurred by the employer for such assistance.

Patron - McEachin

SB1358 Real property tax; exemption for disabled veterans. Codifies the constitutional amendment adopted by voters in November, 2010, that provides for a property tax exemption for veterans who have a 100 percent, service-related disability. The constitutional amendment requires the General Assembly to enact the exemption in general law. This bill was incorporated into SB 987.

Patron - Stosch

SB1365 State insurance license tax credit. Provides a tax credit against the state license tax liability on certain insurance companies for investments in Virginia small business investment companies. The tax credit will be administered by the Tax Commissioner. The tax credit is capped one sixth of \$100 million per year and may not exceed \$100 million for the life of the program.

Patron - McWaters

SB1386 State lottery; instant ticket game to benefit veterans. Creates an instant ticket lottery game to benefit veterans, to be available beginning January 1, 2012. Proceeds from the sale of the tickets shall be used by the Department of Veterans Services to benefit veterans of the armed forces who reside in the Commonwealth.

Patron - Colgan

SB1394 Sales and use tax revenue dedication; transportation in Northern Virginia and Hampton Roads. Dedicates a portion of state sales and use tax revenue for transportation projects in Northern Virginia and Hampton Roads equivalent to a one quarter percent sales and use tax rate in the

localities in Northern Virginia and the localities in Hampton Roads, with the amount for each region calculated separately. The amounts calculated for Northern Virginia and Hampton Roads are transferred to the Northern Virginia Transportation Authority and the Hampton Roads Transportation Planning Organization, respectively, to be used solely for projects in the Commonwealth Transportation Board's Six-Year Improvement Program.

Patron - McWaters

SB1403 Corporate income tax. Eliminates Virginia's corporate income tax for taxable years beginning on or after July 1, 2013.

Patron - Obenshain

SB1404 Income tax; clean fuel vehicle job creation tax credit. Extends the sunset date from December 31, 2011, to December 31, 2016, for the clean fuel vehicle job creation income tax credit. This bill was incorporated into SB 1236.

Patron - Wagner

SB1432 Income tax; industrial building rehabilitation tax credit. Creates a tax credit, not to exceed \$100,000, for businesses that rehabilitate or retrofit older industrial buildings in which a new business is located, for taxable years beginning on and after January 1, 2012.

Patron - Stanley

SB1442 Small employer health insurance tax credit. Establishes a tax credit for small employers that pay a portion of their employees' health insurance premiums. The credit would be equal to 30 percent of the federal small employer health insurance tax credit claimed by the employer and would have a seven-year carryforward period. Under the bill, a small employer is one with no more than 25 full-time employees.

Patron - Reynolds

SB1473 Department of Business Assistance; job retraining accounts; tax exemptions. Allows an individual to open a job retraining account through the Department of Business Assistance. The account would be a trust or savings account administered by the Department and would be used by the individual for expenses related to job retraining. An individual's employer would be authorized to make matching contributions to the account and would be eligible for a tax deduction for the contributions to the extent that the contribution was included in the employer's federal taxable income. The bill contains a reenactment clause.

Patron - Lucas

Trade and Commerce

Passed

HB1599 Enterprise zones; attestation of information. Eliminates the requirement that the accuracy and validity of information from business firms with base year employment of 100 or fewer positions, and that create 25 or fewer grant eligible positions, on permanent full-time positions, wage rates, and provision of health benefits provided in enterprise zone applications be attested to by an independent certified public accountant licensed in Virginia. SB 1348 is identical.

Patron - BaCote

HB1832 Virginia Racing Commission; powers and duties; retainage; illegal wagering on horse racing; penalty.

Removes the specific percentage on pari-mutuel pools by the licensee and allows the Commission to approve an amount to be so retained as jointly requested by a recognized majority horseman's group and an unlimited licensee. The bill also (i) increases for wagers placed on simulcast horse races outside of Virginia, the retainage of one and thirty one-hundredths percent of the pool, with five one-hundredths to be distributed to the Virginia Thoroughbred Association for the promotion of breeding in Virginia, and (ii) provides a heightened penalty for illegal wagering on horse racing. In addition, the bill provides that the Commission shall not issue a license to, and shall revoke the license of, an entity that withholds the sale at fair market value to an unlimited licensee of simulcast horse racing signals that such entity sells to other racetracks, satellite facilities, or advance deposit account wagering providers located in or outside of the Commonwealth.

Patron - Scott, E.T.

HB2050 Purchasers of secondhand metal articles. Requires any person buying secondhand metal articles used by or belonging to a railroad, telephone, mining, industrial, manufacturing, or public utility company to pay for such articles by check if the cost of the items exceeds \$1,000. HB 1597 is incorporated.

Patron - Carrico

HB2131 Redesignation of joint enterprise zones. Authorizes the Department of Housing and Community Development to expand an existing joint enterprise zone consisting of two localities provided (i) both the local governing bodies in which the proposed redesignated zone submit to the Department resolutions supporting the proposed redesignation and applications for the redesignation and (ii) the area of the locality that will be in the redesignated zone is contiguous to the existing joint enterprise zone and includes a revenue-sharing district that has experienced the loss of 900 permanent full-time positions within a 12-month period. HB 1744 is incorporated into this bill. SB 779 is identical.

Patron - Barlow

HB2148 Trademark infringement. Requires the court in any criminal proceeding involving trademark infringement, upon the request of the Commonwealth, to order that material infringing on a trademark in the possession or under the control of a defendant or law-enforcement officer be destroyed or delivered for destruction, or alternatively disposed of in another manner with the consent of the owner of the registered mark. Currently, courts are required to order that such materials be destroyed, delivered, or otherwise disposed of in civil proceedings brought by the registrant of the trademark. The measure also provides that a mark is deemed to be in use in connection with goods whose nature makes the placement of a tag or label impracticable if the mark is on documents associated with the goods or their sale and the goods are possessed in the Commonwealth. Finally, the measure provides that it is the owner of a registered mark, rather than its registrant, to whom a person infringing on a trademark is liable.

Patron - Cline

HB2316 Clean Energy Manufacturing Incentive Grant Program created. Repeals the Solar Photovoltaic Manufacturing Incentive Grant Program effective July 1, 2013, and the Biofuels Production Incentive Grant Program effective July 1, 2017, to create a program that provides financial incentives to companies that manufacture or assemble equipment, systems, or products used to produce renewable or nuclear energy, or products used for energy conservation, storage, or grid efficiency purposes. To be eligible for a grant, the manufacturer must make a capital investment greater than \$50 million and create at least 200 full-time jobs that pay at least the prevailing

wage. A wind energy supplier must make a capital investment of greater than \$10 million and create at least 30 full-time jobs that pay at least the prevailing wage to be eligible for a grant. Solar photovoltaic manufacturing grants based on sales in 2011 are capped at \$1 million. SB 1360 is identical.

Patron - Byron

HB2365 Virginia Racing Commission; authorization to join Interstate Racing and Wagering Compact. Authorizes the Virginia Racing Commission to enter into the Interstate Racing and Wagering Compact, as proposed by the Association of Racing Commissioners International.

Patron - Peace

HB2495 Advanced Shipbuilding Training Facility Grant Program. Revises the Advanced Shipbuilding Training Facility Grant Program by allowing the Commonwealth, the eligible city, and the qualified shipbuilder to structure an agreement whereby the eligible city would receive grants, not to exceed \$42 million, to be used toward payment of the costs of building the Facility, and the qualified shipbuilder, upon fulfilling performance requirements, would gain ownership of the facility at the end of the grant period. These parties retain the authority under current law to structure an agreement whereby the qualified shipbuilder receives grants upon fulfilling performance requirements. The bill also changes the date by which a memorandum of understanding must be reached to qualify a shipbuilder for the Program, from June 30, 2009, to August 31, 2011.

Patron - Jones

HB2526 Purchase of service handguns. Clarifies that when a law-enforcement officer is eligible to purchase his service handgun, he may purchase a weapon of like kind if his actual service handgun is not available.

Patron - Miller, P.J.

SB779 Redesignation of joint enterprise zones. Authorizes the Department of Housing and Community Development to expand an existing joint enterprise zone consisting of two localities provided (i) both the local governing bodies in which the proposed redesignated zone submit to the Department resolutions supporting the proposed redesignation and applications for the redesignation and (ii) the area of the locality that will be in the redesignated zone is contiguous to the existing joint enterprise zone and includes a revenue-sharing district that has experienced the loss of 900 permanent full-time positions within a 12-month period. HB 2131 is identical.

Patron - Lucas

SB854 Sales of secondhand building materials. Authorizes the chief of police or sheriff to refuse to issue a permit to allow a person to engage in the business of trading in secondhand building materials if the applicant has been convicted of a felony or crime of moral turpitude within three years preceding the application. The measure also (i) requires an applicant for a permit to provide his address, age, gender, and fingerprints; (ii) obligates junk dealers selling or acquiring secondhand building materials to report information about sales of secondhand building materials to the chief of police or sheriff; (iii) exempts authorized scrap sellers from the requirements; and (iv) provides that a person is deemed to be regularly engaged in the business of trading in secondhand building materials if he conducts 26 or more transactions within a year or offers for sale more than 600 pounds of secondhand building materials. Finally, the measure removes a provision making it unlawful for certain persons to "accept" certain secondhand metal items used by or belonging to certain utility or manufac-

turing companies; it remains unlawful to barter, purchase, exchange, or buy such items.

Patron - Wagner

SB1294 Virginia Consumer Protection Act; defective drywall; penalties. Makes it a prohibited practice under the Virginia Consumer Protection Act for a supplier to sell, offer for sale, or use in the construction, remodeling, or repair of any residential dwelling in Virginia, any drywall that he knows or has reason to know is drywall that, as a result of containing the same or greater levels of strontium sulfide that has been found in drywall manufactured in China and imported between 2004 and 2007, is capable of releasing sulfur compounds into the air. Such a sale, offering or use of drywall that has been designated by the Consumer Product Safety Commission as posing a substantial product hazard is also made a prohibited practice under the Virginia Consumer Protection Act. The prohibition does not apply to the sale or offering for sale of any building or structure in which such drywall has been permanently installed or affixed. The measure applies to transactions occurring on or after the effective date of the measure, which will become effective upon enactment pursuant to an emergency clause.

Patron - Miller, J.C.

SB1348 Enterprise zones; attestation of information. Eliminates the requirement that the accuracy and validity of information from business firms with base year employment of 100 or fewer positions, and that create 25 or fewer grant eligible positions, on permanent full-time positions, wage rates, and provision of health benefits provided in enterprise zone applications be attested to by an independent certified public accountant licensed in Virginia. HB 1599 is identical.

Patron - Norment

SB1360 Clean Energy Manufacturing Incentive Grant Program created. Repeals the Solar Photovoltaic Manufacturing Incentive Grant Program effective July 1, 2013, and the Biofuels Production Incentive Grant Program effective July 1, 2017, to create a program that provides financial incentives to companies that manufacture or assemble equipment, systems, or products used to produce renewable or nuclear energy, or products used for energy conservation, storage, or grid efficiency purposes. To be eligible for a grant, the manufacturer must make a capital investment greater than \$50 million and create at least 200 full-time jobs that pay at least the prevailing wage. A wind energy supplier must make a capital investment of greater than \$10 million and create at least 30 full-time jobs that pay at least the prevailing wage to be eligible for a grant. Solar photovoltaic manufacturing grants based on sales in 2011 are capped at \$1 million. This bill incorporates SB 1229 and is identical to HB 2316.

Patron - Stosch

Failed

HB1436 Automatic dialing-announcing devices; debt collections. Prohibits a caller from using an automatic dialing-announcing device to make a debt collection communication to a subscriber unless the communication is immediately preceded by a live operator who discloses to the subscriber information about the debt and the purpose of the call, and the subscriber consents to receipt of the communication. In addition, the subscriber shall be provided the opportunity to converse with a live operator in order to notify the caller that the debt is disputed, to request that the caller not make further debt collection communications, or to obtain the name and mailing address of the original creditor. Callers are further prohibited from using an automatic dialing-announcing device to make a

debt collection communication (i) to a subscriber within 30 days after being requested by the subscriber not to make such communications and (ii) in a manner that causes the subscriber's telephone to ring repeatedly or continuously with intent to annoy, abuse, or harass.

Patron - Loupassi

HB1438 Goods produced or manufactured in the Commonwealth; not subject to federal regulation. Provides that all goods produced or manufactured within the Commonwealth, when such goods are held, retained, or maintained in the Commonwealth, shall not be subject to federal law, federal regulation, or the constitutional power of the United States Congress to regulate interstate commerce. The bill does not apply to goods ordered, procured, or purchased by the federal government or by a federal contractor. The bill only applies to goods produced or manufactured on or after July 1, 2011.

Patron - Cole

HB1450 Sales of pressurized gas dusters. Prohibits any person from selling, offering for sale, or displaying for sale pressurized gas dusters in open displays or unlocked cases that are accessible to the public without the intervention of an employee of such business. Violations are a prohibited practice pursuant to the Virginia Consumer Protection Act.

Patron - Crockett-Stark

HB1597 Purchases of secondhand metal articles. Expands the requirements imposed on purchasers of secondhand steel, copper, copper wire, aluminum, aluminum wire, brass, brass bearings or fittings, electric light or gas fixtures, locks or other builders hardware, plumbing fixtures, bell or bell fixtures, lead or brass water pipes or any part of such fixtures or pipes, or any wire, cable, lead, solder, copper, iron or brass used by or belonging to a railroad, telephone, telegraph, coal mining, industrial, manufacturing or public utility company. Purchasers will be required to (i) include the employment and work and residence telephone numbers on the seller's receipt or bill of sale; (ii) collect copies of the seller's thumb prints; (iii) make a copy of the seller's driver's license or other form of government identification that includes the seller's name, residence address, and date of birth; (iv) record the vehicle registration card of any automobile or other vehicle in which the covered article was delivered, if any; (v) take a photograph of any covered article purchased; (vi) retain the materials for six months after the purchase; (vii) make the receipt or bill of sale and other materials available to law-enforcement officers; (viii) withhold payments until the third business day following delivery of the covered article; (ix) make any payment of \$50 or more in the form of a check; and (x) hold covered articles for seven days following their purchase. The requirements do not apply to items purchased from a plumber; the owner of buildings from which the item is taken; railroad, coal mining, industrial, manufacturing, or public utility company; the agent of any of these persons; or a person holding a permit to deal in secondhand building fixtures. Incorporated into HB 2050.

Patron - BaCote

HB1614 Prepaid cards; disclosure requirements. Requires issuers of general-use prepaid cards to disclose information regarding all fees associated with the cards. The disclosures are required to be presented in the form of a table that is consistent with the tabular format required for credit card disclosures under § 122(c) of the federal Truth in Lending Act and Regulation Z.

Patron - Ward

HB1744 Redesignation of joint enterprise zones. Authorizes the Department of Housing and Community Development to expand an existing joint enterprise zone consisting

of two localities to include an additional locality provided (i) all the local governing bodies of all the localities in which the proposed redesignated zone submit to the Department resolutions supporting the proposed redesignation and applications for the redesignation and (ii) the area of the additional locality that will be included in the redesignated zone is contiguous to the existing joint enterprise zone and includes a revenue-sharing district that has experienced the loss of 1,000 permanent full-time positions within a seven-month period. This bill was incorporated into HB 2131.

Patron - Tyler

HB2030 Strategic Manufacturing and Job Repatriation Act; report. Directs the Secretary of Commerce and Trade to create a comprehensive manufacturing strategy designed to increase overall production, create private sector jobs, and identify emerging technologies to strengthen Commonwealth competitiveness and comparative advantages. By January 1, 2012, and every second year thereafter, the Secretary shall conduct a survey of firms in the Commonwealth. Any firm choosing not to complete the survey will be ineligible to receive Virginia contracts or assistance. The survey shall identify Virginia firms that maintain manufacturing, design, or support service facilities outside the United States; categories of products manufactured at such facilities; and the number of jobs located at such overseas facilities. The Secretary is also directed to establish multiple repatriation task forces to promote repatriation in accordance with the established targets for job repatriation and manufacturing growth. The measure also creates the Economic Security Commission to study and make recommendations on policy relating to Commonwealth economic competitiveness, particularly in the manufacturing, information technology, energy, and biotechnology sectors of the global economy, and to study technology-based planning policies to bolster Commonwealth economic competitiveness. The Economic Security Commission's duties include (i) reporting on issues surrounding technology-based planning, emerging technologies, and Commonwealth economic competitiveness, specifically with regard to international trade agreements, taxation, cybersecurity, intellectual property laws and enforcement, vocational training, education, research and development programs, and infrastructure, and (ii) overseeing the development and operation of a technology spatial mapping program. Finally, the measure provides that the Secretary be requested to study the impact and feasibility of a tax incentive to encourage firms to repatriate jobs to the Commonwealth. In conducting the study, the Secretary shall examine the merits of waiving all Virginia taxes on the return of offshore, untaxed profits by comparing the cost of such an incentive with the number of Virginia jobs created.

Patron - May

HB2111 Enterprise zone job creation grants. Provides that a business firm in a locality with an unemployment rate two percent or higher than the statewide average is eligible for an enterprise zone job creation grant of \$500 per year for up to five years for each grant eligible position that during such year is paid at least 150 percent of the federal minimum wage.

Patron - Armstrong

HB2521 Virginia Motor Vehicle Warranty Enforcement Act. Expands who constitutes a consumer under Virginia's "lemon law" to include a corporation, limited liability company, partnership, or business trust provided that the entity purchases fewer than 25 motor vehicles annually and uses the motor vehicles in the conduct of for-profit commercial activities. Currently, only a purchaser or lessee of a motor vehicle that is used in substantial part for personal, family, or household purposes qualifies as a consumer.

Patron - Bell, Robert B.

HB2522 Virginia Home Solicitation Sales Act; form of notice. Removes from the statutorily authorized form of the notice of a buyer's right to cancel a home solicitation sale a provision that allows notice of cancellation to be sent by telegram. The notice form is also amended to allow notice of cancellation to be sent by facsimile. The measure also includes several technical changes.

Patron - Oder

SB1229 Clean Energy Manufacturing Incentive Grant Program created. Repeals both the Solar Photovoltaic Manufacturing Incentive Grant Program and the Biofuels Production Incentive Grant Program to create a program that provides financial incentives to companies that manufacture or assemble equipment, systems, or products used to produce renewable or nuclear energy, or products used for energy conservation, storage, or grid efficiency purposes. To be eligible for a grant, the manufacturer must make a capital investment greater than \$50 million and create at least 200 full-time jobs that pay at least the prevailing wage. A wind energy supplier must make a capital investment of greater than \$10 million and create at least 30 full-time jobs that pay at least the prevailing wage to be eligible for a grant. This bill was incorporated into SB 1360.

Patron - Deeds

SB1239 Personal Information Privacy Act. Makes several amendments to the Personal Information Privacy Act. The bill would prohibit a person from requiring an individual to provide his social security number to access goods and services if he also is required to provide a credit card or debit card number. The bill reinserts language that states that restrictions on the use of social security numbers set forth in the Act do not apply to records open under the Virginia Freedom of Information Act. This language was removed by the General Assembly in 2008. Finally, the bill makes changes to the damages provisions of the Act.

Patron - Ticer

SB1332 Virginia Racing Commission; limited licenses; licensing of limited duration meetings. Authorizes the Virginia Racing Commission to issue a limited duration license to owners of harness or Thoroughbred racing facilities provided that the owner or operator is a fair and a member of the Virginia Association of Fairs, Inc., or its successor not-for-profit association. The bill also provides that the prohibition on contributions to candidates for public office or public officer holders does not apply to a limited licensee when (i) the limited licensee has been granted tax exempt status under § 501(c)(3) or 501(c)(4) of the Internal Revenue Code, and (ii) the duration of race meeting or meetings under the limited license is in aggregate three days or less in any calendar year. This bill was incorporated into SB 1429.

Patron - Herring

SB1333 Virginia Racing Commission; powers and duties; allocation of retainage. Authorizes the Virginia Racing Commission to establish by regulation the allocation of sums to be paid out of the retainage generated by pari-mutuel wagering and revenue from advance deposit wagering. The bill contains technical amendments. This bill was incorporated into SB 1429.

Patron - Herring

SB1347 Virginia Racing Commission; simulcast horse racing; allocations. Authorizes wagering on historical horse racing. The bill also allocates the proceeds from such racing with forty-two percent of the proceeds distributed to the Commonwealth Transportation Trust Fund and the remaining

fifty-eight percent distributed to other entities. In addition, the bill (i) requires the existing race track to provide gambling educational programs including information on the availability of gambling addiction counseling and (ii) requires the promulgation of emergency regulations. The bill incorporates SB 1438.

Patron - Norment

SB1429 Virginia Racing Commission; net pool wagering; retainage. Changes the name of the Executive Secretary of the Commission to the Executive Director. The bill, among other things, also (i) increases the number of permissible satellite facilities (OTBs) from 10 to 20, (ii) revises the definition of pari-mutuel wagering, (iii) removes the specific retainage percentage on pari-mutuel pools by the licensee and allows the Commission to approve an amount to be so retained as jointly requested by a recognized majority horseman's group and an unlimited licensee, (iv) allows the determination of population for the purposes of the referendum on the establishment of a racetrack or satellite facilities to be based on the U.S. Census or the National Planning Data Corporation or other similar recognized source, and (v) allows the officers, directors, partners, spouses, and immediate family members thereof of a tax-exempt entity granted a limited duration license for thoroughbred or harness racing with pari-mutuel wagering to make contributions to any candidate for public office or public office holder at the state or local level. The bill authorizes net pool wagering on simulcast horse racing transmitted from outside of Virginia. Under the bill, net pool wagering is defined as a method of pari-mutuel wagering whereby amounts are awarded to winning wagers relative to the contribution, net of takeouts, to a pool by each participating jurisdiction or, if applicable, site. The bill requires the Racing Commission to adopt emergency regulations. The bill incorporates SB 1332 and SB 1333.

Patron - Norment

SB1438 Virginia Racing Commission; simulcast horse racing; allocations. Authorizes wagering on historical horse racing. The bill also allocates the proceeds from such racing with forty-two percent of the proceeds distributed to the Commonwealth Transportation Trust Fund and the remaining fifty-eight percent distributed to other entities. In addition, the bill (i) requires the existing race track to provide gambling educational programs including information on the availability of gambling addiction counseling and (ii) requires the promulgation of emergency regulations. This bill was incorporated into SB 1347.

Patron - Herring

Unemployment Compensation

Passed

HB2357 Unemployment compensation; Social Security offset. Eliminates the requirement that unemployment compensation benefits be reduced by 50 percent of the amount of the claimant's Social Security Act or Railroad Retirement Act retirement benefits in years when the solvency level of the unemployment trust fund is less than 50 percent. Currently, such a reduction in unemployment benefits is not required in years when the solvency level of the unemployment trust fund exceeds 50 percent. SB 1113 is identical.

Patron - McClellan

SB791 Extended unemployment benefits. Clarifies the expiration of provisions, enacted in 2009, that expanded the criteria for a state "on" indicator, during which unemployed

individuals are eligible for extended benefits to include weeks when the unemployment rate equaled or exceeded 6.5 percent and was more than 110 percent of the average for either or both of the corresponding three-month periods ending in the two preceding calendar years. The revised eligibility criteria will apply to weeks beginning not later than the week ending three weeks prior to the last week for which federal sharing is authorized by § 2005(a) of the federal American Recovery and Reinvestment Act of 2009, including weeks for which such sharing is authorized by an extension of or amendment to the federal law.

Patron - Watkins

SB1010 Unemployment benefits; minimum earnings requirement. Postpones the scheduled increase, from \$2,700 to \$3,000, in the minimum amount of wages an employee must have earned in the two highest earnings quarters of his base period in order to be eligible for unemployment benefits. The increase will apply to claims filed on or after July 1, 2012; it is currently scheduled to apply to claims filed on or after July 3, 2011.

Patron - Watkins

SB1113 Unemployment compensation; Social Security offset. Eliminates the requirement that unemployment compensation benefits be reduced by 50 percent of the amount of the claimant's Social Security Act or Railroad Retirement Act retirement benefits in years when the solvency level of the unemployment trust fund is less than 50 percent. Currently, such a reduction in unemployment benefits is not required in years when the solvency level of the unemployment trust fund exceeds 50 percent. HB 2357 is identical.

Patron - Watkins

Failed

HB2294 Unemployment compensation; Social Security offset. Eliminates the requirement that unemployment compensation benefits be reduced by 50 percent of the amount of the claimant's Social Security Act or Railroad Retirement Act retirement benefits in years when the solvency level of the unemployment trust fund is less than 50 percent. Currently, such a reduction in unemployment benefits is not required in years when the solvency level of the unemployment trust fund exceeds 50 percent.

Patron - McClellan

SB1401 Unemployment benefits; eligibility criteria. Provides that certain individuals who have exhausted eligibility for unemployment benefits and who are enrolled in approved training programs are eligible for up to 26 weeks of additional benefits. The measure also provides that an individual who voluntarily separates from employment is not disqualified from receiving unemployment compensation benefits if the separation is for a compelling family reason, which is defined as domestic violence, the illness or disability of a member of the individual's immediate family, or the need for the individual to accompany such individual's spouse to a place from which it is impractical for such individual to commute and due to a change in location of the spouse's employment. A provision allowing individuals to receive unemployment benefits if they voluntarily leave employment to follow a military spouse assigned to a new duty station, which provision will become effective only if the federal government appropriates adequate funds specifically for the purpose of paying benefits to such individuals, is repealed.

Patron - McEachin

SB1460 Workforce skills enhancement training program for unemployed workers. Establishes a program whereby unemployed workers may continue to receive unemployment compensation benefits while participating in workforce skills enhancement training from a potential employer. Workers may participate in the program for a maximum of 24 hours per week for a maximum of six weeks. When the program is complete, workers are assessed for possible employment. Participating workers do not receive any compensation from the potential employer providing the training, but are eligible for a Commonwealth-funded training stipend averaging \$100 per week for costs of child care, transportation, and other training-related costs. The Commonwealth will also reimburse the potential employer for the incremental additional cost of its workers' compensation insurance coverage. Funding for the workers' stipends and the reimbursement for workers' compensation insurance costs is subject to appropriation. The measure will become effective only if funds for its implementation are appropriated by the General Assembly.

Patron - Locke

SB1474 Unemployment compensation; shared work programs. Establishes a shared work program that provides employers with the option of reducing the hours worked by employees, while permitting the employees whose hours are reduced to receive partial compensation for lost wages. Program participation requires Virginia Employment Commission approval of a plan, which must provide that the reduction in hours of work is in lieu of a layoff of an equivalent percentage of employees, and that employees' fringe benefits cannot be reduced or eliminated during the plan. Employees must be available to work and available for full-time work with a participating work sharing employer.

Patron - Whipple

Virginia Energy Plan

Passed

HB2191 Voluntary Solar Resource Development Fund. Requires the Department of Mines, Minerals and Energy to provide the option to make voluntary contributions to the Voluntary Solar Resource Development Fund, which is established by this measure. Moneys in the Fund will be loaned for projects that involve the acquisition, installation, or operation of photovoltaic devices, solar water heating devices, or certain solar space heating devices at a residence, structure occupied by a nonprofit organization, or commercial establishment. The measure expires July 1, 2016. SB 975 is identical.

Patron - Ebbin

SB862 Commonwealth Energy Policy; local renewable energy facility siting ordinances. Requires that a local ordinance addressing the siting of renewable energy facilities be consistent with provisions of the Commonwealth Energy Policy, provide reasonable criteria to be addressed in the siting of any such facility that generates electricity from wind and solar resources, and include provisions establishing reasonable requirements on the siting of any such facility. Measures required by the ordinance are required to be consistent with the locality's existing ordinances.

Patron - Wagner

SB975 Voluntary Solar Resource Development Fund. Requires the Department of Mines, Minerals and Energy to provide the option to make voluntary contributions

to the Voluntary Solar Resource Development Fund, which is established by this measure. Moneys in the Fund will be loaned for projects that involve the acquisition, installation, or operation of photovoltaic devices, solar water heating devices, or certain solar space heating devices at a residence, structure occupied by a nonprofit organization, or commercial establishment. The measure expires July 1, 2016. HB 2191 is identical.

Patron - Whipple

SB1134 Offshore Wind Development Authority; membership. Exempts members of the U.S. Armed Forces who serve on the Virginia Offshore Wind Development Authority from a provision barring federal government employees from holding a state office. The measure also clarifies the process by which the Governor appoints to the Authority persons nominated by the Secretary of the Navy.

Patron - Wagner

Failed

HB1598 Restrictive covenants regarding solar energy collection devices. Invalidates any new or existing restrictive covenant adopted by a community association that prohibits or restricts an owner from installing or using any solar energy collection device on the owner's property. Community associations may establish reasonable restrictions as to the size, place, and manner regarding the placement of such devices on private property and community areas.

Patron - BaCote

SB814 Offshore energy resources. States that it shall be the policy of the Commonwealth to support oil and natural gas exploration, development, and production 75 miles or more off Virginia's coast, subject to the condition that such activities not be permitted if they would adversely affect the natural resources of the Chesapeake Bay, including its fish, wildlife, and aquatic resources and the habitat and ecological functions upon which they depend. Currently, the Commonwealth's policy is to support these activities 50 miles or more off Virginia's coast. The measure also provides that it is the Commonwealth's policy to permit the siting and development of commercial-scale offshore wind installations, and states that in adopting these policies the Commonwealth is cognizant of the risks evidenced by the Deepwater Horizon explosion. Finally, the measure deletes the statement that the policy of the Commonwealth shall support the inclusion of the Atlantic Planning Areas in the Mineral Management Service's draft environmental impact statement with respect to offshore oil and natural gas exploration.

Patron - McEachin

Waters of the State, Ports and Harbors

Passed

HB1649 Virginia Water Protection Permit; fee exemption; U.S. Navy. Extends the exemption from fee requirements for a Virginia Water Protection Permit to dredging activities performed by the Department of the Navy. Dredging operations sponsored by the Army Corps of Engineers are already exempted from such fees. This bill is identical to SB 961.

Patron - Cosgrove

HB1738 Reporting of water withdrawals; penalty. Authorizes the State Water Control Board to impose a civil penalty, not to exceed \$1,000, upon any person who fails to register and report certain water withdrawal information. Any person who withdraws more than one million gallons in any single month for crop irrigation or who withdraws during any single month a daily average that exceeds 10,000 gallons per day is required to be registered and report the amount of his withdrawals. However, prior to determining whether a civil penalty should be assessed, the Board is required to follow certain due process procedures, such as issuing several notices in writing of the person's failure to report his withdrawals. The person will have 60 days after receiving the second notice to file the report. The bill also provides for public comment on the criteria for calculating the appropriate penalty that would be imposed. A violator has the option of entering into a consent agreement with the Board and paying a civil charge that could be less than the \$1,000 penalty. The revenue generated from the civil penalties and charges will be deposited in a special fund that shall be used solely to fund the Department of Environmental Quality's water supply planning responsibilities.

Patron - Bulova

HB1828 Virginia Pollution Abatement Permit; inspection requirements. Removes the rule that the Department of Environmental Quality must inspect all facilities covered by a Virginia Pollution Abatement Permit annually for confined animal feeding operations or at least once every five years for all others. The bill sets a new standard that all facilities should be inspected to ensure compliance with statutory, regulatory, and permit requirements. This bill is identical to SB 1298.

Patron - Scott, E.T.

HB1943 No discharge zones. Provides that the criteria for establishing no discharge zones shall be based on the improvement of impaired tidal creeks. The bill also describes the actions that must be taken to ensure that there is no discharge of sewage from vessels while in a no discharge zone.

Patron - Pollard

HB2103 Aboveground storage tanks. Requires the State Water Control Board to develop standards for facilities with aboveground storage tanks in the City of Fairfax having an aggregate capacity of one million gallons or greater, existing prior to January 29, 1992, to upgrade to meet best practices standards for new or retrofitted tanks. The tanks have to meet these performance standards by July 1, 2021. This bill is identical to SB 843.

Patron - Bulova

HB2126 Location of wetland mitigation banks. Removes the references to an outdated map used to identify mitigation banks and instead uses the more readily identifiable hydrologic unit boundaries of the National Watershed Boundary Dataset.

Patron - Pollard

HB2389 Virginia Resources Authority; renewable energy projects. Adds renewable energy projects to those projects which the Virginia Resources Authority may finance.

Patron - Pollard

HB2486 Plan for impaired waters. Requires that the plan developed and implemented to restore impaired waters be controlling unless it is amended or withdrawn by the State Water Control Board. This bill is identical to SB 1441.

Patron - Cox, J.A.

HB2519 Virginia Water Protection Permits; multi-agency review. Requires natural resources agencies other than the Department of Environmental Quality eligible to provide comments on the issuance of Virginia Water Protection Permits shall do so within 45 days or be deemed to have approved the permit without further opportunity to comment. Currently, such agencies, including the Department of Game and Inland Fisheries, the Department of Conservation and Recreation, the Virginia Marine Resources Commission, the Department of Health, and the Department of Agriculture and Consumer Services must provide comments within 45 days, but the consequences of a failure to do so in a timely manner are not set out. This bill is identical to SB 1021.

Patron - Morefield

SB843 Aboveground storage tanks. Requires the State Water Control Board to develop standards for facilities with aboveground storage tanks in the City of Fairfax having an aggregate capacity of one million gallons or greater, existing prior to January 29, 1992, to upgrade to meet best practices standards for new or retrofitted tanks. The tanks have to meet these performance standards by July 1, 2021. This bill is identical to HB 2103.

Patron - Petersen

SB961 Virginia Water Protection Permit; fee exemption; U.S. Navy. Extends the exemption from fee requirements for a Virginia Water Protection Permit to dredging activities performed by the Department of the Navy. Dredging operations sponsored by the Army Corps of Engineers are already exempted from such fees. This bill is identical to HB 1649.

Patron - Northam

SB1021 Virginia Water Protection Permits; multi-agency review. Requires natural resources agencies other than the Department of Environmental Quality eligible to provide comments on the issuance of Virginia Water Protection Permits shall do so within 45 days or be deemed to have approved the permit without further opportunity to comment. Currently, such agencies, including the Department of Game and Inland Fisheries, the Department of Conservation and Recreation, the Virginia Marine Resources Commission, the Department of Health, and the Department of Agriculture and Consumer Services must provide comments within 45 days, but the consequences of a failure to do so in a timely manner are not set out. This bill is identical to HB 2519.

Patron - Puckett

SB1102 Point source nutrient trading. Exempts from the "two-for-one" rule point source nutrient removal technologies such as manure gasifiers that are being used by non-point sources (a farm) to generate and sell nutrient allocation offsets. The current Chesapeake Bay Watershed Nutrient Credit Exchange Program requires that two pounds of a nutrient be purchased for each pound to be offset when the allocation is purchased from a nonpoint source.

Patron - Hanger

SB1298 Virginia Pollution Abatement Permit; inspection requirements. Removes the rule that the Department of Environmental Quality must inspect all facilities covered by a Virginia Pollution Abatement Permit annually for confined animal feeding operations or at least once every five years for all others. The bill sets a new standard that all facilities should be inspected to ensure compliance with statutory, regulatory, and permit requirements. This bill is identical to HB 1828.

Patron - Ruff

PSB1309 Virginia Resources Authority. Modifies provisions regarding the Virginia Resources Authority to conform to the Public Finance Act.

Patron - Colgan

PSB1441 Plan for impaired waters. Requires that the plan developed and implemented to restore impaired waters be controlling unless it is amended or withdrawn by the State Water Control Board. This bill is identical to HB 2486.

Patron - Obenshain

Failed

FHB1623 Impacts to wetlands. Provides that no individual or general Virginia Water Protection Permit is required to be issued for a project's impacts to wetlands if the U.S. Army Corps of Engineers has issued an individual wetlands permit.

Patron - Knight

FHB1624 Department of Environmental Quality; consent agreements. Authorizes the Executive Director of the Department of Environmental Quality, when the State Water Control Board is not in session, to enter into consent orders with persons who have violated the water control laws or provisions of their ground water permit or surface water management area permits.

Patron - Knight

FHB1635 Virginia ports; change in ownership. Requires approval of both the Governor and the General Assembly before any change in ownership of the Virginia ports is permitted.

Patron - Purkey

FHB2402 State waters; regulation of interbasin transfers. Establishes a procedure for the interbasin transfer of waters. Persons initiating an interbasin transfer, or expanding an existing interbasin transfer, in excess of two million gallons per day must seek a certificate of transfer from the State Water Control Board. Applicants must publish a notice of intent to interested parties and hold public hearings in affected areas. The applicant is required to provide the Department of Environmental Quality with an environmental impact statement showing comprehensive analysis of the impacts, including cumulative impacts, that would occur in the source and receiving basins; an evaluation of alternatives to the proposed interbasin transfer; and a description of measures to mitigate any adverse impacts that may arise.

Patron - Wright

F SB885 Impacts to wetlands. Provides that no individual or general Virginia Water Protection Permit is required to be issued for a project's impacts to wetlands if the U.S. Army Corps of Engineers has issued an individual wetlands permit.

Patron - Blevins

F SB955 Craney Island disposal. Authorizes the Virginia Port Authority to take material dredged during the expansion of Craney Island from sediment remediation and wetlands mitigation sites along the Southern Branch of the Elizabeth River and dispose of it at the Craney Island Disposal Area.

Patron - Blevins

F SB1056 Wastewater treatment. Authorizes the State Water Control Board, in consultation with the Department of Environmental Quality, to eliminate wastewater discharges from sewage treatment facilities by July 1, 2020. The Board is to develop alternative treatment technologies or wastewater

disposal methods to discharging pollutants into state waters that will still meet water quality standards.

Patron - Stuart

F SB1237 Ground water withdrawal permit fees. Increases the maximum amount that the State Water Control Board can charge for a permit to withdraw ground water from \$6,000 to \$12,000. The term of a ground water permit is up to 10 years. The State Water Control Board is also authorized to set up a fee schedule to allow permit holders to pay their permit fees on an annual basis over the term of the permit.

Patron - Ticer

F SB1307 State waters; regulation of interbasin transfers. Establishes a procedure for the interbasin transfer of waters. Persons initiating an interbasin transfer, or expanding an existing interbasin transfer, in excess of two million gallons per day must seek a certificate of transfer from the State Water Control Board. Applicants must publish a notice of intent to interested parties and hold public hearings in affected areas. The applicant is required to provide the Department of Environmental Quality with an environmental impact statement showing comprehensive analysis of the impacts, including cumulative impacts, that would occur in the source and receiving basins; an evaluation of alternatives to the proposed interbasin transfer; and a description of measures to mitigate any adverse impacts that may arise.

Patron - Ruff

Welfare (Social Services)

Passed

PSB1608 Temporary Assistance for Needy Families. Provides that the Department of Social Services is designated as the state agency responsible for coordinating state efforts related to supporting public agencies and charitable and community groups seeking to assist low-income Virginians in their efforts to become self-sufficient and establishes the Temporary Assistance for Needy Families Fund to supplement the Department's administration of the Temporary Assistance for Needy Families block grant and assist the Commonwealth in maximizing program funds by leveraging individual, corporate, and charitable donations. This bill is identical to SB 1224.

Patron - Orrock

PSB1767 Placement of children; criminal history and central registry check. Eliminates language granting local boards of social services and licensed child-placing agencies discretion in deciding when to obtain background checks on adult household members residing in a home with a person with whom the local board or agency is considering placing a child on an emergency, temporary, or permanent basis and makes such checks mandatory. This bill is identical to SB 1040.

Patron - Crockett-Stark

PSB1868 Adult adopted person; access to identifying information. Requires the State Registrar of Vital Records to mail an adult adopted person's original certificate of birth to him upon order of the Commissioner of Social Services or order of a circuit court. This bill also provides that if a circuit court corrects or establishes a date of birth for a person born in a foreign country during an adoption proceeding or upon a petition to amend a certificate of foreign birth, the State Regis-

trar shall issue a certificate of birth showing the date of birth established by the court.

Patron - Toscano

HB1905 Child day programs; exemption from licensure requirements. Clarifies that a child day program that, by written policy given to and signed by a parent or guardian, allows school-aged children to enter and leave the premises without permission or supervision shall be exempt from licensure requirements regardless of (i) such program's location or the number of days per week of its operation; (ii) the provision of transportation services, including drop-off and pick-up times; or (iii) the scheduling of breaks for snacks, homework, or other activities.

Patron - Hugo

HB1984 Child welfare; placement of children. Provides that in cases in which a child cannot be returned to his family or placed for adoption and kinship care is not in the best interests of the child, the Department of Social Services shall consider other placements and services that may be in the best interests of the child. This bill is identical to SB 1178.

Patron - Kilgore

HB2157 Recognition of foreign adoptions. Provides that in cases in which a child has been adopted pursuant to the laws of a foreign country and enters the United States with an IR-3 or IH-3 visa issued by the United States Citizenship and Immigration Service, the adoptive parents shall not be required to readopt the child in Virginia and the adoption shall be recognized by the Commonwealth and the rights and obligations of the parties shall be determined as though the order of adoption was entered by a court of the Commonwealth. This bill also establishes a streamlined process whereby adoptive parents of children adopted pursuant to the laws of a foreign country and brought into the United States with an IR-3 or IH-3 visa may obtain a certificate of birth for the child.

Patron - Iaquinto

SB802 Regulation of child day programs; use of outdoor play equipment and areas. Provides that regulations governing child day centers shall not prohibit child day programs providing care for school-age children at a location that is currently approved for school occupancy and that houses a public or private school during the school year from allowing school-age children to use outdoor play equipment and areas approved for use by students of the school during school hours.

Patron - Houck

SB866 VIEW work requirement; exemption. Provides that a parent or caretaker-relative of a child under 12 months of age who personally provides care for the child may be exempt from mandatory participation in VIEW for up to 12 months. Months during which a parent or caretaker-relative is exempt from mandatory participation in VIEW may be consecutive or nonconsecutive.

Patron - Martin

SB1037 Foster care plan; independent living. Eliminates independent living as a permanency goal option for foster care plans approved on or after July 1, 2011, except in cases involving children admitted to the United States as refugees or asylees who are 16 years of age or older.

Patron - Barker

SB1038 Foster care; school placement. Allows a child placed in foster care to remain at his original school, if it is determined to be in his best interests. The bill requires the determination to be made in writing by the placing social ser-

vices agency and the local school division together, and adds the school placement to the foster care plan.

Patron - Barker

SB1040 Placement of children; criminal history and central registry check. Eliminates language granting local boards of social services and licensed child-placing agencies discretion in deciding when to obtain background checks on adult household members residing in a home with a person with whom the local board or agency is considering placing a child on an emergency, temporary, or permanent basis and makes such checks mandatory. This bill is identical to HB 1767.

Patron - Barker

SB1178 Child welfare; placement of children. Provides that in cases in which a child cannot be returned to his family or placed for adoption and kinship care is not in the best interests of the child, the Department of Social Services shall consider other placements and services that may be in the best interests of the child. This bill is identical to HB 1984.

Patron - Marsden

SB1223 Temporary Assistance for Needy Families Funding Pool. Establishes the Temporary Assistance for Needy Families (TANF) Funding Pool Program to consist of TANF block grant funds to be awarded to service providers for expanded TANF programs. Funds shall be awarded by the Department of Social Services to service providers through a competitive Request for Proposals process.

Patron - Barker

SB1224 Temporary Assistance for Needy Families. Provides that the Department of Social Services is designated as the state agency responsible for coordinating state efforts related to supporting public agencies and charitable and community groups seeking to assist low-income Virginians in their efforts to become self-sufficient and establishes the Temporary Assistance for Needy Families Fund to supplement the Department's administration of the Temporary Assistance for Needy Families block grant and assist the Commonwealth in maximizing program funds by leveraging individual, corporate, and charitable donations. This bill is identical to HB 1608.

Patron - Barker

Failed

HB1468 Legal presence required for public assistance; verification required. Provides that local departments of social services shall verify or cause to be verified information regarding the citizenship or legal presence of an applicant for public assistance prior to initiating provision of benefits, and that the Governor may withhold the appropriation of state funds under his control to any agency, political subdivision of the Commonwealth, or locality in violation of this act.

Patron - Albo

HB1519 Adoption of a child; absence of parental consent. Clarifies the standard a court must apply in when determining whether to allow adoption of a child in the absence of parental consent, stating that the court must determine that failure to grant the petition for adoption would be detrimental to the child, and that granting the petition for adoption would be in the best interests of the child. The bill also clarifies that, in cases in which parental consent to adoption is waived due to failure of the parent to contact the child for six months prior to the filing of the petition for adoption, the six-

month period must be immediately preceding the filing of the petition.

Patron - Orrock

HB1632 Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive TANF assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance provided he complies with all obligations imposed by the court, has completed substance abuse treatment, and participates in drug screenings.

Patron - Watts

HB1808 Support; interest on arrearage. Provides that payments collected by the State Department of Social Services on any support arrearage pursuant to an order being enforced by the Department shall be applied first to the interest on the arrearage and then to the arrearage.

Patron - Surovell

HB1811 Child care services; reimbursement rates. Directs the Department of Social Services to identify strategies to increase reimbursement rates for child care services for TANF recipients and families whose incomes are at or below 185 percent of the federal poverty level to an amount comparable to the goal identified by the U.S. Department of Health and Human Services and directs the Department to develop criteria for determining an appropriate local match for funds available for child care services for such TANF recipients and families.

Patron - Surovell

HB1853 Temporary Assistance for Needy Families Funding Pool. Establishes the Temporary Assistance for Needy Families (TANF) Funding Pool to consist of TANF block grant to be awarded to service providers for expanded TANF programs. Funds in the TANF Funding Pool shall be awarded by the Department of Social Services to service providers through a competitive grant program.

Patron - Dance

HB2154 Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.

Patron - Cline

HB2202 Child support arrearages. Provides that the Division of Child Support Enforcement shall, in order to enhance enforcement, publish at regular intervals a list of delinquent parents who owe child support.

Patron - Comstock

SB764 Adoption of a child; absence of parental consent. Clarifies the standard a court must apply in when determining whether to allow adoption of a child in the absence of parental consent, stating that the court must determine that failure to grant the petition for adoption would be detrimental to the child, and that granting the petition for adoption would be in the best interests of the child. The bill also clarifies that, in cases in which parental consent to adoption is waived due to failure of the parent to contact the child for six months prior to

the filing of the petition for adoption, the six-month period must be immediately preceding the filing of the petition.

Patron - Puller

SB781 Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year; however, the person shall have an opportunity to comply with the screening, assessment, or treatment requirements and be reinstated once during the 12-month period following the date of the initial view assessment. The provisions of the bill are made conditional upon an appropriation of general funds effectuating the provisions of the bill.

Patron - Reynolds

SB1238 Eligibility for TANF; drug-related felonies. Requires persons otherwise eligible to receive Temporary Assistance for Needy Families (TANF) benefits to not be denied benefits solely due to a previous conviction of a felony drug offense pursuant to § 18.2-250. The otherwise eligible person must comply with all obligations imposed by the criminal court and be actively engaged in or have completed a substance abuse treatment program. The bill mirrors the authorized federal exemption already granted for food stamp applicants.

Patron - Ticer

SB1243 Barrier crimes; listing of crimes. Clarifies the individual crimes included in the various barrier crime statutes.

Patron - Edwards

Wills and Decedents' Estates

Passed

SB1423 Wills and trusts; formula clauses referring to federal estate and generation-skipping transfer tax laws; application. Amends a section added to the Code during the 2010 Session that was designed to address the consequences of the anticipated repeal of the federal estate and generation-skipping transfer taxes with respect to estates and taxable transfers occurring after December 31, 2009, and before January 1, 2011, to address the retroactive reinstatement of such taxes as well as other changes made to federal tax law. The bill provides that the decision by a decedent's personal representative not to have the estate tax apply to a decedent's estate in 2010 does not affect the meaning of formula clauses for calculating transfers or devises based on federal estate or generation-skipping transfer tax law contained in a will or other instrument. The bill also provides that the fiduciaries or beneficiaries of an estate may petition the court to determine how the decedent would want such formula clauses construed and may also enter into a non-judicial agreement regarding the construction of such clauses. The bill contains an emergency clause and its provisions will be effective upon its passage.

Patron - Edwards

Workers' Compensation

Passed

HB1475 Workers' compensation; presumption that injury is work related. Creates a presumption, in the absence of a preponderance of evidence to the contrary, that an injury is work related. The presumption arises in a claim for compensation under the Workers' Compensation Act where an employee is physically or mentally unable to testify and there is un rebutted prima facie evidence that the injury was work related. SB 823 is identical.

Patron - Ware, O.

HB1705 Workers' compensation; modifications to employee's home and automobile. Authorizes the Workers' Compensation Commission, in awards entered for incapacity for work, to require the employer to furnish and maintain modifications to or equipment for the injured employee's automobile. Such awards may be made upon the determination by the treating physician and the Commission that they are medically necessary. Such an award may be in addition to currently authorized awards for bedside lifts, adjustable beds, and home modifications. The measure also increases the maximum aggregate cost of all such items and modifications on account of any one accident from \$25,000 to \$42,000.

Patron - Lewis

HB1812 Workers' compensation; infectious disease presumption; police officers of Metropolitan Washington Airports Authority and Norfolk Airport Authority. Adds police officers of the Metropolitan Washington Airports Authority and the Norfolk Airport Authority to the list of public safety employees who are entitled to the presumption that certain infectious diseases are occupational diseases compensable under the Workers' Compensation Act. This presumption applies with respect to police officers of the Metropolitan Washington Airports Authority only for periods that the Authority voluntarily subjects itself to the provisions of the Workers' Compensation Act.

Patron - Miller, P.J.

HB2401 Workers' compensation; farm and horticultural laborers. Increases, from two to three, the number of full-time farm and horticultural laborers an employer may have in service and remain exempt from requirements of the Workers' Compensation Act.

Patron - Wright

HB2477 Workers' compensation coverage; pneumoconiosis. Deletes the requirement that the 1980 standard of the International Labour Office Classification of Radiographs of Pneumoconiosis be used in determining coal worker's pneumoconiosis, and requires that the current ILO Classification of Radiographs of the Pneumoconiosis be used.

Patron - Phillips

SB823 Workers' compensation; presumption that injury is work related. Creates a presumption, in the absence of a preponderance of evidence to the contrary, that an injury is work related. The presumption arises in a claim under the Workers' Compensation Act where an employee is physically or mentally unable to testify and there is un rebutted prima facie evidence that the injury was work related. HB 1475 is identical.

Patron - Edwards

Failed

HB2087 Workers' compensation; MRSA presumption. Adds methicillin-resistant staphylococcus aureus (MRSA) to the list of infectious diseases that, if contracted by certain public employees with a documented occupational exposure to blood or body fluids, are presumed to be an occupational disease compensable under the Workers' Compensation Act.

Patron - Herring

SB759 Workers' compensation; compensable consequences. Establishes a rebuttable presumption that a subsequent injury to an employee is a compensable consequence of the employee's primary injury if the subsequent injury is to a body part or system that sustained a primary injury that (i) was accepted as compensable by the employer or (ii) was found to be compensable by the Workers' Compensation Commission. An employer may rebut this presumption by clear and convincing evidence that the subsequent injury is not causally connected to the primary injury because the injury is not a natural consequence that flows from the primary injury or that the injury is the result of an independent intervening cause attributable to the employee's own intentional conduct. The measure also provides that the period in which an employee may request the Commission to review a prior award based on a change in conditions in claims for medical treatment for a subsequent injury that is a compensable consequence of a primary injury is 24 months after the last to occur of the date of the employer's last payment of indemnity compensation or the last payment of any medical benefits. Currently, the limitation period for claims asserting such a change in conditions is 24 months from the last day for which compensation was paid.

Patron - Reynolds

Constitutional Amendments

Passed

HJ679 Constitutional amendment (first resolution); legislative sessions. Provides that the General Assembly may agree to delay the reconvened session for a period of up to one week. The Constitution now provides that the reconvened session will be held on the sixth Wednesday after adjournment of a regular or special session. The proposed amendment would allow the General Assembly to postpone the reconvened session for a brief period, for example, to avoid convening on a religious holiday.

Patron - Englin

HJ693 Constitutional amendment (first resolution); taking or damaging of private property; public use. Revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The proposed amendment provides that private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much taken as is necessary for the public use. Just compensation must equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public

use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is public, without a presumption that it is. This resolution incorporates HJR 498, HJR 515, and HJR 647.

Patron - Joannou

Failed

EHJ496 Constitutional amendment (first resolution); restriction on contents of a law that appropriates funds. Prohibits any law that appropriates funds from containing (i) any provision that imposes, continues, increases, or revives any tax, fee, or fine, and (ii) any provision that reduces, suspends, or eliminates any credit, deduction, or exemption associated with any tax, fee, or fine.

Patron - Marshall, R.G.

EHJ496 Constitutional amendment (first resolution); taking of private property for public use. Defines the term "public use" and specifies the instances for which private property may be taken. The measure also specifies that a taking of private property is not for a public use if the primary purpose of the property's acquisition is to increase tax base, tax revenues, or employment or otherwise to facilitate economic development. This resolution was incorporated into HJR 693.

EHJ499 Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in a year to the preceding year's total appropriations plus a percentage equal to the sum of the percentage increase in the rate of inflation plus the rate of population increase. However, additional appropriations may be made (i) for tax relief, (ii) for deposits to the Revenue Stabilization Fund, or (iii) for nonrecurring capital projects. "Total appropriations" is defined so as not to include appropriated moneys that are received from the federal government or an agency or unit thereof.

Patron - Loupassi

EHJ500 Constitutional amendment (first resolution); right to work. Provides that any agreement or combination between any employer and any labor union or labor organization whereby persons not members of such union or organization shall be denied the right to work for the employer, or whereby such membership is made a condition of employment or continuation of employment by such employer, or whereby any such union or organization acquires an employment monopoly in any enterprise, is against public policy and an illegal combination or conspiracy.

Patron - Bell, Richard P.

EHJ511 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2012, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be

repaid with reasonable interest by the end of the fourth fiscal year following the date of the borrowing. This resolution incorporates HJR 572.

Patron - Oder

EHJ515 Constitutional amendment (first resolution); taking of private property for public use. Limits the exercise of eminent domain to the purpose of public use and specifies that, with the exception of takings for the provision of any utility or common carrier service, property can only be taken or damaged where the primary purpose is not private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment. No more private property may be taken than that which is necessary to achieve the stated public use. Whenever an attempt is made to take or damage property for a stated public use, the owner shall have the right to a judicial determination that the use is truly public, without regard to any legislative assertion that the use is public. This resolution was incorporated into HJR 693.

Patron - Crockett-Stark

EHJ524 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The proposed amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law. This resolution is identical to HJR 610 and HJR 634.

Patron - Ware, O.

EHJ539 Constitutional amendment (first resolution); imposition of taxes and fees. Requires that any bill or ordinance passed by the General Assembly or a local governing body creating, imposing, or increasing a tax, license, fee, or any other charge pass by a three-fifths majority vote of elected members.

Patron - Cole

EHJ540 Constitutional amendment (first resolution); state and local budgets; limits on appropriations. Limits the state's or a locality's total appropriations in a year to the preceding year's total appropriations plus a percentage equal to the sum of the percentage increase in the rate of inflation plus the rate of population increase. "Total appropriations" is defined so as not to include appropriated moneys for tax relief or moneys that are received from the federal government or an agency or unit thereof. The General Assembly or a local governing body may exceed this limitation only by an affirmative vote of at least three-fifths of the elected members.

Patron - Cole

EHJ543 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds an alternative for restoration of rights pursuant to law for non-violent felons.

Patron - Herring

EHJ572 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to

include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and Priority Transportation Fund. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment requires Funds be appropriated only for transportation systems and projects. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within three years. The amendment also limits the use of general and other nontransportation funds for transportation purposes except for obligations authorized or entered into before January 1, 2013. This resolution was incorporated into HJR 511.

Patron - Watts

EHJ573 Constitutional amendment (first resolution); Governor's term of office. Permits a Governor elected in 2017 and thereafter to succeed himself in office. The amendment allows two four-year terms (either in succession or not in succession) but prohibits election to a third term. Service for more than two years of a partial term counts as service for one term.

Patron - Purkey

EHJ587 Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in any fiscal year to the preceding year's total appropriations plus a percentage increase equal to the past two years' average increase in the rate of inflation plus the average percentage increase in population. The amendment provides that any revenues collected in excess of the limitation shall be distributed: 75 percent to be refunded to individual income taxpayers and 25 percent to the Revenue Stabilization Trust Fund. "Total appropriations" is defined to exclude moneys appropriated that are received from the federal government or an agency or unit thereof. If the amount in excess of the limitation is less than or equal to one percent of the limitation, the total excess shall be deposited to the Revenue Stabilization Fund if that Fund has not reached its constitutional limit, or if that Fund has reached its limit, the excess shall be appropriated to the general fund.

Patron - Athey

EHJ593 Constitutional amendment (first resolution); free exercise of religion. Amends current free exercise of religion provisions of the Virginia Constitution to permit prayer and the recognition of religious beliefs, heritage, and traditions on public property, including public schools in order to secure further the people's right to acknowledge God. The amendment also prohibits (i) the composing of school prayers by the Commonwealth and its political subdivisions, and (ii) requiring persons to join in prayer or other religious activity. The current free exercise of religion provisions of the Virginia Constitution mirror those in the First Amendment of the United States Constitution and provide for the free exercise of religion and prohibit compelling persons to participate in religious activity.

Patron - Carrico

EHJ604 Constitutional amendment (first resolution); repeal of state law or regulation by localities. Authorizes counties and cities containing at least two-thirds of the state's population to repeal a state law or regulation. The resolutions to accomplish the repeal must state the particular law or regulation to be repealed and be adopted within a 24-month period.

Patron - Surovell

EHJ610 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The proposed amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law. This resolution is identical to HJR 524 and HJR 634.

Patron - Carr

EHJ613 Constitutional amendment (first resolution); limitation on debt. Provides that in any 10-fiscal-year period beginning with fiscal years of the Commonwealth starting on or after July 1, 2012, no more than the amount computed by first multiplying each year's realized and projected blended revenues by five percent and then taking an average of the resulting products would be used directly or indirectly for principal, interest, or other payments on debt. The bill defines debt as any debt issued or entered into for transportation projects and purposes, public buildings, or capital leases and other long-term obligations primarily secured by blended revenues. This limitation may be exceeded only by a vote of at least two-thirds of the members elected to each house of the General Assembly.

Patron - Cole

EHJ614 Constitutional amendment (first resolution); aid for nonpublic higher education; religious or theological education for military chaplains. Allows the General Assembly to provide for loans to, and grants to or on behalf of, students attending nonprofit institutions of higher education in the Commonwealth whose primary purpose is to provide religious training or theological education, provided the students are approved candidates for the chaplaincy of any active duty or reserve component of the United States Armed Forces, including the National Guard.

Patron - Greason

EHJ615 Constitutional amendment (first resolution); restriction on contents of a law that appropriates funds. Prohibits the enactment of any law that appropriates funds containing (i) any provision that imposes, continues, increases, or revives any tax, fee, or fine or (ii) any provision that reduces, suspends, or eliminates any credit, deduction, or exemption associated with any tax, fee, or fine.

Patron - Janis

EHJ634 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The proposed amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law. This resolution is identical to HJR 524 and HJR 610.

Patron - Morrissey

EHJ638 Constitutional amendment (first resolution); marriage. Proposes the repeal of the constitutional amendment dealing with marriage that was approved by referendum at the November 2006 election. That amendment to the Bill of Rights: (i) defined marriage as "only a union between one man and one woman"; (ii) prohibited the Commonwealth and its

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

Patron - Englin

EHJ647 Constitutional amendment (first resolution); taking or damaging of private property; public use. Expands the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The measure (i) states that the right to private property is fundamental; (ii) clarifies that the damaging or taking of private property is prohibited except for public use, and only upon the payment of just compensation to the owner; (iii) requires that the owner receive just compensation for the property taken or damaged and for damages to the residue; (iv) states that just compensation is no less than the value of the property taken or damaged, business goodwill, relocation expenses, loss of access and other economic loss proximately caused by the taking or damaging; (v) prohibits the taking of more property than is necessary to achieve the stated public use; (vi) provides that a taking of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the authorized provision of a public utility, public service corporation, or railroad service or for the elimination of a public nuisance existing on the property; and (vii) requires the condemnor to bear the burden of proving that the use is public. This resolution was incorporated into HJR 693.

Patron - Bell, Robert B.

EHJ680 Constitutional amendment (first resolution); contributions to defined benefit retirement plans maintained for employees. Requires that contributions to defined benefit retirement plans that are maintained for state employees and employees of participating political subdivisions and school divisions be made in strict adherence with contribution rates and times for the payment of the contributions as recommended by the Board of Trustees of the Virginia Retirement System (VRS). Under the proposed amendment, the General Assembly could provide for the deferral of all or any portion of such contributions for any fiscal year by a recorded affirmative vote of four-fifths of the members elected to each house of the General Assembly. In addition, for fiscal years 2013 through 2018 the General Assembly could make contributions at a rate that is less than the VRS-recommended contribution rate without a four-fifths vote and without any deferred contributions being recognized so long as the contributions are at least equal to certain minimum amounts. All contributions deferred would be required to be repaid within 10 years at an annual interest rate equal to the current actuarially calculated long-term rate of return as determined by VRS. The proposed amendment also would require that retirement contributions deferred in 2010 be repaid by June 30, 2022. The proposed amendment also specifies how certain other factors and variables used in setting contribution rates are to be determined.

Patron - Englin

EHJ687 Constitutional amendment (first resolution); General Assembly powers; limitations. Provides that the General Assembly may suspend or nullify any or all portions of any administrative rule or regulation by joint resolution agreed to by a majority of the members elected to each house. The General Assembly may designate a joint legislative commission or pair of standing committees representing both

houses to suspend any administrative rule or regulation during the interim that the General Assembly is not in session.

Patron - Habeeb

SJ284 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to law. This resolution incorporates SJR 306.

Patron - Miller, Y.B.

SJ300 Constitutional amendment (first resolution); electoral boards and general registrars. Permits the General Assembly to provide by law that two or more counties and cities may share one electoral board and general registrar if a majority of the voters in each participating county and city so approve and the localities already share clerks of court. This proposed amendment is patterned after the provision in the present Constitution for the sharing of constitutional officers by consenting localities.

Patron - Martin

SJ301 Constitutional amendment (first resolution); the right to a secret ballot. Adds a provision to the Bill of Rights to preserve and protect the right to a secret ballot in elections for office, votes on ballot measures, and votes to designate or authorize employee representation.

Patron - Martin

SJ306 Constitutional amendment (first resolution); restoration of civil rights. Provides for the automatic restoration of civil rights to persons convicted of nonviolent felonies (excepting felony drug and election fraud crimes) upon completion of sentence, including any term of probation or parole. The bill further provides that persons convicted of violent felonies, felony drug crimes, or election fraud crimes may have their civil rights restored by the Governor upon completion of sentence, including any term of probation or parole, and authorizes the General Assembly to provide by law for the restoration of civil rights to such persons. The restoration of rights pursuant to this provision has no effect on the right to possess firearms. This resolution was incorporated into SJR 284.

Patron - McEachin

SJ307 Constitutional amendment (first resolution); taking of private property for public uses. Limits the exercise of eminent domain for the purpose of public use and specifies that, with the exception of property taken for public service corporations, public service companies, or railroads, property may not be taken if the primary purpose of the taking is private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment. No more property shall be taken than is necessary to achieve the stated public use.

Patron - Obenshain

SJ321 Constitutional amendment (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Appointments to the 13-member Commission are to be made in the census year as follows: two each by the President pro tempore of the Senate, the Speaker of the House of Delegates, the minority leader in each house, and the state chairman of each of the two political parties receiving the most votes in the

prior gubernatorial election. The 12 partisan members then select the 13th member by a majority vote, or, if they cannot agree on a selection, they certify the two names receiving the most votes to the Supreme Court, which will name the 13th member. The Commission is directed to certify district plans for the General Assembly within one month of receipt of the new census data or by March 1 of the year following the census, whichever is later, and for the House of Representatives within three months of receipt of the census data or by June 1 of the year following the census, whichever is later. The standards to govern redistricting plans include the current Constitution's 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

ESJ323 Constitutional amendment (first resolution); right to work. Provides that any agreement or combination between any employer and any labor union or labor organization whereby persons not members of such union or organization shall be denied the right to work for the employer, or whereby such membership is made a condition of employment or continuation of employment by such employer, or whereby any such union or organization acquires an employment monopoly in any enterprise, is against public policy and an illegal combination or conspiracy.

Patron - McDougle

ESJ344 Constitutional amendment (first resolution); personal property tax exemption on boats and watercrafts. Allows the General Assembly to enact a general law allowing a locality to have the option to provide for a partial exemption for boats and watercrafts from local personal property taxation.

Patron - Stuart

ESJ353 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years.

Patron - Obenshain

ESJ360 Constitutional amendment (first resolution); charter schools. Grants the Board of Education authority to establish charter schools within the school divisions of the Commonwealth.

Patron - Obenshain

ESJ361 Constitutional amendment (first resolution); limitation on debt. Provides that in any 10 fiscal-year-period beginning with fiscal years of the Commonwealth starting on or after July 1, 2012, no more than the amount computed by first multiplying each year's realized and projected blended revenues by five percent and then taking an average of the resulting products would be used directly or indirectly for principal, interest, or other payments on debt. The bill defines debt as any debt issued or entered into for transportation projects

and purposes, public buildings, or capital leases and other long-term obligations primarily secured by blended revenues.

Patron - Saslaw

ESJ363 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and Priority Transportation Fund. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment requires Funds be appropriated only for transportation systems and projects. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within three years. The amendment also limits the use of general and other nontransportation funds for transportation purposes except for obligations authorized or entered into before January 1, 2013.

Patron - Norment

ESJ371 Constitutional amendment (first resolution); contributions to defined benefit retirement plans maintained for employees. Requires that contributions to defined benefit retirement plans that are maintained for state employees and employees of participating political subdivisions and school divisions be made in strict adherence with contribution rates and times for the payment of the contributions as recommended by the Board of Trustees of the Virginia Retirement System (VRS). Under the resolution, for fiscal years 2013 through 2018 the General Assembly could make contributions at a rate that is less than the VRS recommended contribution rate without any deferred contributions being recognized so long as the contributions are at least equal to certain minimum amounts. In addition, for fiscal years beginning on or after July 1, 2018, the General Assembly could provide for the deferral of all or any portion of such contributions for any fiscal year in which the maximum amount is appropriated from the Revenue Stabilization Fund, by a separate vote of a majority of all the members voting in each house. All contributions deferred would be required to be repaid within 10 years at an annual interest rate equal to the current actuarially calculated long-term rate of return as determined by VRS. The resolution also would require that retirement contributions deferred in 2010 be repaid by June 30, 2022. The resolution also specifies how certain other factors and variables used in setting contribution rates are to be determined.

Patron - Howell

ESJ396 Constitutional amendment (first resolution); limitation on debt. Provides that in any 10-fiscal-year period beginning with fiscal years of the Commonwealth starting on or after July 1, 2012, no more than five percent of projected blended revenues applicable to the 10-year period would be used directly or indirectly for principal, interest, or other payments on debt. In addition, no more than five percent of projected blended revenues for each year of the 10-year period would be included in the official estimates of the debt capacity of the Commonwealth.

Patron - Saslaw

ESJ401 Constitutional amendment (first resolution); sessions of the General Assembly. Provides that the General Assembly sessions convened in odd-numbered years shall be

long sessions and sessions convened in even-numbered years shall be short sessions, reversing the present schedule.

Patron - McDougle

Other Resolutions

Passed

PHJ512 Pancreatic Cancer Awareness Month. Designates November, in 2011 and in each succeeding year, as Pancreatic Cancer Awareness Month in Virginia.

Patron - Loupassi

PHJ561 Global Human Trafficking Awareness Day. Designates January 11, in 2011 and in each succeeding year, as Global Human Trafficking Awareness Day in Virginia.

Patron - Kory

PHJ596 Corrections Officer Day. Designates March 16, in 2011 and in each succeeding year, as Corrections Officer Day in Virginia.

Patron - Tyler

PHJ605 National Offshore Wind Technology Center. Expresses the support of the General Assembly for the establishment of a National Offshore Wind Technology Center in Hampton Roads, Virginia.

Patron - Cosgrove

PHJ608 Commemorating Veterans Day. Commemorates Veterans Day on November 11, 2011, in Virginia with a moment of silence at 11:00 a.m. throughout the Commonwealth. Calls upon the Governor to lead and encourage citizens to pause for a moment of silence at the appointed time to honor and remember the sacrifices of the men and women of the United States Armed Forces.

Patron - Bell, Richard P.

PHJ622 Histiocytosis Awareness Month. Designates September, in 2011 and in each succeeding year, as Histiocytosis Awareness Month in Virginia.

Patron - Rust

PHJ623 Pediatric Cancer Awareness Month. Designates September, in 2011 and in each succeeding year, as Pediatric Cancer Awareness Month in Virginia.

Patron - Greason

PHJ643 Lyme Disease Awareness Month. Designates May, in 2011 and in each succeeding year, as Lyme Disease Awareness Month in Virginia.

Patron - Comstock

PHJ683 Osteoporosis Awareness Day. Designates May 10th, in 2011 and in each succeeding year, as Osteoporosis Awareness Day in Virginia.

Patron - Filler-Corn

PHJ719 Patient Safety Day. Designates February 2, in 2011 and each succeeding year, as Patient Safety Day in Virginia.

Patron - Greason

PHJ734 Designating June 2, in 2011 and in each succeeding year, as Pope John Paul II's Pilgrimage to Poland Day in Virginia. Designates June 2, in 2011 and in each year thereafter, as Pope John Paul II's Pilgrimage to Poland Day in

Virginia and commends the Virginia Holocaust Museum on its hosting of the exhibition, "A Blessing to One Another: Pope John Paul II and the Jewish People."

Patron - Comstock

PHR46 State sovereignty; Tenth Amendment to the Constitution of the United States. Expresses the sense of the House of Delegates that the Congress of the United States be urged to honor state sovereignty under the Tenth Amendment to the Constitution of the United States and claims sovereignty for the Commonwealth under the Tenth Amendment over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States.

Patron - Peace

PHR50 Encouraging the establishment of the Partnership for Air Mobility Innovation in the 21st Century. Encourages federal and local efforts of the NASA Aeronautics Support Team to establish the Partnership for Air Mobility Innovation in the 21st Century with headquarters at NASA Langley Hampton.

Patron - Ward

PHR64 Posting recorded votes to the legislative information system. Directs the Clerk of the House of Delegates to post recorded committee, subcommittee, and floor votes of the members of the House of Delegates to the legislative electronic information system, beginning with the 2012 Regular Session of the General Assembly.

Patron - LeMunyon

PHR72 Memorializing Congress regarding greenhouse gas emissions regulation. Urges the United States Congress to address the proposed regulations of the Environmental Protection Agency in regards to greenhouse gas emissions.

Patron - Morefield

PHR73 Memorializing the Congress of the United States to address issues related to the current federal ethanol policy and to request the U.S. Environmental Protection Agency to withdraw its waivers until all pertinent testing on the impacts of e-15 is completed and satisfactory. Expresses the sense of the Virginia House of Delegates that Congress address the issues of liability, auto warranties, food inflation, and other economically deleterious effects of the current federal ethanol policy and request the U.S. Environmental Protection Agency to withdraw its waivers until all pertinent testing on the impacts of e-15 is completed and satisfactory.

Patron - Marshall, R.G.

PSJ291 Family History month. Designate October, in 2011 and in each succeeding year, as Family History Month in Virginia.

Patron - Puller

PSJ308 Department of Education; public schools; development of engineering curriculum; report. Requests the Department of Education to establish shared goals for an engineering program of study, and assign a shared responsibility for this program between the existing science, mathematics, and technology disciplines.

Patron - Wagner

PSJ322 Eating Disorder Awareness Week. Designates the last full week in February, in 2011 and in each succeeding year, as Eating Disorder Awareness Week in Virginia.

Patron - McEachin

PSJ331 Light Rail Safety Day. Designates April 29, in 2011 and in each succeeding year, as Light Rail Safety Day in Virginia.

Patron - Northam

PSJ358 Cancer Prevention Day. Designates February 4, in 2011 and in each succeeding year, as Cancer Prevention Day in Virginia.

Patron - Vogel

PSJ397 Person-center practices in providing services. Requests the Secretary of Health and Human Resources and human services agencies to adopt and implement person-center practices in providing services to citizens.

Patron - Edwards

PSJ455 Contributions of Turkish-American community of Virginia. Recognizes the contributions of the Turkish-American community of Virginia.

Patron - Petersen

Failed

FHJ542 United States Constitution; amendment. Makes application to the United States Congress to call a constitutional convention for the purpose of proposing an amendment that permits the repeal of any federal law or regulation by the vote of two-thirds of the state legislatures. The resolution states that the application would be revoked and withdrawn if the convention acts to amend the Constitution for any purpose other than an amendment to permit such repeal of a federal law or regulation.

Patron - LeMunyon

FHJ565 Memorializing the Congress of the United States to call an amendments convention. Expresses the sense of the General Assembly that the Congress of the United States call an amendments convention pursuant to Article V of the United States Constitution for the purpose of proposing a constitutional amendment providing that an increase in the federal debt requires approval from a majority of the legislatures of the separate states.

Patron - Peace

FHJ577 Memorializes Congress to recognize the importance of unfettered access to the Internet. Urges Congress to limit the Federal Communications Commission's authority over regulation of the Internet.

Patron - O'Bannon

FHJ578 Memorializing Congress regarding the expansion of the Federal Trade Commission's rulemaking authority. Urges Congress to recognize the separation of powers principles established in the United States Constitution, acknowledges the importance of the Federal Trade Commission's streamlined rulemaking authority in limited circumstances, and encourages the United States Congress to refrain from expanding the Federal Trade Commission's streamlined rulemaking authority.

Patron - O'Bannon

FHJ624 Memorializing resolution. Memorializes the United States Food and Drug Administration and the Interstate Shellfish Sanitation Conference to work collaboratively with the shellfish industry and state regulators to improve shellfish safety.

Patron - Peace

FHJ633 Employment First initiative; report. Requests the Secretary of Health and Human Resources to develop and implement an Employment First initiative for the Commonwealth to increase opportunities for meaningful employment in integrated community settings for persons with intellectual and developmental disabilities.

Patron - Morrissey

FHJ636 Department of Education; public schools; development of engineering curriculum; report. Requests the Department of Education to establish mutually shared goals for the instruction of a K-12 engineering education and assign joint responsibility to the existing science, mathematics, and technology education disciplines.

Patron - Nutter

FHJ640 United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. This joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress. This resolution is identical to SJR 357.

Patron - Sickles

FHJ642 Memorializing the members of the Virginia delegation of the Congress of the United States; value-added tax. Urges the Virginia delegation of Congress to oppose any legislation that would levy a value-added tax (VAT) on the consumption of goods.

Patron - Comstock

FHJ644 Recognition of the United Cherokee Indian Tribe of Virginia, Incorporated. Extends official state recognition to the United Cherokee Indian Tribe of Virginia, Incorporated, and grants the United Cherokee Indian Tribe of Virginia, Incorporated, representation on the Virginia Council on Indians.

Patron - Abbitt

FHJ733 Memorializing Congress to amend the federal Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA) of 1996 (P.L. 104-191). Urges Congress to restore in loco parentis at institutions of higher education and to require parental notification of destructive and illegal student behaviors by amending the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g) and the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996 (P.L. 104-191).

Patron - Howell, W.J.

FHJ852 Memorializing Congress to adopt legislation requiring a balanced federal budget and to call a convention to amend to the Constitution of the United States to require a balanced federal budget. Expresses the General Assembly's support for a balanced federal budget requirement by federal legislation and by an amendment to the Constitution of the United States to promote fiscal integrity at the federal level. This resolution initiates the process to call a convention to amend the Constitution of the United States to add a balanced budget requirement.

Patron - Cline

FSJ280 United States Constitution; amendment. Makes application to the United States Congress to call a constitutional convention for the purpose of proposing an amend-

ment that permits the repeal of any federal law or regulation by the vote of two-thirds of the state legislatures. The resolution states that the application would be revoked and withdrawn if the convention acts to amend the Constitution for any purpose other than an amendment to permit such repeal of a federal law or regulation.

Patron - McDougle

[F]SJ357 United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. This joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress. This resolution is identical to HJR 640.

Patron - Ticer

[F]SJ399 Memorializing Congress to amend the federal Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA) of 1996 (P.L. 104-191). Urges Congress to restore in loco parentis at institutions of higher education and to require parental notification of destructive and illegal student behaviors by amending the federal Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g) and the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996 (P.L. 104-191).

Patron - Saslaw

[F]SR28 Memorializing the Congress of the United States to honor the natural right of an individual to privately exercise his or her own judgment free from coercion or intimidation when making decisions that affect his or her life, liberty and pursuit of happiness. Expresses the sense of the Senate of Virginia that Congressional measures that jeopardize the secret ballot in workplace decisions on unionization and any mandates that threaten, weaken, or dissolve Virginia's laws protecting one's right to work should be defeated.

Patron - Newman

[F]SR29 Memorializing Congress regarding greenhouse gas emissions regulation. Urges the United States Congress to address the proposed regulations of the Environmental Protection Agency in regards to greenhouse gas emissions.

Patron - Puckett

Miscellaneous (Including Budget and Bonds)

Passed

[P]HB1500 Budget Bill. Amending Chapter 874, 2010 Acts of Assembly.

Patron - Putney

[P]HB1505 Bonds; capital projects at institutions of higher learning. Authorizes the Treasury Board to issue bonds pursuant to Article X, Section 9 (c) of the Constitution of Virginia in an amount up to \$64,579,000 plus financing costs to finance revenue-producing capital projects at Virginia Commonwealth University and Virginia State University. The bill

declares that an emergency exists and that the bill is effective upon passage.

Patron - Putney

[P]SB801 Bonds; capital projects at institutions of higher learning. Authorizes the Treasury Board to issue bonds pursuant to Article X, Section 9 (c) of the Constitution of Virginia in an amount up to \$64,579,000 plus financing costs to finance revenue-producing capital projects at Virginia Commonwealth University and Virginia State University. The bill declares that an emergency exists and that the bill is effective upon passage.

Patron - Colgan

[P]SB1458 Claims; Richard Hitt; Charles P. Jarrett. Provides relief to Richard Hitt and Charles P. Jarrett for not receiving the Virginia Retirement System benefits that are based on Hazardous Duty service when they were told that certain purchased service would be counted as Hazardous Duty and, therefore, qualify them for the hazardous duty supplemental benefits. The bill authorizes the Virginia Retirement System to pay the hazardous duty supplement to Mr. Hitt and Mr. Jarrett as outlined in subsection B of § 51.1-206.

Patron - Houck

Failed

[F]HB2488 Claims; Carol Arwood Rivers. Allows Carol Arwood Rivers to buy Virginia Retirement System service credit for her years of service at Lonesome Pine Regional Library, which she was not allowed to buy although she was eligible to purchase such service when Lonesome Pine Regional Library joined the Virginia Retirement System.

Patron - Kilgore

[F]SB800 Budget Bill. Amending Chapter 874, 2010 Acts of Assembly.

Patron - Colgan

[F]SB1043 Claims; certain employees of the Prince William Health Department. Provides relief in the amount of \$53,618 to 47 employees of the Prince William Health Department who through no fault of their own and without their knowledge were overpaid and now owe that sum to the Department.

Patron - Barker

[F]SB1176 Claims; Michele G. Stevener. Provides relief for Michele G. Stevener, as part of her individual claim as a patient, to compensate for her emotional distress and suffering resulting from a birth of a child who suffered from neurological injuries related to the birth. The bill directs the Birth-Related Neurological Injury Compensation Program to pay Ms. Stevener one statutory cap for her severe emotional distress and suffering for the period from December 25, 1998, to the present and future.

Patron - Marsden

Charters

Passed

[P]HB1536 Charter; City of Martinsville. Shifts the city's elections from May to November.

Patron - Merricks

HB1742 Charter; City of Fairfax. Amends the charter for the City of Fairfax by changing the date of the first meeting of the newly elected City Council members from the first Tuesday of July following their election to the second Tuesday of July following their election or at the first scheduled regular or special meeting of the City Council in July, whichever occurs first. Additionally, the charter is amended so that revenue bonds may be issued by the City without holding a bond referendum, as the charter currently requires. This bill is identical to SB 847.

Patron - Bulova

HB1763 Charter; Town of Rich Creek. Shifts council elections from May to November, removes a salary cap for council members, referencing state law for the setting of salaries, and updates several out of date provisions of the town's charter.

Patron - Crockett-Stark

HB1770 Charter; City of Alleghany Highlands. Provides a new charter for the City of Alleghany Highlands, the city created by the consolidation of Alleghany County and the City of Covington. This bill is identical to SB 899.

Patron - Shuler

HB1986 Charter; Town of Weber City. Deletes outdated provisions of the town charter.

Patron - Kilgore

HB2015 Charter; Town of Bluefield. Updates the town's boundaries, provides for the selection of a vice-mayor, and lengthens the mayor's term from two to four years.

Patron - Crockett-Stark

HB2031 Charter; Town of Purcellville. Allows the town council to increase the size of the board of architect rural review from five to seven members.

Patron - May

HB2072 Charter; City of Hopewell. Amends the charter to change election day for city council members from May to November, beginning in November 2012, and to extend the terms of the council's president and vice-president from June 30, 2012, to December 31, 2012. Additionally, the office of the city attorney is further defined to allow the city attorney to serve as chief legal advisor to the council and to the chief administrative officer. The city attorney also is given the power to appoint and remove his employees authorized by the council and assistants. This bill is identical to SB 1159.

Patron - Ingram

HB2130 Charter; City of Franklin. Establishes staggered terms for the city's appointed school board. This bill incorporates HB 2354.

Patron - Barlow

HB2139 Charter; City of Williamsburg. Amends the charter for the City of Williamsburg so that vacancies in the city council are filled pursuant to Virginia Code. Vacancies may first be appointed by the remaining council members if a vacancy in the council occurs and then by the voters in a special election. This bill is identical to SB 1189.

Patron - Barlow

HB2406 Charter; Town of South Boston. Alters the method of filling vacancies on council and in the office of mayor so as to conform to state law. Other changes include

updating Code references and allowing for incorporation of state law by reference.

Patron - Edmunds

HB2407 Charter; Town of Halifax. Changes the town's municipal elections to the date of the November general election.

Patron - Edmunds

HB2532 Charter; Town of Urbanna. Shifts the town's elections from May to November.

Patron - Rust

SB847 Charter; City of Fairfax. Amends the charter for the City of Fairfax by changing the date of the first meeting of the newly elected City Council members from the first Tuesday of July following their election to the second Tuesday of July following their election or at the first scheduled regular or special meeting of the City Council in July, whichever occurs first. Additionally, the charter is amended so that revenue bonds may be issued by the City without holding a bond referendum, as the charter currently requires. This bill is identical to HB 1742.

Patron - Petersen

SB880 Charter; City of Martinsville. Amends the charter of the City of Martinsville to change the date of the council member elections to the general election date in November. The measure also provides that three council members shall be elected on the November 2012 general election date and every four years thereafter, and the two other council members shall be elected on the November 2014 general election date and every four years thereafter. The terms of office of the council members begin in the January after their election, instead of the July after their election.

Patron - Reynolds

SB899 Charter; City of Alleghany Highlands. Provides a new charter for the City of Alleghany Highlands, the city created by the consolidation of Alleghany County and the City of Covington. This bill is identical to HB 1770.

Patron - Deeds

SB1065 Charter; Town of Narrows. Amends the charter for the Town of Narrows to change elections for mayor and town council members from May to the November general election date.

Patron - Edwards

SB1081 Charter; Town of Dayton. Amends the charter for the Town of Dayton so that, effective January 1, 2013, the town council will consist of six members and a mayor, rather than seven members and a mayor.

Patron - Hanger

SB1138 Charter; City of Portsmouth. Repeals the existing charter and provides a new charter containing powers typically granted to cities. Numerous outdated and redundant provisions are deleted.

Patron - Quayle

SB1159 Charter; City of Hopewell. Amends the charter to change election day for city council members from May to November, beginning in November 2012, and to extend the terms of the council's president and vice-president from June 30, 2012, to December 31, 2012. Additionally, the office of the city attorney is further defined to allow the city attorney to serve as chief legal advisor to the council and to the chief administrative officer. The city attorney also is given the power

to appoint and remove his employees authorized by the council and assistants. This bill is identical to HB 2072.

Patron - Quayle

SB1189 Charter; City of Williamsburg. Amends the charter for the City of Williamsburg so that vacancies in the city council are filled pursuant to Virginia Code. Vacancies may first be appointed by the remaining council members if a vacancy in the council occurs and then by the voters in a special election. This bill is identical to HB 2139.

Patron - Norment

Failed

HB2354 Charter; City of Franklin. Establishes staggered terms for the city's appointed school board. This bill was incorporated into HB 2130.

Patron - Tyler

Study Resolutions

Passed

HJ570 Study; Costs and benefits of providing financial and other incentives to localities; report. Directs the Joint Legislative Audit and Review Commission to study the costs and benefits to the Commonwealth of providing financial and other incentives to localities that collaborate on capital facilities, construction projects, and other operating services. The Commission must submit its report to the 2013 Session of the General Assembly.

Patron - Cox, M.K.

HJ580 Study; JLARC; payments for assisted living services; report. Directs the Joint Legislative Audit and Review Commission to study the third-party payments for assisted living services, including current payments and the potential for expanding eligibility of services for third-party payments, and also the relationship between third-party payments for services and eligibility for federal and state benefits.

Patron - O'Bannon

HJ586 Study; Bureau of Insurance; licensure of insurance agents; report. Requests the Bureau of Insurance of the State Corporation Commission to continue to collect certain demographic and other information from producer licensing examination candidates during the four-year period from July 1, 2011, through July 1, 2015. The Bureau is further requested to continue making changes in the licensing examination process that will ensure that the licensing examinations are fair, unbiased, and designed to test entry-level knowledge regardless of the race, gender, or educational background of the candidate.

Patron - Alexander

HJ625 Study; antibullying policies; report. Requests the Department of Education to study the nature and effectiveness of local school divisions' antibullying policies. In conducting its study, the Department of Education shall (i) review and compare antibullying measures in the student codes of conduct from each school division, (ii) compare existing policies with the Department's model policy for codes of student conduct, and (iii) determine if improvements to existing policies are warranted, in order to more effectively combat bullying in Virginia's public schools.

Patron - Bell, Robert B.

HJ632 Joint Commission on Health Care to study Shaken Baby Syndrome; report. Directs the Joint Commission on Health Care to study the costs of Shaken Baby Syndrome and abusive head trauma in Virginia and identify best practices in reducing the incidence of Shaken Baby Syndrome and abusive head trauma.

Patron - Oder

HJ645 Study; procurement and sharing of technology applications for local governments; report. Requests the Secretary of Technology to study opportunities to facilitate cooperative procurement and sharing of custom technology applications to leverage buying power and create efficiencies for local government.

Patron - Poindexter

HJ646 Study; efficacy of year-round schools; report. Directs the Joint Legislative Audit and Review Commission to study the efficacy of year-round schools. In conducting its study, the Commission shall (i) review the Board of Education's procedure for approving year-round schools; (ii) determine which school divisions have implemented year-round schools and their experience with this alternative method of providing education; (iii) conduct a comprehensive analysis of each year-round school, scheduling format, instructional, and extracurricular programs offered, and number of students enrolled in the year-round school; (iv) consider the minimum number of required teaching days or hours that should constitute the length of a school term and the issues attendant thereto; (v) identify and review year-round schools offered by other states and countries, noting advantages and disadvantages; (vi) ascertain and weigh the essential factors that must be considered before implementing year-round schools statewide, including, but not limited to, instructional costs, transportation and special education services, and the need for additional classroom teachers, staff, and support services; (vii) evaluate the impact of changing the scheduling format on school functions and length of terms and school breaks; and (viii) consider and thoroughly vet other issues and matters related to year-round schools as the Commission may deem necessary to provide feasible and appropriate recommendations. Further, in conducting its study, the Joint Legislative Audit and Review Commission shall seek and include classroom teachers, school administrators, parents, representatives of localities with and without year-round schools, the Virginia School Boards Association, the Virginia Association of School Superintendents, other educational organizations, and other persons with expertise in alternative educational programs and options in the Commission's deliberations. The Commission must submit an executive summary to the 2012 Session of the General Assembly and its final report and recommendations to the 2013 Session of the General Assembly.

Patron - Landes

HJ648 Study; Amendments to the Uniform Statewide Building Code; report. Requests the Department of Housing and Community Development, in cooperation with the Department of Rehabilitative Services, to study the feasibility and appropriateness of amendments to the Uniform Statewide Building Code to provide accessible routes for persons with disabilities into public and private buildings and facilities and promote universal features in dwelling units. The Departments must submit their joint findings and recommendations to the 2013 Session of the General Assembly.

Patron - Plum

HJ735 Study; Repatriation of manufacturing jobs. Directs the Virginia Manufacturing Development Commission

to develop a plan for repatriating manufacturing jobs and evaluating possible tax incentives. Report.

Patron - May

PSJ292 Study; public transportation in U.S. Route 1 corridor; report. Requests the Department of Rail and Public Transportation to evaluate the level of study necessary to identify and advance potential public transportation services to Fort Belvoir in Fairfax County and the Marine Corps Base at Quantico in Prince William and Stafford Counties. In evaluating the level of study needed, the Department of Rail and Public Transportation shall consult with Fort Belvoir, the Marine Corps Base at Quantico, the Washington Metropolitan Area Transit Authority, the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission, the Virginia Railway Express, the Counties of Fairfax, Prince William, and Stafford and affected federal agencies.

Patron - Puller

PSJ297 Study; transit programs in Virginia; report. Requests the Department of Rail and Public Transportation (DRPT) to make a one-year study of transit programs in the Commonwealth, including but not limited to the funding of such programs.

Patron - Miller, Y.B.

PSJ329 Study; JLARC; economic development incentive grants; report. Directs the Joint Legislative Audit and Review Commission to study the effectiveness of economic development incentive grants in Virginia.

Patron - Howell

PSJ330 Study; Virginia Institute of Marine Science and the Virginia Marine Resources Commission to establish a panel to study subaqueous bottomland in Virginia; report. Requests the Virginia Institute of Marine Science and the Virginia Marine Resources Commission to jointly study ways the subaqueous bottomland on the seaside of Virginia's Eastern Shore might be better utilized.

Patron - Northam

PSJ334 Study; expansion of the Chesapeake Bay Watershed Nutrient Credit Exchange Program; report. Requests that the Secretary of Natural Resources study the expansion of the Chesapeake Bay Watershed Nutrient Credit Exchange Program. In conducting its study, the Secretary of Natural Resources shall convene a stakeholder committee to include representatives from the nutrient source sectors identified in the Chesapeake Bay Total Maximum Daily Load, private sector interests with experience and expertise in market-based approaches and nutrient credits and trading, state agency personnel, local governments, conservation and environmental organizations, and any other persons deemed by the Secretary to have relevant knowledge, perspective, or experience.

Patron - Whipple

PSJ335 Study; long-term dedicated funding sources for land conservation; report. Directs the Joint Legislative Audit and Review Commission to study long-term dedicated funding sources for land conservation. In conducting its study, the Commission is directed to look to other states for innovative funding mechanisms and identify and develop viable options for potential long-term dedicated funding sources for land conservation in the Commonwealth.

Patron - Whipple

PSJ345 Study; misclassification of employees as independent contractors; report. Directs the Joint Legislative Audit and Review Commission to study the misclassification of employees as independent contractors in the Common-

wealth. In conducting the study, the Department shall (i) review the status of employee misclassification in the state, (ii) review the consequences of misclassification to the workforce, (iii) determine the amount of lost revenue to the state and local governments, and (iv) suggest strategies for alleviating misclassification or improper classification of employees.

Patron - Puckett

PSJ348 Study; sex offender registry; report. Directs the Virginia State Crime Commission to study federal requirements regarding Virginia's sex offender registry, examine the effectiveness of the registry in preventing sexual victimization, and determine the feasibility of implementing a tiered system.

Patron - Hanger

PSR22 Study; investment portfolio managed by VRS; report. Directs the Senate Committee on Finance to study the investment portfolio managed by the Virginia Retirement System. In conducting its study, the committee shall examine how the Virginia Retirement System selects firms to manage its investment portfolio and determine if more minority-owned firms should be used to help the Virginia Retirement System manage its investment portfolio.

Patron - McEachin

Failed

FHJ510 Study; sovereign immunity; report. Directs the Joint Legislative Audit and Review Commission to study the costs incurred by localities of the Commonwealth resulting from claims brought against localities and the costs that reasonably could have incurred by localities if such entities were subject to the Virginia Tort Claims Act.

Patron - Knight

FHJ556 Study; family life education; report. Establishes a joint subcommittee to study the fiscal impact of changing family life education from an opt-out program to an opt-in program. In conducting its study, the joint subcommittee shall (i) determine the cost of family life education to each public school division in the Commonwealth, (ii) estimate how many students would choose to participate in family life education should the program be changed to opt-in, and (iii) determine how much money the Commonwealth and each school division would save by changing family life education to an opt-in program.

Patron - Cole

FHJ557 Study; adoption of an alternative currency; report. Establishes a joint subcommittee to study whether the Commonwealth should adopt a currency to serve as an alternative to the currency distributed by Federal Reserve System in the event of a major breakdown of the Federal Reserve System.

Patron - Marshall, R.G.

FHJ558 Study; federal government compliance with the Constitution and the Bill of Rights; report. Establishes a joint subcommittee to study the state of compliance by the federal government with the terms of the United States Constitution and the Bill of Rights in its treatment of the citizens of the Commonwealth and recommend remedies for (i) any unauthorized acts of the federal government, (ii) actions that amount to noncompliance by the federal government with the terms of the United States Constitution, and (iii) acts of Congress that are outside of the enumerated powers specified in Article I, Section 8 of the United States Constitution and the Bill of Rights as they relate to the treatment of citizens of the Commonwealth of Virginia.

Patron - Marshall, R.G.

FHJ566 Study; Joint Commission on Health Care to study access to oral chemotherapy drugs; report. Directs the Joint Commission on Health Care to study access to oral chemotherapy drugs. In conducting its study, the Joint Commission on Health Care shall (i) identify barriers to access to oral chemotherapy drugs, (ii) determine the impact of lack of access to oral chemotherapy drugs on citizens of the Commonwealth, (iii) identify and evaluate options for improving access to oral chemotherapy drugs for citizens of the Commonwealth, including but not limited to the potential benefits of oral/intravenous/injectable chemotherapy drug parity legislation, and (iv) develop recommendations for improving access to oral chemotherapy drugs in the Commonwealth.

Patron - Peace

FHJ569 Study; uniform statewide grading scale policy. Establishes a joint subcommittee to study the feasibility and efficacy of a uniform statewide grading policy for public schools in the Commonwealth. In conducting its study, the joint subcommittee shall (i) examine other states' uniform grading policies and the effect on the public school systems in those states, (ii) consider the implication of implementing a similar policy in the Commonwealth, and (iii) if such a policy is found to be desirable, consider and make recommendations on specific elements of such a policy, including consistent numerical breaks for letter grades, standards to define honors courses, a methodology for appropriately weighting advanced and honors courses, and a determination of courses and weightings to be used in the calculation of class rank. The joint subcommittee must submit its findings and recommendations to the 2012 Session of the General Assembly.

Patron - Ward

FHJ574 Study; severe shortage of medical doctors; report. Establishes a joint subcommittee to study the current and impending severe shortage of medical doctors in Virginia. The joint subcommittee shall consider the impact of the current and impending shortage of medical doctors on the health care system in the Commonwealth and identify options to prepare for and remedy the shortage. In conducting its study, the joint subcommittee shall, among other things, (i) determine whether a shortage of medical doctors exists in the Commonwealth per specialty and geographical region; (ii) identify and assess factors that contribute to the shortage of medical doctors, including medical school admissions, the costs of medical education, and the effect of excessive malpractice insurance premiums, malpractice laws and caps, the shortage of nurses, and ancillary regulations such as the Certificate of Public Need; and (iii) identify the medical specialties primarily affected by the shortage of doctors and recommend ways to alleviate such problems. The joint subcommittee must submit its preliminary findings and recommendations to the 2012 Session and its final findings and recommendations to the 2013 Session of the General Assembly.

Patron - Purkey

FHJ579 Study; impacts of cost sharing, coinsurance, and specialty tier pricing for prescription medications; report. Directs the Joint Commission on Health Care to study the impacts of cost sharing, coinsurance, and specialty tier pricing for prescription medications, including (i) the impact of cost sharing, coinsurance, and specialty tier pricing on access to prescription medications for chronic health disorders and (ii) options for reducing any negative impacts of cost sharing, coinsurance, and specialty tier pricing, including but not limited to statutory limitations on cost-sharing obligations for prescription medications.

Patron - O'Bannon

FHJ594 Study; additional criminal information registries; report. Establishes a joint subcommittee to study the efficacy of the establishment of additional registries similar to the Sex Offender and Crimes Against Minors Registry that would contain criminal justice information for use by members of the public in making informed decisions regarding their family members.

Patron - Carrico

FHJ603 Study; U.S. Route 1 Corridor; report. Establishes a joint subcommittee to study the creation of a U.S. Route 1 Corridor.

Patron - Surovell

FHJ609 Study; SCC; management of continuing care retirement communities and the need for resident representation in management and governance; report. Requests the State Corporation Commission to study the management, governance, and financial structure of continuing care retirement communities and the need for resident representation in management and governance, including the need for and any benefits associated with requiring resident participation in management and governance of continuing care retirement communities. If the SCC determines that a need exists and benefits would result from requiring resident participation in management and governance of continuing care retirement communities, the SCC is further directed to study and make recommendations related to the best method for implementing such requirement, including any statutory or regulatory changes that may be required.

Patron - Watts

FHJ616 Study; JLARC to study costs and benefits of drug testing recipients of TANF cash assistance; report. Directs the Joint Legislative Audit and Review Commission to study the costs and benefits of drug testing recipients of Temporary Assistance for Needy Families cash assistance in the Commonwealth in order to reduce costs associated with substance abuse.

Patron - Marshall, D.W.

FHJ617 Study; joint subcommittee to study method of selecting Auditor of Public Accounts; report. Establishes a five-member joint subcommittee to recommend the best method for selecting the Auditor of Public Accounts. This is a one-year study.

Patron - Cox, J.A.

FHJ618 Study; small business acting collectively to obtain health insurance; report. Establishes a joint subcommittee to study whether state laws and regulations impede the ability of small businesses to act collectively in procuring health insurance. The study shall propose recommendations for legislation to eliminate any barriers created by state laws and regulations found to be so impeding small businesses. The joint subcommittee must report its findings and recommendations to the 2012 Session of the General Assembly.

Patron - Villanueva

FHJ619 Study; tolling of highways; report. Directs the Joint Commission on Transportation Accountability, in conjunction with the Joint Legislative Audit and Review Commission, to study the tolling of certain highways.

Patron - Rust

FHJ620 Study; post-Labor Day school opening; report. Directs the Joint Legislative Audit and Review Commission to study the feasibility and effect of post-Labor Day opening of public schools in the Commonwealth. In conduct-

ing its study, the Joint Legislative Audit and Review Commission shall (i) determine the number of school divisions granted a waiver by the Board of Education each year pursuant to § 22.1-79.1, requiring public schools to open after Labor Day; (ii) enumerate the opening and closing dates of public schools in school divisions granted waivers; (iii) evaluate the advantages and disadvantages of pre- and post Labor Day opening of public schools in Virginia, including the effect on instruction, student achievement, student preparation for national standardized examinations, the tourism industry, state revenues derived from post-Labor Day school opening, and disruption of end-of-summer family vacations; (iv) determine the number of high school students employed annually in Virginia's summer tourism industry, including recent high school graduates and students on work visas, and state revenues generated from their employment; (v) identify school opening dates in other states and determine, in states that have changed school opening dates within the past 10 years, whether and how post-Labor Day school opening has impacted public education and summer tourism; and (vi) examine other factors as the Commission may determine that should be considered in fashioning a feasible solution and sound public policy regarding post-Labor Day school opening and propose appropriate options and alternatives. The Commission must report its findings and recommendations to the 2012 Session of the General Assembly.

Patron - Ebbin

EHJ621 Study; Virginia Tech Transportation Institute; cell phone use; report. Requests the Virginia Tech Transportation Institute to study disincentives for cell phone use in motor vehicles.

Patron - May

EHJ626 Study; disposition of unrestorably incompetent defendants; report. Directs the Virginia State Crime Commission to study the options available for the disposition of criminal defendants who are determined to be incompetent to stand trial and who cannot be restored to competency.

Patron - Bell, Robert B.

EHJ635 Study; insurance provisions of PPACA; report. Directs the Joint Commission on Health Care to study the implementation of the insurance provisions of the Patient Protection and Affordable Care Act. The joint subcommittee is directed to monitor the work of the Virginia Health Reform Initiative Council; monitor the actions of the State Corporation Commission in implementing the insurance provisions of PPACA; and make recommendations to appropriate public bodies regarding legislation necessary to implement such provisions of PPACA. The Commission must submit its report to the 2012 Session of the General Assembly.

Patron - Kilgore

EHJ637 Study; Department of Veterans Services; certification and licensing opportunities for veterans; report. Requests the Department of Veterans Services to study certification and licensing opportunities for veterans. The Code of Virginia requires licensing and certification for many professions, and military training and experience could be used to meet some of the training requirements. This would assist veterans in transitioning to the civilian workforce.

Patron - Keam

EHJ639 Study; transitioning to community-based services system for intellectual and developmental disabilities; report. Directs the Joint Legislative Audit and Review Commission to study the costs of transitioning to 100 percent community-based services for intellectual and developmental disabilities. In conducting its study, the Joint Legislative Audit and Review Commission shall (i) review federal and state law,

regulations, and requirements governing the provision of care and services to persons with intellectual and developmental disabilities; (ii) determine the number of persons with intellectual and developmental disabilities in the Commonwealth desiring community-based services and the number on the waiting list for Medicaid waivers; (iii) determine the costs of institutional care of persons with intellectual and developmental disabilities and assess whether a community-based services system would be cost effective; (iv) determine the cause of the Medicaid waiver backload and the costs of Medicaid waivers granted annually; (v) estimate the initial and ongoing costs of converting from care in institutional settings to community-based care and identify the potential revenue streams to support a 100 percent community-based care system in Virginia; and (vi) consider other public policy implications and necessary changes relative to transitioning to community-based services. The Joint Legislative Audit and Review Commission must report its findings and recommendations to the 2012 Session of the General Assembly.

Patron - Englin

EHJ641 Study; joint subcommittee to study the efficacy and appropriateness of requiring full-day kindergarten programs in the Commonwealth; report. Establishes a joint subcommittee to study the efficacy and appropriateness of requiring full-day kindergarten programs in the Commonwealth. In conducting its study, the joint subcommittee shall (i) examine current kindergarten programs in the Commonwealth, noting the number of half-day and full-day kindergarten programs, pursuant to the provisions of § 22.1-199 of the Code of Virginia; (ii) determine the age appropriateness of curriculum and support programs; (iii) determine the number of four-year-olds enrolled in kindergarten programs and evaluate the efficacy of enrolling students before their fifth birthday; (iv) project the public school enrollment of students eligible for kindergarten over the next four years and evaluate the need for teachers, space, and other facilities to accommodate the current and anticipated enrollment; (v) determine the ability of half-day kindergarten programs to sustain the educational gains of at-risk students who have previously benefitted from full-day state-funded preschool initiatives; (vi) assess the effect of requiring full-day kindergarten programs on staff, infrastructure, and scheduling requirements; (vii) consider the fiscal and policy implications of requiring full-day kindergarten programs in the Commonwealth; and (viii) submit any findings and recommendations that the joint subcommittee deems appropriate. The joint subcommittee must submit its report to the 2012 Session of the General Assembly.

Patron - Filler-Corn

EHJ649 Study; Virginia Retirement System; report. Directs the Joint Legislative Audit and Review Commission to study the Virginia Retirement System to determine whether the General Assembly is complying with its Constitutional obligation to fund the Virginia Retirement System using methods that are consistent with generally accepted actuarial principles.

Patron - Plum

EHJ650 Study; JCHC; adult abuse, neglect, and exploitation; report. Directs the Joint Commission on Health Care to study the Commonwealth's procedures for receiving, investigating, and addressing reports of abuse, neglect, and exploitation of adults.

Patron - Athey

EHJ669 Study; plug-in electric vehicle task force; report. Requests the Governor to appoint an interagency task force to study use of plug-in electric vehicles in Virginia. The

task force shall report its findings to the General Assembly no later than December 31, 2011.

Patron - Bulova

EHJ677 Study; Joint Legislative Audit and Review Commission; pay equity; report. Directs the Joint Legislative Audit and Review Commission to study pay equity in the Virginia State Police workforce.

Patron - Miller, P.J.

EHJ678 Study; implementation of "legal presence" by the Department of Motor Vehicles; report. Directs the Joint Legislative Audit and Review Commission to study the implementation of "legal presence" by the Virginia Department of Motor Vehicles. In conducting its study, the Joint Legislative Audit and Review Commission shall, among other things, (i) review federal and state laws requiring proof of legal presence and the application of the laws by the Department of Motor Vehicles in issuing driver's licenses and identification cards; (ii) ascertain the number of driver's licenses and identification cards issued to legal residents and unauthorized immigrants in Virginia each year; (iii) review the procedures used by and assistance provided to Virginians who are legal residents of the United States but have difficulty satisfying the proof of legal presence requirement; (iv) evaluate the advantages and disadvantages of the proof of legal presence law in protecting and promoting the welfare of citizens; (v) determine the impact of the law on legal residents of the Commonwealth in obtaining driver's licenses and identification cards; (vi) identify the types of documents accepted by the Department of Motor Vehicles from legal residents and foreign nationals whose only form of identification to prove legal presence in the United States is the federal Employment Authorization Document (EAD); (vii) identify, if any, documents other than the EAD which are accepted by the Department of Motor Vehicles to verify proof of legal presence of persons who hold or are protected under the following types of legal presence status: temporary protected status, withholding of removal status, political asylum, labor certification, employment-based immigrant visas, Violence Against Women Act (VAWA), T-visas, and U-visas; and (viii) propose comprehensive recommendations to facilitate consistency in applying the proof of legal presence law, to relieve legal residents of undue burdens in documenting legal presence, and to minimize the issuance of driver's licenses and identification cards to unauthorized immigrants in the Commonwealth. The Joint Legislative Audit and Review Commission must report its findings and recommendations to the 2012 Session of the General Assembly.

Patron - Englin

EHJ681 Study; Composite Index of Local Ability to Pay; report. Directs the Joint Legislative Audit and Review Commission to study the efficiency and effectiveness of the Composite Index of Local Ability to Pay. In conducting the study, the Joint Legislative Audit and Review Commission shall (i) review current statutory, constitutional, and budgetary provisions governing the calculation of SOQ costs and funding; (ii) examine the components of the Composite Index and how they interact; (iii) evaluate other states' public school funding formulas; (iv) hear local concerns and seek input from various Virginia and national experts, as available; and (v) evaluate the need to adjust the current basic school aid formula. The Commission must submit its findings and recommendations to the 2012 Session of the General Assembly.

Patron - McClellan

EHJ682 Study; JCHC; involuntary admission of persons in need of substance abuse treatment; report. Directs

the Joint Commission on Health Care to study involuntary admission of persons in need of substance abuse treatment.

Patron - O'Bannon

ESB1201 Study; feasibility and cost-effectiveness of withdrawal from Medicaid; report. Directs the Joint Legislative Audit and Review Commission to study the feasibility and cost-effectiveness of withdrawing from Medicaid in favor of a state-run program. In conducting its study, the Joint Legislative Audit and Review Commission shall (i) review the provisions of the Patient Protection and Affordable Care Act pertaining to the expansion of the Medicaid program and assess the potential impact of expanding the program in Virginia; (ii) evaluate the options of withdrawal from Medicaid and the establishment of a state-run program relative to the fiscal, social, and health impact of each option; (iii) propose the framework and estimate the cost of establishing a state-run program, including, but not limited to, eligibility criteria, covered benefits and services, qualifications of and payment levels for participating health care providers, and potential revenues and funding stream; (iv) consider such related matters as the Commission may deem appropriate; and (v) propose feasible and appropriate options. The Joint Legislative Audit and Review Commission must submit its report to the 2012 Session of the General Assembly.

Patron - Obenshain

ESJ294 Study; Joint Commission on Health Care to study eating disorders in the Commonwealth; report. Directs the Joint Commission on Health Care to study eating disorders in the Commonwealth. In conducting its study, the Joint Commission on Health Care shall (i) determine the number of incidences of diagnosed eating disorders in Virginia; (ii) assess the adequacy of training provided public school educators; (iii) evaluate the adequacy of the curriculum relating to eating disorders in Virginia's medical and nursing schools and continuing education requirements for Virginia medical professionals; (iv) determine strategies by which Virginia can increase awareness of eating disorders, including their symptoms, effects, and preventive interventions; (v) assess the cost of treatment incurred by eating disorder patients borne by the Commonwealth's Medicaid program as well as by private health plans and employers; (vi) assess issues concerning access to care for eating disorders within the Commonwealth; (vii) generate recommendations for improving education, prevention, early detection, and treatment of eating disorders in Virginia and estimate the fiscal impact on the Commonwealth and private payers for the implementation of such strategies; and (viii) consider, as the Commission may identify, such other issues related to the objectives of this study. The Commission must submit its findings and recommendations to the 2012 Session of the General Assembly.

Patron - Puller

ESJ315 Study; E-ZPass; report. Establishes a joint subcommittee to study the policies and procedures of other states participating in the E-ZPass program.

Patron - Blevins

ESJ320 Study; establishing a joint subcommittee to study the academic achievement of Virginia school children compared with that of students internationally; report. Directs the Commission on Youth to study how Virginia school children compare academically with students in other countries. In conducting its study, the Commission on Youth shall (i) compare the academic achievement of Virginia's students with that of students internationally for the past five years, especially in reading, mathematics, and science; (ii) identify features in the education systems of other countries that rank higher than the United States that may contribute to the aca-

ademic success of their students; (iii) determine whether any of these features may be adapted for use in Virginia and the cost of implementation; (iv) determine whether and what changes in Virginia's public education system are warranted in light of findings from the comparison of the academic achievement of students in Virginia with students internationally; and (v) consider other matters related to the objectives of this resolution and recommend feasible and appropriate options and alternatives.

Patron - Miller, Y.B.

FSJ328 Study; replacement of the state motor fuel tax; report. Requests the Virginia Center for Transportation Innovation and Research to study the desirability and feasibility of replacing the state motor fuel tax with alternatives including a mileage-based fee predicated on vehicle-miles traveled in Virginia.

Patron - Miller, J.C.

FSJ341 Study; Composite Index of Local Ability to Pay; report. Directing the Joint Legislative Audit and Review Commission to study the efficiency and effectiveness of the Composite Index of Local Ability to Pay. In conducting the study, the Joint Legislative Audit and Review Commission shall (i) review current statutory, constitutional, and budgetary provisions governing the calculation of SOQ costs and funding; (ii) examine the components of the Composite Index and how they interact; (iii) evaluate other states' public school funding formulas; (iv) hear local concerns and seek input from various Virginia and national experts, as available; and (v) evaluate the need to adjust the current basic school aid formula. The Commission must submit its findings and recommendations to the 2013 Session of the General Assembly.

Patron - Marsh

FSJ346 Study; recycling education in public schools; report. Requests the Department of Education to study recycling education in the public schools. In conducting its study, the Department of Education shall (i) evaluate the feasibility of requiring or promoting recycling education programs in the public schools; (ii) ascertain the number of and identify school divisions that have successfully implemented recycling education programs; (iii) review recycling education programs in other states to determine program components, costs, and methods of implementation and evaluation; and (iv) determine ways to increase recycling within public schools in Virginia. The Department of Education must submit its findings and recommendations to the 2012 Session of the General Assembly.

Patron - Barker

FSJ349 Study; transfer on death deeds. Requests the Virginia Bar Association to study the merits of legislation authorizing transfer on death deeds.

Patron - Hanger

FSJ350 Joint Subcommittee to Study Strategies and Models for Substance Abuse Prevention and Treatment; report. Continues the Joint Subcommittee to Study Strategies and Models for Substance Abuse Prevention and Treatment for one additional year, through 2011.

Patron - Hanger

FSJ354 Study; Joint Legislative Audit and Review Commission to study state employee compensation; report. Provides for the Joint Legislative Audit and Review Commission to study the salary structure and pay of state employees compared with similarly situated private sector employees.

Patron - Obenshain

FSJ355 Requesting the Governor to consider zero-based budgeting. Requests that the Governor, through the Commission on Government Reform and Restructuring, consider the cost savings that may be achieved through zero-based budgeting.

Patron - Deeds

FSJ359 Study; joint subcommittee to study method of selecting Auditor of Public Accounts; report. Establishes a five-member joint subcommittee to recommend the best method for selecting the Auditor of Public Accounts. This is a one-year study.

Patron - Vogel

FSJ400 Study; Bureau of Financial Institutions to study development loan defaults; report. Requests the Bureau of Financial Institutions of the State Corporation Commission to convene members of the financial services, homebuilding, and commercial development industries to (i) review whether loans on development projects are being called as a result of a reduction in the debt to value ratio or the debt to equity ratio, or both, with respect to the borrower's property; (ii) determine whether banks are being required or encouraged to call such loans under federal regulations or as a condition of participation in federal programs; and (iii) determine whether changes in Virginia law would insulate solvent borrowers from adverse action on their loans without jeopardizing the ability of banks in Virginia to participate in federal programs or comply with federal regulations. The Bureau's report is to be provided by October 31, 2011.

Patron - Stuart

