

## Recommended Positions on Bills of Importance to the City of Alexandria January 19, 2013

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### **HB 1323 Scrap metal processors; reports of purchases.**

*Patron:* Morris

*Summary as introduced:*

**Scrap metal processors; reports of purchases.** Requires each scrap metal processor to furnish to the chief law-enforcement officer of the locality in which it conducts business a report of its purchases of nonferrous scrap, metal articles, and proprietary articles, other than aluminum cans and interior household items. The reports are due on the next business day following the date of a purchase. Currently, scrap metal processors are required to submit such reports only if requested by a law-enforcement officer of the locality.

10/31/12 House: Referred to Committee on Commerce and Labor

01/10/13 House: Assigned C & L sub: #2

01/17/13 House: Subcommittee recommends reporting with amendment(s) (10-Y 0-N)

**Notes:** City position: support

### **HB 1329 Local taxes; interest on refunds and delinquent taxes.**

*Patron:* Head

*Summary as introduced:*

**Local taxes; interest on refunds and delinquent taxes.** Authorizes localities not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer.

11/08/12 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #2

**Notes:** City position: support

### **HB 1332 Local government audit; Auditor of Public Accounts.**

*Patrons:* Farrell and Cole

*Summary as introduced:*

**Local government audit; Auditor of Public Accounts.** Allows a local governing body to request an audit from the Auditor of Public Accounts at any time upon a majority vote, with the expense of the audit to be borne by the locality.

11/12/12 House: Referred to Committee on Counties, Cities and Towns

01/18/13 House: Reported from Counties, Cities and Towns (22-Y 0-N)

**Notes:** City position: support

### **HB 1357 Handheld personal communications devices; texting while driving a primary offense.**

*Patrons:* Rust, O'Bannon and Scott, J.M.

*Summary as introduced:*

**Texting while driving.** Makes texting while driving a primary offense.

12/03/12 House: Referred to Committee for Courts of Justice

01/15/13 House: Assigned Courts sub: #1 Criminal

**Notes:** City position: support

**HB 1360 Reckless driving; using a handheld personal communications device, penalty.**

*Patrons:* Cline, Rust, Surovell, Wilt, Brink, Bulova, Cosgrove, Cox, J.A., Crockett-Stark, Dance, Dudenhefer, Farrell, Helsel, Hodges, Hope, Howell, A.T., Jones, Kory, Krupicka, Landes, LeMunyon, Lopez, Loupassi, Marshall, D.W., Merricks, Minchew, O'Bannon, O'Quinn, Peace, Plum, Purkey, Scott, J.M., Sickles, Villanueva, Watts and Webert

*Summary as introduced:*

**Reckless driving; using a handheld communications device; penalty.** Provides that driving while simultaneously using a handheld communications device for something other than verbal communication constitutes driving a motor vehicle that is not under proper control, punishable as reckless driving, a Class 1 misdemeanor. Under current law, the more specific offense of "texting while driving" (repealed by this bill) incurs a \$20 fine and is a secondary offense, which means that a law-enforcement officer must have cause to stop or detain a driver for some other violation, the primary offense, before issuing a citation for texting while driving, the secondary offense.

12/04/12 House: Referred to Committee for Courts of Justice

01/15/13 House: Assigned Courts sub: #1 Criminal

**Notes:** City position: support

**HB 1383 Criminal history records; checks information on emergency medical services providers.**

*Patron:* Pogge

*Summary as introduced:*

**Criminal history checks of emergency medical services providers.** Provides that criminal history record information shall be supplied at no charge to a person applying to serve as a licensed provider in an emergency medical services agency licensed pursuant to Article 2.1 (§ 32.1-111.1 et seq.) of Chapter 4 of Title 32.1, including volunteer rescue squads, lifesaving crews, and volunteer fire departments providing emergency medical services, provided that, a person applying to a for-profit emergency medical services agency or a nonprofit local government emergency medical services agency and meeting the requirements in § 32.1-111.5 shall request, at his cost, his criminal history record information.

01/11/13 House: Assigned HWI sub: #1

01/15/13 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N)

01/17/13 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N)

**Notes:** City position: oppose

**HB 1395 Abandoned vehicles; localities allowed to sell by any commercial means those taken into custody.**

*Patron:* Marshall, D.W.

*Summary as introduced:*

**Sale of abandoned vehicles.** Allows localities to sell "by any commercially reasonable means" abandoned vehicles they have taken into custody. Under current law, these vehicles must be sold at public auction.

12/17/12 House: Referred to Committee on Transportation

01/11/13 House: Assigned Transportation sub: #2

**Notes:** City position: support

**HB 1401 Real property tax; prohibits localities from instituting sale of sole dwelling for delinquent taxes.**

*Patron:* Cole

*Summary as introduced:*

**Real property tax; sale of sole dwelling for delinquent taxes.** Prohibits localities from instituting a judicial sale for delinquent taxes on real property that is the sole dwelling of the taxpayer.

12/17/12 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #2

01/16/13 House: Subcommittee recommends reporting (6-Y 4-N)

**Notes:** City position: oppose

**HB 1409 Motor fuels tax; converts rate of taxation from cents per gallon to a percentage rate.**

*Patron:* Scott, J.M.

*Summary as introduced:*

**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 over rolling six-month periods, to determine the cents to be charged.

12/18/12 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #1

**Notes:** City position: support

**HB 1410 Firearms; possession of weapons following conviction of certain crimes, penalty.**

*Patrons:* Scott, J.M., Kory and McClellan

*Summary as introduced:*

**Possession of firearms following conviction of certain crimes; penalty.** Prohibits any person who is convicted of stalking, sexual battery, or assault and battery of a family member that results in serious bodily injury from possessing, transporting, or carrying a firearm or any other weapon for a period of 5 years following his conviction. A violation would constitute a Class 6 felony. The bill also provides for the forfeiture of any weapon possessed, transported, or carried in violation of the prohibition. Finally, the bill provides for a process by which a violator may petition the circuit court for a reinstatement of his rights to possess, transport, or carry a weapon.

12/18/12 House: Referred to Committee on Militia, Police and Public Safety

01/15/13 House: Assigned MPPS sub: #1

**Notes:** City position: support

**HB 1412 VIEW Programs; substance abuse screening and assessment of public assistance recipients.**

*Patron:* Crockett-Stark

*Summary as introduced:*

**Substance abuse screening and assessment of public assistance recipients.** Requires local

departments of social services to screen each Virginia Initiative for Employment Not Welfare (VIEW) program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive Temporary Assistance for Needy Families (TANF) payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program.

12/18/12 House: Referred to Committee on Health, Welfare and Institutions

01/11/13 House: Assigned HWI sub: #2

**Notes:** City position: oppose

### **HB 1429 Zoning; attorney fees.**

*Patron:* Morris

*Summary as introduced:*

**Zoning; attorney fees.** Provides that a court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in a zoning action brought against it or that successfully challenges the validity of a zoning ordinance.

12/20/12 House: Referred to Committee for Courts of Justice

01/11/13 House: Assigned Courts sub: #2 Civil

**Notes:** City position: oppose

### **HB 1437 Intangible personal property tax; classification of certain machinery and tools.**

*Patron:* Purkey

*Summary as introduced:*

**Intangible personal property tax; machinery and tools.** Classifies as intangible personal property, and therefore subject solely to state taxation, machinery and tools purchased on or after July 1, 2013, that have not been in service for more than three years.

12/20/12 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #2

**Notes:** City position: oppose

### **HB 1438 Motor fuels tax; indexed.**

*Patron:* Purkey

*Summary as introduced:*

**Motor fuels tax; indexed.** Requires that the motor fuels tax rate be indexed on January 1, 2014, and each year thereafter, to the average percentage change in the U.S. Department of Transportation's Transportation Services Index for the three years ending October 31 of the year immediately preceding the affected year. The bill contains technical amendments.

12/20/12 House: Referred to Committee on Finance

**Notes:** City position: support

### **HB 1455 Elderly and incapacitated persons; financial exploitation, penalty is a Class 3 felony.**

*Patrons:* Watts and Scott, J.M.

*Summary as introduced:*

**Financial exploitation of elderly and incapacitated; penalty.** Provides that any person who knowingly exploits the impaired mental capacity or the physical capacity of an incapacitated adult or an adult (defined for the purposes of the bill as 60 years old or older) by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation to use, obtain, convert, or take control of or endeavor to use, obtain, convert, or take control of the incapacitated adult's or adult's money, assets, property, or financial resources with the intent to deprive the incapacitated adult or adult of the use, benefit, or possession of the money, assets, property, or financial resources and to convert such money, assets, property, or financial resources to the perpetrator's own use or benefit is guilty of a Class 5 felony. However, any responsible person or a person who has a fiduciary relationship with the incapacitated adult or adult who commits such a violation is guilty of a Class 3 felony. It is not a defense that the accused did not know the age of the victim.

12/27/12 House: Referred to Committee for Courts of Justice

**Notes:** City position: support

**HB 1494 Sheriffs; expands authority to deputize persons to direct traffic.**

*Patron:* Dance (by request)

*Summary as introduced:*

**Authority to deputize persons to direct traffic.** Expands the ability of sheriffs to deputize persons to direct traffic during periods of heavy traffic or congestion.

01/02/13 House: Referred to Committee on Transportation

**Notes:** City position: oppose unless amendments are made to require training and appropriate safety clothing.

**HB 1511 Assisted living facilities, licensed; access to temporary emergency electrical power source.**

*Patrons:* Hope and Krupicka

*Summary as introduced:*

**Assisted living facilities; access to temporary emergency electrical power source.** Requires the Board of Social Services to include in regulations governing licensed assisted living facilities a requirement that each licensed assisted living facility with six or more residents have a temporary emergency electric power source on site and be able to connect to and utilize such temporary emergency electrical power source for the provision of electricity during an interruption of normal electrical power supply, in order to protect the health, safety, and welfare of residents and ensure the continued delivery of vital services for residents.

01/03/13 House: Referred to Committee on Health, Welfare and Institutions

01/11/13 House: Assigned HWI sub: #4

01/17/13 House: Subcommittee recommends laying on the table

**Notes:** City position: support

**HB 1557 School boards; training for persons designated to carry concealed handguns on school property.**

*Patrons:* Marshall, R.G., Fariss, Gilbert, Webert and Wright; Senator: Black

*Summary as introduced:*

**School boards; employee firearms training.** Requires every school board in the

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

01/04/13 House: Referred to Committee on Militia, Police and Public Safety

01/15/13 House: Assigned MPPS sub: #1

01/17/13 House: Subcommittee recommends referring to Governor's School Safety Task Force

**Notes:** City position: oppose

**HB 1562 Dangerous and vicious dogs; authorizes animal control officer to apply to magistrate for summons.**

*Patrons:* Orrock and Kory

*Summary as introduced:*

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

01/04/13 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/14/13 House: Assigned ACNRsub: Agriculture

**Notes:** City position: support

**HB 1566 Recordation tax; authorizes localities to impose additional tax at rate equal to 1/10 of state rate.**

*Patron:* Orrock

*Summary as introduced:*

**Local recordation tax.** Authorizes localities to impose an additional recordation tax at a rate equal to one-tenth of the state recordation rate, if the tax is approved by referendum. The revenue from the tax shall be used solely to provide affordable shelter.

01/04/13 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #2

**Notes:** City position: support

**HB 1569 Criminal justice training academies; sovereign immunity of trainers.**

*Patron:* Garrett

*Summary as introduced:*

**Criminal Justice Training Academies; sovereign immunity of trainers.** Expands the immunity from civil liability that exists for any criminal justice training academy and its directors, officers, and employees to include any law-enforcement officer or jail officer who serves as a trainer at the academy if he has been certified as an instructor by the Department of Criminal Justice Services.

01/04/13 House: Referred to Committee for Courts of Justice  
01/16/13 House: Reported from Courts of Justice with amendment (18-Y 0-N)  
01/18/13 House: Read first time  
**Notes:** City position: support

**HB 1582 Armed security officers; protection of schools and child day centers.**

*Patrons:* Cole, Crockett-Stark and Marshall, R.G.

*Summary as introduced:*

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

01/04/13 House: Referred to Committee on Militia, Police and Public Safety

**Notes:** City position: oppose

**HB 1598 Real property tax; boards of equalization.**

*Patron:* Anderson

*Summary as introduced:*

**Real property tax; boards of equalization.** Modifies several provisions governing boards of equalization including (i) adding new qualifications for membership of certain boards; (ii) authorizing boards to receive complaints electronically as long as taxpayers may also file complaints on paper forms; (iii) prohibiting a board to deny relief based on a lack of information from the taxpayer as long as certain specified information is provided; (iv) providing procedures by which a taxpayer may appoint a representative; and (v) providing procedures to be followed before a board may increase assessments on certain types of property.

01/06/13 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #2

**Notes:** City position: oppose

**HB 1642 Rights of parents; fundamental right to direct upbringing, etc., shall not be infringed.**

*Patrons:* Pogge, Cole and Ransone

*Summary as introduced:*

**Rights of parents.** Provides that parents have a fundamental right to direct the upbringing, education, and care of their children and such right shall not be infringed by the government unless the governmental interest as applied to the parents is of the highest order and not otherwise served.

01/07/13 House: Referred to Committee for Courts of Justice

01/17/13 House: Assigned Courts sub: #2 Civil

**Notes:** City position: oppose

**HB 1649 Pawnbrokers and precious metals dealers; records required to be maintained, etc.**

*Patrons:* BaCote, Helsel, McQuinn, Scott, J.M., Spruill and Watson; Senator: Ruff

*Summary as introduced:*

**Pawnbrokers and precious metals dealers; records required to be maintained; certain**

**digital images.** Requires pawnbrokers and precious metals dealers to take a digital image of the form of identification used by the person involved in the transaction. The bill also prohibits a pawnbroker from pawning or accepting goods or articles if the original serial number affixed to the good or article has been removed, defaced, or altered.

01/07/13 House: Referred to Committee on General Laws

01/17/13 House: Reported from General Laws (22-Y 0-N)

**Notes:** City position: support

**HB 1650 Retail Sales and Use Tax; revenue distributed to certain localities.**

*Patron:* Krupicka

*Summary as introduced:*

**Sales and use tax revenue; distributed to certain localities.** Provides that if a heavy rail commuter mass transportation infill station is constructed in a service district in a locality, then the locality is entitled to retain the sales and use tax revenue generated in the service district, not to exceed \$1.25 million per year, to pay bonds issued to construct such station.

01/07/13 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #2

**Notes:** City position: support

**HB 1662 Libraries; locality to adopt an ordinance that prohibits firearms, ammunition, etc.**

*Patrons:* BaCote, Hester, Hope, Kory, Krupicka, McQuinn, Spruill and Ward

*Summary as introduced:*

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

01/07/13 House: Referred to Committee on Militia, Police and Public Safety

01/15/13 House: Assigned MPPS sub: #1

01/17/13 House: Subcommittee recommends laying on the table

**Notes:** City position: support

**HB 1663 Motor fuels tax; authorizes any county or city to impose at rate not to exceed \$0.10 per gallon.**

*Patron:* Minchew

*Summary as introduced:*

**Local motor fuels tax.** Authorizes any county or city to impose a tax at a rate not to exceed \$0.10 per gallon on motor fuel sold by a wholesale distributor to a retail dealer in the locality. The revenue from such tax shall be used solely for transportation projects.

01/07/13 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #1

**Notes:** City position: support

**HB 1680 Temporary detention orders; increases maximum duration from 48 to 72 hours.**

*Patron:* Yost

*Summary as introduced:*

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

01/07/13 House: Referred to Committee for Courts of Justice  
01/11/13 House: Assigned Courts sub: #2 Civil  
01/14/13 House: Subcommittee recommends reporting (8-Y 0-N)  
**Notes:** City position: support

**HB 1693 Firearms; removes specific exception for possession on public school property.**

*Patron:* Kory

*Summary as introduced:*

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

01/07/13 House: Referred to Committee on Militia, Police and Public Safety

01/15/13 House: Assigned MPPS sub: #1

01/17/13 House: Subcommittee recommends passing by indefinitely

**Notes:** City position: support

**HB 1718 Transportation projects; reimbursement of VDOT by localities & metropolitan planning organizations.**

*Patron:* Anderson

*Summary as introduced:*

**Termination or alteration of certain transportation projects.** Provides for reimbursement of VDOT by localities and metropolitan planning organizations when certain projects are terminated or altered.

01/08/13 House: Referred to Committee on Transportation

01/11/13 House: Assigned Transportation sub: #4

**Notes:** City position: oppose

**HB 1721 Child abuse and neglect investigations; time limit for reports.**

*Patron:* O'Bannon

*Summary as introduced:*

**Child abuse and neglect investigations; time limit for reports.** Provides that time during which the local department of social services is waiting to receive records that are necessary for the investigation of alleged sexual abuse of a child or alleged abuse or neglect of a child that resulted in the death of the child shall not be counted towards the time limit by which such investigation must be completed.

01/17/13 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N)

01/18/13 House: Read first time

**Notes:** City position: support

**HB 1722 Facilities; assistance and documentation to person seeking business license, etc.**

*Patrons:* Head, Ramadan and Knight

*Summary as introduced:*

**Assistance and documentation required from localities.** Provides that in any instance in which

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

01/08/13 House: Referred to Committee on Counties, Cities and Towns

01/11/13 House: Assigned CC & T sub: #1

**Notes:** City position: oppose

### **HB 1728 Virginia Vulnerable Adult Protection Act; creation.**

*Patron:* Toscano

*Summary as introduced:*

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

01/08/13 House: Referred to Committee for Courts of Justice

01/11/13 House: Assigned Courts sub: #2 Civil

**Notes:** City position: support

### **HB 1742 Foster care; independent living services.**

*Patrons:* Brink and Peace

*Summary as introduced:*

**Foster care; independent living services.** Extends from 60 days to 180 days the period after discontinuation of independent living services during which a person in foster care who has not yet reached the age of 21 may request restoration of independent living services. The bill requires local departments to provide information and counseling to persons ages 18 to 21 who elect to leave foster care or terminate independent living services regarding available independent living services, should the person choose to continue receiving them, and the option and process of restoration of services, should the person choose to discontinue them.

01/08/13 House: Referred to Committee on Health, Welfare and Institutions

01/11/13 House: Assigned HWI sub: #2

**Notes:** City position: support

### **HB 1743 Independent living services; foster children committed to Department of Juvenile Justice.**

*Patrons:* Brink and Peace

*Summary as introduced:*

**Independent living services.** Allows local departments of social services and licensed child-placing agencies to make independent living services available to persons 18 to 21 years of age who are released from commitment to the Department of Juvenile Justice after reaching 18 years of age and who were committed or entrusted to the care of a local board of social services or

child-placing agency at the time they were committed to the custody of the Department.

01/16/13 House: Referred to Committee on Health, Welfare and Institutions

01/18/13 House: Assigned HWI sub: #2

**Notes:** City position: support

**HB 1781 Elderly or incapacitated adults; financial exploitation, penalties.**

*Patron:* Filler-Corn

*Summary as introduced:*

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

01/08/13 House: Referred to Committee for Courts of Justice

**Notes:** City position: support

**HB 1831 Businesses, beginning;tax incentives.**

*Patron:* Lingamfelter

*Summary as introduced:*

**Tax incentives for beginning businesses.** Exempts beginning businesses owned by disabled veterans with service-connected disabilities from certain fees imposed by the State Corporation Commission (SCC) and exempts all beginning businesses from the local business license tax. The bill also establishes state tax credits for beginning businesses for local personal property taxes paid by such businesses. The exemptions and tax credits would apply up through the first two full years that the business is in operation in the Commonwealth. The SCC fee exemptions and the business license tax exemption would only apply to businesses beginning operations on or after July 1, 2013, while the state tax credits would apply to businesses beginning operations on or after January 1, 2013.

01/08/13 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #3

**Notes:** City position: oppose

**HB 1847 Criminal street gang predicate offenses; expands class to include all felony crimes.**

*Patron:* Albo

*Summary as introduced:*

**Criminal street gang predicate offenses.** Expands the class of criminal street gang offenses to include all felony crimes against property, all felony drug offenses, and all felony offenses involving prostitution. The class also specifically includes all homicide offenses, some but not all of which would be considered "acts of violence" under the current law.

01/08/13 House: Referred to Committee for Courts of Justice

**Notes:** City position: support

**HB 1848 Reckless driving; using a handheld personal communications device, penalty.**

*Patron:* Loupassi

*Summary as introduced:*

**Reckless driving; using a handheld communications device; penalty.** Provides that driving while simultaneously using a handheld communications device for something other than verbal communication constitutes driving a motor vehicle that is not under proper control, punishable as reckless driving, a Class 1 misdemeanor. Under current law, the more specific offense of "texting while driving" incurs a \$20 fine and is a secondary offense, which means that a law-enforcement officer must have cause to stop or detain a driver for some other violation, the primary offense, before issuing a citation for texting while driving, the secondary offense.

01/08/13 House: Referred to Committee for Courts of Justice

01/15/13 House: Assigned Courts sub: #1 Criminal

**Notes:** City position: support

**HB 1878 Sources of revenue; establishing and adjusting for appropriations of State and its localities.**

*Patron:* Morrissey

*Summary as introduced:*

**Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities.** Makes several changes to sources of revenue of the Commonwealth:

Establishes a five percent tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the Highway Maintenance and Operating Fund, the Transportation Trust Fund, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes; Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee.

However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new five percent tax on motor fuels sales; Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate; Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013; Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.

01/08/13 House: Referred to Committee on Finance

**Notes:** City position: support

**HB 1882 Virginia Public Procurement Act; resident employment and apprenticeship participation.**

*Patron:* Morrissey

*Summary as introduced:*

**Virginia Public Procurement Act; resident employment and apprenticeship participation; required contract provisions.** Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by

apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" shall not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor. The bill provides that it does not apply to any contracts for professional services.

01/08/13 House: Referred to Committee on General Laws

01/14/13 House: Assigned GL sub: #2 FOIA/Procurement

01/17/13 House: Subcommittee recommends passing by indefinitely

**Notes:** City position: oppose

### **HB 1883 Handheld personal communications devices; texting while driving, reckless driving.**

*Patron:* Bulova

*Summary as introduced:*

**Texting while driving; injury to another or damage to property.** Provides that any person who, while "texting" and driving, causes an accident in which a person is killed or injured or in which an attended vehicle or other attended property is damaged is guilty of reckless driving. The bill also provides that a violation of this provision shall not preclude prosecution under any other applicable provision of the criminal law.

01/08/13 House: Referred to Committee for Courts of Justice

01/15/13 House: Assigned Courts sub: #1 Criminal

**Notes:** City position: support

### **HB 1907 Driving while texting; primary offense, increased penalties.**

*Patron:* Anderson

*Summary as introduced:*

**Driving while texting; primary offense; increased penalties.** Provides that driving while texting is a traffic infraction punishable, for a first offense, by a fine of \$250 and, for a second or subsequent offense, by a fine of \$500. The current penalties are \$20 for a first offense and \$50 for a second or subsequent offense. The bill also changes the offense from a secondary offense (one that can only be charged when the offender is stopped for another, separate offense) to a primary offense.

01/08/13 House: Referred to Committee for Courts of Justice

01/17/13 House: Assigned Courts sub: #1 Criminal

**Notes:** City position: support

### **HB 1921 Absentee voting; declared state of emergency.**

*Patron:* Herring

*Summary as introduced:*

**Absentee voting; declared state of emergency.** Provides that in case of an emergency declared by the Governor, or declared by the President of the United States or the governor of another state and confirmed by the Governor, any registered voter whose precinct is affected by the emergency may vote absentee by mail or in person without giving one of the standard authorized reasons for voting absentee.

01/09/13 House: Referred to Committee on Privileges and Elections

01/11/13 House: Assigned P & E sub: Elections Subcommittee  
01/15/13 House: Subcommittee recommends passing by indefinitely  
**Notes:** City position: support

**HB 1938 Absentee voting; persons age 65 and older on day of an election are entitled to vote absentee.**

*Patron:* Lopez

*Summary as introduced:*

**Elections; absentee voting.** Provides that persons age 65 and older on the day of an election for which an absentee ballot is requested are entitled to vote absentee.

01/09/13 House: Referred to Committee on Privileges and Elections

01/11/13 House: Assigned P & E sub: Elections Subcommittee

01/15/13 House: Subcommittee recommends incorporating (HB1394-Marshall, D.W.)

01/18/13 House: Incorporated by Privileges and Elections (HB1394-Marshall, D.W.)

**Notes:** City position: support

**HB 1951 Virginia Public Procurement Act; bid match preference for Virginia businesses.**

*Patron:* Yancey

*Summary as introduced:*

**Virginia Public Procurement Act; bid match preference for Virginia businesses.** Provides a bid match preference for Virginia business. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent of the lowest bid of an out-of-state bidder.

01/09/13 House: Referred to Committee on General Laws

01/14/13 House: Assigned GL sub: #2 FOIA/Procurement

01/17/13 House: Subcommittee recommends striking from docket

**Notes:** City position: oppose

**HB 1958 Motor vehicle registration forms; transmission to commissioner of the revenue.**

*Patron:* Brink

*Summary as introduced:*

**Transmission of certain motor vehicle registration forms to the commissioner of the revenue.** Requires the owners or operators of apartment houses, and certain residential associations, at the request of the commissioner of the revenue, to provide their tenants or owners motor vehicle registration forms prescribed by the commissioner, require that their tenants or owners complete the forms, and collect such forms and transmit them to the commissioner.

01/09/13 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #2

**Notes:** City position: support

**HB 1982 Local tax bills; permits treasurers to convey access online.**

*Patron:* May

*Summary as introduced:*

**Local tax bills.** Permits treasurers to convey, with the consent of the taxpayer, any tax bill by permitting the taxpayer to access his tax bill online from a database on the treasurer's website.

01/09/13 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #2

**Notes:** City position: support

**HB 1985 Vehicle weight limits and overweight permits; technical changes.**

*Patron:* May

*Summary as introduced:*

**Vehicle weight limits and overweight permits.** Makes several largely technical changes in order to clarify legislation passed by the 2012 Session dealing with vehicle weight limits and overweight permits. Specifically, the bill increases from 400 pounds to 500 pounds the amount of additional weight allowed motor vehicles that utilize an auxiliary power unit or other idle reduction technology in order to promote reduction of fuel use and emissions due to engine idling and increases allowable weights for certain vehicles hauling Virginia-grown farm products.

01/09/13 House: Referred to Committee on Transportation

01/11/13 House: Assigned Transportation sub: #1

**Notes:** City position: support

**HB 1990 License taxes; allows localities to impose on certain motor vehicles.**

*Patron:* Sickles

*Summary as introduced:*

**License taxes on certain motor vehicles.** Allows localities to impose a license tax, not to exceed \$250 annually, upon resident owners of motor vehicles that do not display license plates issued by the Commonwealth and that are not exempt from the requirements of displaying such license plates.

01/09/13 House: Referred to Committee on Counties, Cities and Towns

01/11/13 House: Assigned CC & T sub: #1

**Notes:** City position: support

**HB 1991 Prostitution; disposition of minors.**

*Patrons:* McClellan and Spruill

*Summary as introduced:*

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

01/09/13 House: Referred to Committee for Courts of Justice

01/15/13 House: Assigned Courts sub: #1 Criminal

**Notes:** City position: oppose

**HB 2005 Virginia Housing Partnership Revolving Fund; renamed Virginia Housing Trust Fund.**

*Patrons:* Lopez, BaCote, Brink, Bulova, Carr, Dance, Filler-Corn, Herring, Hester, Hope, Howell, A.T., James, Johnson, Keam, Kory, Krupicka, Lewis, McClellan, McQuinn, Morrissey, Plum, Scott, J.M., Sickles, Spruill, Surovell, Torian, Toscano, Tyler, Ward, Ware, O. and Watts

*Summary as introduced:*

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

01/09/13 House: Referred to Committee on General Laws

**Notes:** City position: support

**HB 2009 VIEW; substance abuse screening and assessment of public assistance applicants and recipients.**

*Patron:* Cline

*Summary as introduced:*

**Substance abuse screening and assessment of public assistance applicants and recipients.**

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

01/09/13 House: Referred to Committee on Health, Welfare and Institutions

01/15/13 House: Assigned HWI sub: #2

**Notes:** City position: oppose

**HB 2021 Public employment; prohibits discrimination.**

*Patron:* LeMunyon

*Summary as introduced:*

**Public employment; nondiscrimination.** Prohibits discrimination in public employment based on race, color, religion, political affiliation, national origin, sex, age, disability, or any other reason except reasons related to skills, knowledge, or ability. The bill contains technical

amendments.

01/09/13 House: Referred to Committee on General Laws

**Notes:** City position: support

**HB 2025 Firearms; requires background check for any purchase.**

*Patrons:* Hope, BaCote, Brink, Lopez, McQuinn, Plum, Scott, J.M., Spruill, Torian and Watts

*Summary as introduced:*

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

01/09/13 House: Referred to Committee on Militia, Police and Public Safety

01/15/13 House: Assigned MPPS sub: #1

01/17/13 House: Subcommittee recommends passing by indefinitely

**Notes:** City position: support

**HB 2026 Virginia FOIA; remote participation in meeting by member of public body.**

*Patrons:* Dudenhefer and Cole

*Summary as introduced:*

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

01/09/13 House: Referred to Committee on General Laws

01/14/13 House: Assigned GL sub: #2 FOIA/Procurement

01/17/13 House: Subcommittee recommends reporting (7-Y 0-N)

**Notes:** City position: support

**HB 2032 Virginia FOIA; allows regional public bodies to conduct electronic meetings.**

*Patrons:* May and Minchew

*Summary as introduced:*

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

01/09/13 House: Referred to Committee on Science and Technology

01/16/13 House: Reported from Science and Technology (17-Y 5-N)

01/16/13 House: Referred to Committee on General Laws

01/18/13 House: Assigned GL sub: #2 FOIA/Procurement

**Notes:** City position: support

**HB 2109 VIEW; substance abuse screening and assessment of public assistance applicants and recipients.**

*Patron:* Morefield

*Summary as introduced:*

**Substance abuse screening and assessment of public assistance applicants and recipients.**

Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program; however, an individual has one opportunity during the subsequent 12-month period to comply with the screening, assessment, or treatment requirements and be reinstated to eligibility for TANF benefits.

01/09/13 House: Referred to Committee on Health, Welfare and Institutions

01/15/13 House: Assigned HWI sub: #2

**Notes:** City position: oppose

**HB 2171 School safety audits; school crisis, emergency management, and medical emergency response plans.**

*Patrons:* McQuinn and Kory

*Summary as introduced:*

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

01/09/13 House: Referred to Committee on Education

01/15/13 House: Assigned Education sub: Teachers and Admin. Action

**Notes:** City position: support

**HB 2188 Line of Duty Act; certain employees to make irrevocable election to self-fund benefits.**

*Patron:* Jones

*Summary as introduced:*

**Line of Duty Act.** Allows a political subdivision with employees eligible for coverage under the Line of Duty Act to make an irrevocable election to self-fund the benefits available under the Line of Duty Act.

01/10/13 House: Referred to Committee on Appropriations

01/14/13 House: Assigned App. sub: Compensation and Retirement

**Notes:** City position: support

**HB 2193 Child abuse investigations; employees of school divisions.**

*Patron:* Merricks

*Summary as introduced:*

**Child abuse investigations; employees of school divisions.** Expands the class of individuals whom a local department of social services must report to a local school board upon

determination that a complaint alleging that such individual has committed child abuse or neglect is a founded complaint from any full-time, part-time, permanent, or temporary teachers to any full-time, part-time, permanent, or temporary employees of a school division.

01/10/13 House: Referred to Committee on Health, Welfare and Institutions

**Notes:** City position: support

**HB 2204 Polling places; location shall not be in public or private school building.**

*Patron:* Marshall, D.W.

*Summary as introduced:*

**Polling places.** Provides that no polling place shall be located in a public or private school building.

01/10/13 House: Referred to Committee on Privileges and Elections

01/14/13 House: Assigned P & E sub: Campaign Finance Subcommittee

**Notes:** City position: oppose

**HB 2207 Firearms and firearms magazines, certain; unlawful to sell, import, etc., penalty.**

*Patron:* Morrissey

*Summary as introduced:*

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

01/10/13 House: Referred to Committee on Militia, Police and Public Safety

01/15/13 House: Assigned MPPS sub: #1

01/17/13 House: Subcommittee recommends passing by indefinitely

**Notes:** City position: support

**HB 2211 Stalking; penalty for conviction of second offense.**

*Patrons:* McClellan, Brink, Herring and Krupicka

*Summary as introduced:*

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

01/11/13 House: Referred to Committee for Courts of Justice

**Notes:** City position: support

**HB 2221 Firearms; prohibiting selling, etc., to certain persons.**

*Patron:* Hope

*Summary as introduced:*

**Prohibiting selling, etc., of firearms to certain persons; penalty.** Adds persons found legally incompetent or mentally incapacitated, persons involuntarily admitted to a mental health facility

or sent for involuntary outpatient mental health treatment, and those who were the subject of a temporary detention order and subsequently agreed to voluntary admission to a mental health facility to the list of persons for whom it is a Class 6 felony to sell, barter, give, or furnish a firearm if the seller knows that the person is prohibited from possessing or transporting a firearm.

01/11/13 House: Referred to Committee on Militia, Police and Public Safety

**Notes:** City position: support

**HB 2224 Motor fuels tax; increases rate by \$0.10 per gallon, revenue to be used for transportation.**

*Patrons:* Howell, A.T. and Spruill

*Summary as introduced:*

**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.

01/11/13 House: Referred to Committee on Finance

01/15/13 House: Assigned Finance sub: #1

**Notes:** City position: support

**HB 2228 Overweight vehicle permits; engineering analysis prior to issuance not to exceed three hours.**

*Patron:* Morefield

*Summary as introduced:*

**Overweight vehicle permit fees.** Provides that the engineering analysis performed prior to issuance of an overweight vehicle permit is not to exceed three hours.

01/11/13 House: Referred to Committee on Transportation

01/18/13 House: Assigned Transportation sub: #2

**Notes:** City position: oppose

**HB 2251 Firearms; prohibition of sale, transfer, etc., of certain magazines, penalties.**

*Patrons:* Lopez and Filler-Corn

*Summary as introduced:*

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

01/15/13 House: Referred to Committee on Militia, Police and Public Safety

**Notes:** City position: support

**HB 2253 Transportation; makes several changes to state & local taxes & fees to acct. for & provide funding.**

*Patron:* Albo

*Summary as introduced:*

**Transportation funding.** Makes several changes to state and local taxes and fees to account for and provide funding for transportation.

The bill makes several changes to the individual and corporate income tax. The bill (i) decreases all individual income tax rates by 0.2%; (ii) adopts market-based sourcing for corporate income tax for the sourcing of services, marketable securities, and property; and (iii) repeals (a) the land preservation tax credit, (b) the long-term care insurance tax credit, and (c) the coalfield employment enhancement tax credit, including the ability of electricity generators to allocate tax credits earned by such persons for purchasing coal to persons with an economic interest in coal. The bill imposes a 5% state tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed for maintenance of roads in the secondary state highway system and construction of new roads. The bill also increases the additional state registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new 5% tax on motor fuels sales. Imposes a 2% state transient occupancy tax, an initial 1% state motor vehicle registration fee, and a \$0.20 per \$100 recordation fee in any locality in Northern Virginia that is imposing either of the two local taxes set forth below. Exempts food for human consumption from state and local sales taxes, repeals the sales and use tax exemption for nonprofit entities, and increases the amount of state sales tax distributed to localities from 1% to 1.23%. Authorizes Fairfax County, Loudoun County, and Prince William County to impose a 4% food and beverage tax without a referendum, to be used for the construction of roads that reduce traffic congestion. Authorizes Arlington County and the cities in Northern Virginia to impose an additional 0.5% local sales and use tax to be used for the construction of roads that reduce traffic congestion. Also authorizes localities in Hampton Roads to impose an additional 1% sales and use tax to be used for the construction of roads that reduce traffic congestion. All provisions of the bill, except the adoption of market-based sourcing for corporate income tax, are effective January 1, 2016. The market-based sourcing for corporate income tax is effective January 1, 2014.

01/15/13 House: Referred to Committee on Finance

**Notes:** City position: support

**HJ 551 Constitutional amendment; real property tax exemption for spouses of soldiers killed in action.**

*Patrons:* Ramadan, Anderson, Dudenhefer, Brink, Byron, Cole, Comstock, Fariss, Garrett, Greason, Hodges, Hope, Hugo, Ingram, Johnson, Knight, Kory, Lewis, Lingamfelter, Marshall, D.W., Merricks, Morris, Morrissey, O'Bannon, O'Quinn, Pogge, Poindexter, Purkey, Ransone, Robinson, Rush, Scott, J.M., Stolle, Tata, Ward, Ware, O., Wright and Yancey; Senators: Stanley, Barker, Carrico, Garrett, Marsden, McDougle, Petersen, Puckett, Puller, Reeves, Ruff and Stuart

*Summary as introduced:*

**Constitutional amendment (first resolution); real property tax exemption for spouses of soldiers killed in action.** Provides a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action.

11/19/12 House: Prefiled and ordered printed; offered 01/09/13 13100523D  
11/19/12 House: Referred to Committee on Privileges and Elections  
01/11/13 House: Assigned P & E sub: Constitutional Amendments Subcommittee  
**Notes:** City position: oppose

**HJ 573 Constitutional amendment; property tax exemption for nonprofit medical clinics serving indigent.**

*Patrons:* Hope and Scott, J.M.

*Summary as introduced:*

**Constitutional amendment (first resolution); property tax exemption for nonprofit medical clinics serving the indigent.** Exempts property owned by nonprofit medical clinics organized to provide health care services without charge to the indigent.

12/18/12 House: Prefiled and ordered printed; offered 01/09/13 13100892D

12/18/12 House: Referred to Committee on Privileges and Elections

01/11/13 House: Assigned P & E sub: Constitutional Amendments Subcommittee

**Notes:** City position: oppose

**SB 692 Income tax, corporate; eliminates tax for taxable years beginning on or after January 1, 2014.**

*Patrons:* Martin, Cole and Ruff; Delegate:

*Summary as introduced:*

**Elimination of the corporate income tax.** Eliminates the corporate income tax for taxable years beginning on or after January 1, 2014, by setting the rate of the tax at zero percent.

08/31/12 Senate: Referred to Committee on Finance

**Notes:** City position: oppose

**SB 695 Va. Toll Relief Act and Va. Casino Gaming Commission; regulation of casino gaming, penalties.**

*Patron:* Lucas

*Summary as introduced:*

**Virginia Toll Relief Act; Virginia Casino Gaming Commission; regulation of casino gaming; penalties.** Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. The bill also contains technical amendments.

09/26/12 Senate: Referred to Committee on General Laws and Technology

01/15/13 Senate: Assigned GL&T sub: #1

**Notes:** City position: oppose unless local zoning prevails

**SB 697 Va. Transportation Enhancement and Toll Abatement Act and Va. Casino Gaming Commission; regulation.**

*Patron:* Lucas

*Summary as introduced:*

**Virginia Transportation Enhancement and Toll Abatement Act; Virginia Casino Gaming Commission; regulation of casino gaming; penalties.** Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Under the bill

conduct of casino gaming shall be limited to counties, cities, and towns that are located in Planning District 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, or 23.

09/26/12 Senate: Referred to Committee on General Laws and Technology

01/15/13 Senate: Assigned GL&T sub: #1

**Notes:** City position: oppose unless local zoning prevails

**SB 700 Taxes on fuels; issuance of bonds.**

*Patron:* Alexander

*Summary as introduced:*

**Taxes on fuels; issuance of bonds.** Makes the retail sale of gasoline, diesel fuel, and other fuels subject to the general five percent retail sales and use tax and reduces the fuels tax on such fuels by \$0.05 per gallon from \$0.175 per gallon to \$0.125 per gallon. Under current law, the sale of fuels is exempt from the general retail sales and use tax, but fuels are subject to a fuels tax imposed at the rate of \$0.175 per gallon. Of the net additional revenues generated each year under the bill, \$250 million would be deposited into the Highway Maintenance and Operating Fund and the remainder would be deposited into the Highway Construction Projects Trust Fund created under the bill. Moneys deposited into the Highway Construction Projects Trust Fund would be used to finance or fund the construction, acquisition, reconstruction, or replacement of or improvements or additions to highway projects as specifically set forth in the general appropriation act to be financed or funded using moneys from the Fund. The bill also authorizes the issuance of up to \$5 billion in bonds for such highway projects with the bonds and the interest thereon to be repaid from the net additional revenues generated by the bill and deposited into the Fund. The Commonwealth Transportation Board is charged with ensuring that of the revenues deposited into the Highway Construction Projects Trust Fund, over the long term, approximately 38 percent of such revenues would be used for projects in the Northern Virginia highway construction district, 31 percent for projects in the Hampton Roads highway construction district, and 31 percent for projects in all other highway construction districts in the Commonwealth.

10/23/12 Senate: Referred to Committee on Finance

**Notes:** City position: support

**SB 701 State government employment; nondiscrimination.**

*Patrons:* McEachin, Ebbin, Alexander, Barker, Deeds, Edwards, Favola, Herring, Howell, Locke, Marsden, Marsh, Miller, Northam, Puckett, Puller and Saslaw; *Delegates:* Torian, BaCote, Brink, Bulova, Carr, Dance, Filler-Corn, Herring, Hester, Hope, Keam, Kory, Krupicka, Lewis, Lopez, McClellan, McQuinn, Morrissey, Plum, Rust, Scott, J.M., Sickles, Spruill, Surovell, Toscano, Tyler, Ward, Ware, O., Ware, R.L., Watts and Yost

*Summary as introduced:*

**Nondiscrimination in state employment.** Prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression.

10/25/12 Senate: Referred to Committee on General Laws and Technology

**Notes:** City position: support

**SB 706 Elderly or incapacitated adults; financial exploitation, penalties.**

*Patrons:* Stuart and Ruff

*Summary as introduced:*

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

11/27/12 Senate: Referred to Committee for Courts of Justice

11/27/12 Senate: Referred to Committee for Courts of Justice

**Notes:** City position: support

**SB 710 Local taxes; interest on refunds and delinquent taxes, report.**

*Patrons:* Hanger and Smith

*Summary as introduced:*

**Local taxes; interest on refunds and delinquent taxes.** Authorizes a locality to not pay interest on refunds owed to a taxpayer that are due to willful errors made by the taxpayer. The bill also directs the Chairmen of the House and Senate Committees on Finance to convene a working group to consider the feasibility and fiscal impact on local governments of establishing uniform methods of assessing interest earned on overpayment of taxes or charged for underpayment of taxes and uniform criteria for evaluating the timely repayment of taxes.

11/28/12 Senate: Referred to Committee on Finance

**Notes:** City position: support if "willful" is stricken

**SB 717 Sources of revenue; establishing and adjusting for appropriations of State and its localities.**

*Patrons:* Watkins and Puller

*Summary as introduced:*

**Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities.** Makes several changes to sources of revenue of the Commonwealth:

Establishes a five percent tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the Highway Maintenance and Operating Fund, the Transportation Trust Fund, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes; Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee.

However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new five percent tax on motor fuels sales; Prohibits the placement of tolls on existing roads in the Commonwealth without the approval of the General Assembly;

Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate; Repeals income tax credits for vehicle emissions testing equipment, clean-

fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013; Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.

11/30/12 Senate: Referred to Committee on Finance

**Notes:** City position: support

**SB 721 VIEW; substance abuse screening and assessment of public assistance applicants and recipients.**

*Patron:* Carrico

*Summary as introduced:*

**Substance abuse screening and assessment of public assistance applicants and recipients.**

Requires local departments of social services to screen each Virginia Initiative for Employment Not Welfare (VIEW) program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. In cases in which drug testing is required, the cost of testing shall be paid by the Department of Social Services. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive Temporary Assistance for Needy Families (TANF) payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program; however, an individual has one opportunity during the subsequent 12-month period to comply with the screening, assessment, or treatment requirements and be reinstated to eligibility for TANF benefits.

01/18/13 Senate: Reported from Rehabilitation and Social Services with amendments (8-Y 6-N)

01/18/13 Senate: Rereferred to Finance

**Notes:** City position: oppose

**SB 724 Absentee voting; persons age 65 and older on day of an election are entitled to vote absentee.**

*Patrons:* Miller, McWaters, Ebbin and Herring; *Delegate:* Surovell

*Summary as introduced:*

**Elections; absentee voting.** Provides that persons age 65 and older on the day of an election for which an absentee ballot is requested are entitled to vote absentee.

01/18/13 Senate: Read second time

01/18/13 Senate: Committee substitute agreed to

01/18/13 Senate: Engrossed by Senate

**Notes:** City position: support

**SB 767 Retail sales and transient occupancy taxes; taxes on room rentals based upon charges for use, etc.**

*Patron:* Wagner

*Summary as introduced:*

**Retail sales and transient occupancy taxes on room rentals.** Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar

establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The effective date of the bill is January 1, 2014.

12/18/12 Senate: Referred to Committee on Finance

**Notes:** City position: support

**SB 771 License plates; display of a single plate on registered vehicles.**

*Patrons:* Wagner and Ruff

*Summary as introduced:*

**Number and display of vehicle license plates.** Reduces the number of license plates furnished by DMV to registered motor vehicles from two to one and requires the single license plate to be attached to the rear of the vehicle.

12/18/12 Senate: Referred to Committee on Transportation

**Notes:** City position: oppose

**SB 776 Virginia New Hire Reporting Center; employer reporting of newly hired employees.**

*Patron:* Watkins

*Summary as introduced:*

**Virginia New Hire Reporting Center; employer reporting of newly hired employees.**

Expands the obligations of employers to report information about the hiring of employees to the Virginia New Hire Reporting Center. Employers are required to submit information concerning each newly hired employee to the Center within 20 days of the employment of a newly hired employee. The measure defines a newly hired employee as an employee who has not previously been employed by the employer or who was previously employed by the employer but has been separated from such prior employment for at least 60 consecutive days. The enactment of the expanded definition of a newly hired employee is required pursuant to the federal Trade Adjustment Assistance Extension Act of 2011. The measure also clarifies the purposes for which the Division of Child Support Enforcement may use the information. This is a recommendation of the Commission on Unemployment Compensation.

01/14/13 Senate: Reported from Commerce and Labor (15-Y 0-N)

01/18/13 Senate: Read third time and passed Senate (38-Y 0-N)

**Notes:** City position: support

**SB 794 Disabled parking placards; physicians may issue to patients.**

*Patron:* Garrett

*Summary as introduced:*

**Temporary removable windshield placards.** Allows licensed physicians to issue temporary removable windshield parking placards to patients with a temporary disability that limits or impairs their ability to walk. Current law allows only the Department of Motor Vehicles to issue removable windshield parking placards.

12/19/12 Senate: Referred to Committee on Transportation

01/16/13 Senate: Reported from Transportation with substitute (13-Y 0-N)

**Notes:** City position: support

**SB 828 Dangerous and vicious dogs; authorizes animal control officer to apply to magistrate for summons.**

*Patron:* Blevins

*Summary as introduced:*

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

01/16/13 Senate: Read third time and passed Senate (40-Y 0-N)

**Notes:** City position: support

**SB 839 Local boundaries for law-enforcement purposes.**

*Patron:* Carrico

*Summary as introduced:*

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

01/15/13 Senate: Reported from Local Government (12-Y 1-N)

**Notes:** City position: support

**SB 864 Possession or transportation of firearms; certain emergency protective orders.**

*Patron:* Favola

*Summary as introduced:*

**Possession or transportation of firearms; certain emergency protective orders; penalty.**

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

01/18/13 Senate: Reported from Courts of Justice with amendments (13-Y 1-N)

**Notes:** City position: support

**SB 875 Provisional driver's license holders; changes from secondary offense to primary use of cell phones.**

*Patron:* Barker

*Summary as introduced:*

**Provisional driver's license holders.** Changes from a secondary offense to a primary offense use of a cell phone by a provisional driver's license holder.

01/16/13 Senate: Reported from Transportation (13-Y 0-N)

**Notes:** City position: support

**SB 884 Impoundment structures; notice of increase in the flow of water, penalty.**

*Patron:* Deeds

*Summary as introduced:*

**Impoundment structures; notice of increase in the flow of water; penalty.** Prohibits a dam owner from substantially increasing the flow of water through a dam without first notifying riparian owners and local emergency service organizations within 10 miles downstream. The bill also requires a dam owner to make the dam's current emergency action plans and reservoir regulation protocols available to riparian landowners within 10 miles, as well as to property owners within the dam break inundation zone.

01/17/13 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (14-Y 0-N)

**Notes:** City position: support

**SB 911 Transfer of firearms; criminal history records check; penalties.**

*Patron:* Howell

*Summary as introduced:*

**Transfer of firearms; criminal history records check; penalties.** Adds a definition of "firearms show vendor" and requires that a criminal history record information check be performed on the prospective transferee before the vendor may transfer firearms at a gun show. Under current law, only licensed dealers must obtain such a check. The bill also requires that the promoter of a firearms show provide vendors with access to licensed dealers who will conduct the criminal history record information check.

01/07/13 Senate: Referred to Committee for Courts of Justice

01/18/13 Senate: Incorporated by Courts of Justice (SB1001-Marsh) (14-Y 0-N)

**Notes:** City position: support

**SB 925 Retail Sales & Use Tax; increases amount of revenue dedicated to Transportation Trust Fund.**

*Patron:* McWaters

*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 0.75 percent tax rate, phased in over a period of three years.

01/07/13 Senate: Referred to Committee on Finance

**Notes:** City position: oppose

**SB 940 School resource officers; school board to coordinate with local law-enforcement agency to provide.**

*Patron:* Stuart

*Summary as introduced:*

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

01/17/13 Senate: Reported from Education and Health (15-Y 0-N)

01/17/13 Senate: Rereferred to Finance

**Notes:** City position: oppose

**SB 981 Handheld personal communications devices; use in specified school zones prohibited, penalty.**

*Patron:* Howell

*Summary as introduced:*

**School zones; use of certain devices by drivers prohibited.** Provides that any person who operates a moving motor vehicle within a school zone or school crossing zone while using any handheld personal communications device in any manner for any purpose is guilty of a traffic infraction punishable by a fine of no more than \$250. The bill also provides that signs marking school zones shall contain a notice indicating that the use of handheld personal communications devices is prohibited within the zones.

01/08/13 Senate: Referred to Committee on Transportation

**Notes:** City position: oppose

**SB 990 Virginia Public Procurement Act; bid match preference for Virginia businesses.**

*Patron:* Miller

*Summary as introduced:*

**Virginia Public Procurement Act; bid match preference for Virginia businesses.** Provides a bid match preference for Virginia business. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent of the lowest bid of an out-of-state bidder.

01/08/13 Senate: Referred to Committee on General Laws and Technology

01/15/13 Senate: Assigned GL&T sub: #2

**Notes:** City position: oppose

**SB 1001 Firearms; criminal history records check required for transfer, penalties.**

*Patrons:* Marsh and Marsden

*Summary as introduced:*

**Transfer of firearms; criminal history records check; penalties.** Adds a definition of "firearms show vendor" and requires that a criminal history record information check be performed on the prospective transferee before the vendor may transfer firearms at a gun show. Under current law, only licensed dealers must obtain such a check. The bill also requires that the promoter of a firearms show provide vendors with access to licensed dealers who will conduct the criminal history record information check.

01/08/13 Senate: Referred to Committee for Courts of Justice

**Notes:** City position: support

**SB 1002 Emergency protective orders; expungement of orders from record.**

*Patron:* Marsden

*Summary as introduced:*

**Emergency protective orders; expungement.** Provides the mechanism for a person who is the subject of an emergency protective order issued in connection with a warrant for the arrest of such person to expunge the order from the record if the warrant did not result in a criminal charge against such person or if no subsequent preliminary protective order was issued against

such person. The bill also permits a person who is the subject of an emergency protective order who was charged with a crime to expunge the order if the person was acquitted of the charge or the charge was otherwise dismissed.

01/08/13 Senate: Referred to Committee for Courts of Justice

**Notes:** City position: oppose

**SB 1045 Criminal justice training academies; sovereign immunity of trainers.**

*Patron:* Newman

*Summary as introduced:*

**Criminal Justice Training Academies; sovereign immunity of trainers.** Expands the immunity from civil liability that exists for any criminal justice training academy and its directors, officers, and employees to include any law-enforcement officer or jail officer who serves as a trainer at the academy if he has been certified as an instructor by the Department of Criminal Justice Services.

01/16/13 Senate: Reported from Courts of Justice with amendment (9-Y 6-N)

**Notes:** City position: support

**SB 1094 Retail sales and transient occupancy taxes; taxes on room rentals based upon charges for use, etc.**

*Patron:* Hanger

*Summary as introduced:*

**Retail sales and transient occupancy taxes on room rentals.** Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The effective date of the bill is January 1, 2014.

01/09/13 Senate: Referred to Committee on Finance

**Notes:** City position: support

**SB 1109 Firearms; prohibiting selling, etc., to certain persons.**

*Patron:* Ebbin

*Summary as introduced:*

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

01/18/13 Senate: Reported from Courts of Justice (14-Y 0-N)

01/18/13 Senate: Rereferred to Finance

**Notes:** City position: support

**SB 1160 Driving while texting; primary offense, increased penalties.**

*Patrons:* Barker; Delegate: Torian

*Summary as introduced:*

**Driving while texting; primary offense; increased penalties.** Provides that driving while texting is a traffic infraction punishable, for a first offense, by a fine of \$250 and, for a second or subsequent offense, by a fine of \$500. The current penalties are \$20 for a first offense and \$50 for a second or subsequent offense. The bill also changes the offense from a secondary offense (one that can only be charged when the offender is stopped for another, separate offense) to a primary offense. The bill also provides that a violation of this provision does not preclude prosecution under any other applicable provision of the criminal law or of the law governing the operation of motor vehicles.

01/09/13 Senate: Referred to Committee on Transportation

**Notes:** City position: support

**SB 1170 Virginia Public Procurement Act; resident employment and apprenticeship participation.**

*Patrons:* Deeds and Edwards

*Summary as introduced:*

**Virginia Public Procurement Act; resident employment and apprenticeship participation; required contract provisions.** Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" does not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor. The required provisions do not apply to any contracts for the procurement of professional services.

01/09/13 Senate: Referred to Committee on General Laws and Technology

**Notes:** City position: oppose

**SB 1205 Criminal street gang predicate offenses; expands class to include all felony crimes.**

*Patron:* McDougle

*Summary as introduced:*

**Criminal street gang predicate offenses.** Expands the class of criminal street gang offenses to include all felony crimes against property, all felony drug offenses, and all felony offenses involving prostitution. The class also specifically includes all homicide offenses, some but not all of which would be considered "acts of violence" under the current law.

01/09/13 Senate: Referred to Committee for Courts of Justice

**Notes:** City position: support

**SB 1210 Transportation commission membership.**

*Patron:* Stuart

*Summary as introduced:*

**Transportation commission membership.** Gives the Chairman of the Commonwealth Transportation Board or his designee equal voting weight on the Virginia Railway Express

oversight board. Also provides that the Chairman of the Commonwealth Transportation Board or his designee shall be included for purposes of constituting a quorum on certain transportation commissions and shall have voting rights equal to the appointees of component governments.

01/09/13 Senate: Referred to Committee on Transportation

01/16/13 Senate: Reported from Transportation with amendment (8-Y 4-N)

**Notes:** City position: oppose

**SB 1222 Reckless driving; using a handheld personal communications device, penalty.**

*Patrons:* Norment and Howell

*Summary as introduced:*

**Reckless driving; using a handheld communications device; penalty.** Provides that driving while simultaneously using a handheld communications device for something other than verbal communication constitutes driving a motor vehicle that is not under proper control, punishable as reckless driving, a Class 1 misdemeanor. Under current law, the more specific offense of "texting while driving" (repealed by this bill) incurs a \$20 fine and is a secondary offense, which means that a law-enforcement officer must have cause to stop or detain a driver for some other violation, the primary offense, before issuing a citation for texting while driving, the secondary offense.

01/09/13 Senate: Referred to Committee on Transportation

**Notes:** City position: support

**SB 1232 Firearms; criminal history information check required to sell.**

*Patron:* Ebbin

*Summary as introduced:*

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

01/09/13 Senate: Referred to Committee for Courts of Justice

01/18/13 Senate: Incorporated by Courts of Justice (SB1136-McEachin) (14-Y 0-N)

**Notes:** City position: support

**SB 1238 Reckless driving; texting; penalty.**

*Patron:* Barker

*Summary as introduced:*

**Reckless driving; texting; penalty.** Provides that texting while driving is punishable as reckless driving, a Class 1 misdemeanor; currently, violations incur a \$20 fine. The bill also makes texting while driving a primary offense; currently, law-enforcement officers must have cause to stop or detain a driver for some other violation before issuing a citation for texting while driving. If the degree of culpability is slight, the person may be found not guilty of reckless driving but guilty of texting while driving, which is punishable by a \$50 fine.

01/09/13 Senate: Referred to Committee on Transportation

**Notes:** City position: support

**SB 1240 School resource officers; local law-enforcement agencies to provide.**

*Patron:* Deeds

*Summary as introduced:*

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

01/09/13 Senate: Referred to Committee on Education and Health

01/17/13 Senate: Assigned Education sub: Public Education

**Notes:** City position: oppose

**SB 1253 Smoking; localities to ban in designated public parks, etc.**

*Patron:* Northam

*Summary as introduced:*

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

01/09/13 Senate: Referred to Committee on Local Government

**Notes:** City position: support

**SB 1258 Elderly or incapacitated adults; financial exploitation, penalties.**

*Patron:* Herring

*Summary as introduced:*

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

01/10/13 Senate: Referred to Committee for Courts of Justice

**Notes:** City position: support