

**Current Status of Bills from the 2013 City Package
February 8, 2013**

HB 1309 School calendar; school boards responsible for setting opening of school year.

Patron: Comstock

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year.

02/05/13 House: Left in Education

Notes: City position: support

HB 1310 School calendar; school boards responsible for setting opening of school year.

Patron: Habeeb

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year.

02/05/13 House: Left in Education

Notes: City position: support

HB 1337 Polling place procedures; voter identification to be current, valid, and contain photograph.

Patrons: Cole and Bell, Robert B.

Summary as passed House:

Elections; polling place procedures; voter identification requirements. Removes several items from the list of acceptable identification documents that a voter must present when voting at the polls on election day: a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter and a voter's social security card.

02/05/13 House: Read third time and passed House (63-Y 36-N)

02/06/13 Senate: Referred to Committee on Privileges and Elections

Notes: City Position: oppose

HB 1353 Absentee voting; persons eligible to vote by absentee ballot.

Patrons: Morrissey, Scott, J.M. and Surovell

Summary as introduced:

Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day.

02/05/13 House: Left in Privileges and Elections

Notes: City position: support

HB 1361 Absentee voting; persons eligible to vote by absentee ballot.

Patrons: Scott, J.M. and Surovell

Summary as introduced:

Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day.

02/05/13 House: Left in Privileges and Elections

Notes: City position: support

HB 1403 Sales and Use Tax; increases amount of revenue for transportation.

Patrons: Cole, Lingamfelter and Marshall, R.G.

Summary as introduced:

Sales and use tax revenue dedicated to the Transportation Trust Fund. Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a one percent tax rate, phased in by a 0.1 percent increase each.

01/23/13 House: Defeated in Finance

Notes: City position: oppose

HB 1467 School calendar; school boards responsible for setting opening of school year.

Patrons: Greason, Habeeb, Brink, Comstock, McClellan and Rust

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening day of the school year.

02/04/13 House: Read third time and passed House (72-Y 28-N)

02/05/13 Senate: Referred to Committee on Education and Health

Notes: City position: support

HB 1491 School calendar; school boards responsible for setting opening of school year.

Patron: Kory

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening day of the school year.

02/05/13 House: Left in Education

Notes: City position: support

HB 1525 Tuition, in-state; undocumented persons.

Patrons: Rust, Lopez and McClellan; Senator: Hanger

Summary as introduced:

In-state tuition; undocumented persons. Establishes that an undocumented person who is unlawfully present in the United States shall not be eligible for in-state tuition unless he (i) entered and began residing in the United States prior to his sixteenth birthday; (ii) has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) has registered as an entering student in a public institution of higher education in the Commonwealth; (iv) has resided in the Commonwealth for at least five years immediately preceding his registration as an entering student in an institution of higher education in the Commonwealth; (v) has provided an affidavit to the institution stating that he has filed an application to become a permanent resident of the United States, is actively pursuing such permanent residency or will do so as soon as he is eligible, and that no grounds exist for the denial of such permanent residency; and (vi) has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least one year prior to the date of enrollment.

02/05/13 House: Left in Appropriations

Notes: City position: support

HB 1673 School calendar; alternative schedules in school divisions offering additional instruction time.

Patrons: Krupicka and Surovell

Summary as introduced:

Opening of the school year; alternative schedules in school divisions offering additional instruction time. Permits the Board of Education to waive the requirement for a school board to set the first day that students are required to attend school after Labor Day in any school division that is providing (i) a minimum of 190 days or 1045 hours of instructional time for grades one through 12 and 190 days or 570 hours of instructional time for kindergarten or (ii) extensive and high-quality teacher collaboration, preparation, or professional development time as determined by the Board pursuant to regulation.

02/05/13 House: Left in Appropriations

Notes: City position: support

HB 1787 Polling places; identification required to vote.

Patrons: Bell, Robert B. and Cox, J.A.

Summary as introduced:

Elections; identification required to vote. Amends the type of identification a voter must present to vote at the polls. All such identification must contain the voter's name, date of birth, and photograph; must be issued by the United States or the Commonwealth; and must contain an expiration date that is unexpired or that expired only after the most recent general election. The bill also requires that the Department of Motor Vehicles shall issue a free special identification card to voters who do not possess and cannot afford the necessary photo identification. The bill has a delayed effective date of July 1, 2014. This bill was incorporated into HB 1337.

02/01/13 House: Incorporated by Privileges and Elections (HB1337-Cole)

Notes: City position: oppose

HB 1788 Elections; identification to register to vote and present at polls.

Patrons: Bell, Robert B. and Cox, J.A.

Summary as introduced:

Elections; identification to register to vote and to vote. Requires that an applicant to register to vote must present proof of citizenship with his registration application. The bill provides that any person who is registered in Virginia as of January 1, 2014, is deemed to have provided satisfactory proof of citizenship and provides a method for applicants who do not possess and cannot afford a document proving citizenship to obtain such proof for free. The bill also amends the type of identification a voter must present to vote at the polls. All such identification must contain the voter's name, date of birth, and photograph; must be issued by the United States or the Commonwealth; and must contain an expiration date that is unexpired or that expired only after the most recent general election. The bill also requires that the Department of Motor Vehicles shall issue a free special identification card to voters who do not possess and cannot afford the necessary photo identification. The bill has a delayed effective date of July 1, 2014. This bill was incorporated into HB 1337.

02/01/13 House: Incorporated by Privileges and Elections (HB1337-Cole)

Notes: City position: oppose

HB 1880 School calendar; school boards responsible for setting opening of school year.

Patron: Morrissey

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening day of the school year.

02/05/13 House: Left in Education

Notes: City position: support

HB 1905 Restoration of civil rights; automatically eligible to vote upon completion of his sentence.

Patrons: Carr, Dance, Brink, James, Kory, McClellan, McQuinn and Tyler

Summary as introduced:

Restoration of civil rights. Provides for the automatic restoration of a felon's civil right to be eligible to vote upon the completion of his sentence, including any term of probation or parole, and the payment of all restitution, fines, costs, and fees assessed as a result of the felony conviction. The bill has a contingent effective date of January 1, 2015, provided that the voters approve an amendment to the Constitution of Virginia at the 2014 November election.

02/05/13 House: Left in Courts of Justice

Notes: City position: support

HB 1922 Early voting; any registered voter qualified to vote in election may vote in person.

Patron: Herring

Summary as introduced:

Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day.

02/05/13 House: Left in Privileges and Elections

Notes: City position: support

HB 1934 Tuition, in-state; undocumented persons to meet certain criteria.

Patrons: Lopez and Krupicka

Summary as introduced:

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

least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

02/05/13 House: Left in Education

Notes: City position: support

HB 1937 Early voting; any registered voter qualified to vote in election may vote in person.

Patrons: Lopez and Krupicka

Summary as introduced:

Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day.

02/05/13 House: Left in Privileges and Elections

Notes: City position: support

HB 2013 Early voting; any registered voter qualified to vote in election may vote in person.

Patron: Torian

Summary as introduced:

Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day.

02/05/13 House: Left in Privileges and Elections

Notes: City package: support

HB 2070 Mass Transit; implements performance-based funding.

Patron: Comstock

Summary as introduced:

Commonwealth Mass Transit Fund. Removes all current allocations made to mass transit and implements performance-based funding for mass transit.

02/05/13 House: Left in Transportation

Notes: City position: oppose

HJ 535 Constitutional amendment; restoration of civil rights to persons convicted of nonviolent felonies.

Patrons: Herring and James

Summary as introduced:

Constitutional amendment. 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 and requirements set forth in that law.

02/05/13 House: Left in Privileges and Elections

Notes: City position: support

HJ 539 Constitutional amendment; qualifications to vote; executive clemency.

Patron: Habeeb

Summary as introduced:

Constitutional amendment; qualifications to vote; executive clemency; restoration of right to vote. Provides that no person convicted of a felony shall be qualified to vote unless he has completed service of his sentence, including any modifications of the sentence, and the payment in full of any restitution, fines, costs, and fees assessed against him as a result of the felony

conviction. The proposed amendment removes the power of the Governor or other appropriate authority (such as another state's law) to restore the right to vote to a felon.

02/05/13 House: Left in Privileges and Elections

Notes: City position: support

HJ 547 Constitutional amendment; restoration of civil rights to persons convicted of nonviolent felonies.

Patrons: Farrell and Morrissey

Summary as introduced:

Constitutional amendment; qualifications to vote; restoration of civil rights. Directs the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law.

02/05/13 House: Left in Privileges and Elections

Notes: City position: support

HJ 563 Constitutional amendment; restoration of civil rights to persons convicted of felonies.

Patron: Morrissey

Summary as introduced:

Constitutional amendment; 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.

02/05/13 House: Left in Privileges and Elections

Notes: City position: support

HJ 585 Constitutional amendment; restoration of civil rights.

Patron: Tyler

Summary as introduced:

Constitutional amendment (first resolution); qualifications to vote; restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law.

02/05/13 House: Left in Privileges and Elections

Notes: City position: support

HJ 664 Constitutional amendment; restoration of civil rights for certain persons convicted of felonies.

Patrons: Carr, Dance, Brink, James, McClellan, McQuinn and Tyler

Summary as introduced:

Constitutional amendment; 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.

02/05/13 House: Left in Privileges and Elections

Notes: City position: support

SB 702 Absentee voting; persons eligible to vote by absentee ballot.

Patrons: Howell and Ebbin; *Delegates:* Brink, Krupicka, Scott, J.M. and Surovell

Summary as introduced:

Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day.

01/15/13 Senate: Failed to report (defeated) in Privileges and Elections (7-Y 8-N)

Notes: City position: support

SB 719 Polling place procedures; voter identification requirements, application for absentee ballot, etc.

Patron: Black (by request)

Summary as passed Senate:

Elections; polling place procedures; voter identification requirements. Removes several items from the list of acceptable identification documents that a voter must present when voting at the polls on election day: a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter and a voter's social security card. The bill also requires that all forms of acceptable identification contain a photograph of the voter or the voter's name and address, which conforms to the identification requirements under the Help America Vote Act of 2002 and harmonizes the identification requirements for state and federal elections. The bill has a delayed effective date of July 1, 2014, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2014 Session of the General Assembly.

02/05/13 Senate: Read third time and passed Senate (20-Y 20-N)

02/05/13 Senate: Chair votes Yes

Notes: City position: oppose

SB 967 Absentee ballot; persons applying to provide reason cannot vote at polling place.

Patrons: Ebbin; *Delegate:* Surovell

Summary as passed Senate:

Application for absentee ballot. Eliminates certain additional information that a person applying for an absentee ballot must submit regarding the reason the applicant will be absent or cannot vote at his polling place on the day of the election, including (i) in the case of a person, or the spouse or dependent of a person, who is on active duty in the military, the person's or his spouse's rank, grade, or rate, and service identification number; (ii) in the case of a student, the address of his school; (iii) in the case of a person with a disability or who is ill or pregnant, the nature of the disability, illness, or pregnancy; (iv) in the case of a person confined awaiting trial, the address of the institution of confinement; (v) in the case of a person caring for an ill or disabled family member, the nature of the disability or illness; (vi) in the case of a person with a religious obligation; his religion; (vii) in the case of a person who will be at work for 11 or more hours when the polls are open, the address of his place of work; and (viii) in the case of a person designated as a poll watcher, the name of the party chairman or candidate who designated him.

02/02/13 House: Referred to Committee on Privileges and Elections

02/04/13 House: Assigned P & E sub: Elections Subcommittee

Notes: City position: support

SB 1090 Tuition, in-state; undocumented persons to meet certain criteria, approval for.

Patrons: McEachin and Ebbin

Summary as introduced:

In-state tuition; undocumented persons. Establishes that an undocumented person who is unlawfully present in the United States shall not be eligible for in-state tuition unless he meets all of the following criteria: (i) he has resided with his parent, guardian, or other person standing in loco parentis while attending a public or private high school in this state; (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) he has registered as an entering student in a public institution of higher education in the Commonwealth; (iv) he has resided in the Commonwealth for at least three years immediately preceding his registration as an entering student in an institution of higher education in the Commonwealth or for at least one year if he is a veteran or an active duty member of the United States armed forces; (v) he has provided an affidavit to the institution stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security; and (vi) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

01/31/13 Senate: Failed to report (defeated) in Education and Health (7-Y 8-N)

Notes: City position: support

SB 1099 School year; makes local school boards responsible for setting opening day..

Patrons: Smith and Edwards

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year.

01/31/13 Senate: Failed to report (defeated) in Education and Health (4-Y 11-N)

Notes: City position: support

SB 1140 Mass Transit; removes current allocations; implements performance-based funding.

Patron: Petersen

Summary as passed Senate:

Commonwealth Mass Transit Fund. Implements performance-based funding for mass transit for revenues generated above \$160 million in 2014 and after. Creates the Transit Service Delivery Advisory Committee to advise the Department of Rail and Public Transportation on the distribution of such funds.

02/05/13 Senate: Passed Senate (39-Y 1-N)

Notes: City position: oppose (but bill has been substantially modified)

SB 1224 Virginia Fair Housing Law; unlawful discriminatory housing practices.

Patron: Locke

Summary as introduced:

Virginia Fair Housing Law; unlawful discriminatory housing practices. Adds lawful source of income to the list of unlawful discriminatory housing practices. The bill defines lawful source

of income as any income used by a person to pay for the purchase or lease of a dwelling including (i) public assistance, (ii) any manner of gross income, (iii) federal supplemental security income benefits, (iv) child support, and (v) any federal, state, or local housing assistance, regardless of whether the funds are paid directly to the person or to a landlord or other third party for the benefit of the person.

02/04/13 Senate: Passed by indefinitely in General Laws and Technology with letter (14-Y 1-N)

Notes: City position: support

SB 1233 Tuition, in-state; eligibility for Deferred Action for Childhood Arrivals.

Patron: Ebbin

Summary as introduced:

In-state tuition; Deferred Action for Childhood Arrivals. Establishes that a student shall be eligible for in-state tuition if (i) he has provided an affidavit to the public institution of higher education for which he has registered stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security, (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth, (iii) he has resided in the Commonwealth for at least three years immediately preceding his registration as an entering student in a public institution of higher education in the Commonwealth, and (iv) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

01/31/13 Senate: Incorporated by Education and Health (SB1090-McEachin) (15-Y 0-N)

Notes: City position: support

SB 1256 Voter identification requirements; photo ID required.

Patrons: Obenshain and Ruff

Summary as passed Senate:

Voter identification requirements; photo ID. Requires photo ID at the polls by eliminating all forms of identification that do not contain a photograph of the voter from the list of forms of identification any one of which a voter must present in order to be allowed to vote. The bill also adds a valid United States passport to the list and requires that a student identification card issued by an institution of higher education in the Commonwealth contain a photograph in order to be used by a voter. The bill does not affect the right of a voter who does not present one of the required forms of identification to cast a provisional ballot. The bill also provides that the State Board shall provide free voter registration cards that contain a voter's photograph and signature if the voter does not possess other satisfactory photo ID. The bill has a delayed effective date of July 1, 2014, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2013 Session of the General Assembly.

02/05/13 Senate: Passed Senate (20-Y 20-N)

02/05/13 Senate: Chair votes Yes

Notes: City position: oppose

SB 1329 Medicaid; expands class of recipients in State.

Patron: Wagner

Summary as introduced:

Expansion of Medicaid. Expands the class of Medicaid recipients in Virginia to include those meeting the criteria in the federal Patient Protection and Affordable Care Act. Such expansion would expire if federal financial participation for the expanded population is reduced below 90%. The bill also authorizes the Department of Medical Assistance Services to seek federal authorization to reform the Medicaid service delivery model in Virginia.

01/31/13 Senate: Stricken at request of patron in Education and Health (14-Y 0-N)

Notes: City position: support

SJ 266 Constitutional amendment; restoration of civil rights.

Patrons: Lucas, McEachin, Petersen, Carr, Ebbin and Herring

Summary as passed Senate:

Constitutional amendment; restoration of voting rights. Provides that a person convicted of a nonviolent felony who has completed service of his sentence and paid in full any restitution, fines, costs, and fees assessed against him shall be qualified to vote. A person convicted of a violent felony shall only be qualified to vote if his rights are restored by the Governor. The General Assembly will define what felonies are violent and nonviolent. This resolution incorporates HJ 269 and HJ 321.

01/28/13 Senate: Read third time and agreed to by Senate (30-Y 10-N)

02/02/13 House: Referred to Committee on Privileges and Elections

02/04/13 House: Assigned P & E sub: Constitutional Amendments Subcommittee

Notes: City position: support

SJ 321 Constitutional amendment; restoration of voting rights.

Patron: McEachin

Summary as introduced:

Constitutional amendment (first resolution); restoration of voting rights. Provides for the automatic restoration of voting rights to persons convicted of nonviolent felonies (excepting felony drug and election fraud crimes) upon completion of sentence, including any term of probation or parole. The bill further provides that persons convicted of violent felonies, felony drug crimes, or election fraud crimes may have their voting rights restored by the Governor upon completion of sentence, including any term of probation or parole, and authorizes the General Assembly to provide by law for the restoration of voting rights to such persons. The restoration of rights pursuant to this provision has no effect on the right to possess firearms. This resolution was incorporated into SJ 266.

01/22/13 Senate: Incorporated by Privileges and Elections (SJ266-Lucas) (15-Y 0-N)

Notes: City position: support