

**Recommended Position on Bills Before the 2013 General Assembly Session  
February 8, 2013**

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**HB 1554 Risk management plans; insurance coverage for sheriffs, limitation on liability.**

*Patrons:* Loupassi and Cline

*Summary as passed House:*

**Risk management insurance coverage for sheriffs; limitation of liability.** Provides that no sheriff shall be liable in his individual capacity for any civil judgment in excess of the maximum liability coverage provided under the risk management insurance plan.

02/05/13 House: Read third time and passed House (90-Y 7-N)

02/06/13 Senate: Referred to Committee on General Laws and Technology

**Notes:** City position: support

**HB 1575 Child care services and facilities; regulation in certain counties and cities.**

*Patrons:* Webert and Ramadan

*Summary as introduced:*

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

01/30/13 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

01/31/13 Senate: Referred to Committee on Local Government

**Notes:** City position: oppose

**HB 1687 Real property tax; increases in assessed value for prior years.**

*Patron:* Iaquinto

*Summary as introduced:*

**Real property tax; increases in assessed value for prior years.** Reduces the period of time in which the assessed value of real property may be increased for prior years from the three preceding tax years to the preceding tax year.

01/24/13 House: Read third time and passed House (75-Y 24-N)

01/25/13 Senate: Referred to Committee on Finance

**Notes:** City position: oppose

**HB 1853 Planning, zoning, and development procedures; local commissions.**

*Patron:* Knight

*Summary as introduced:*

**Planning and zoning; effects of development on military installations.** Requires local planning commissions to consider the effects of development on military installations. The bill requires a local planning commission to cooperate with the commander of any military installation that will be affected by development and permits a governing body to appoint an additional nonvoting member to its planning commission to represent a local installation.

02/05/13 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

02/08/13 Senate: Referred to Committee on Local Government

**Notes:** City position: oppose

**HB 2045 Foster care and adoption; decisions regarding federal benefits, right to appeal.**

*Patron:* Robinson

*Summary as passed House:*

**Foster care and adoption; decisions regarding federal benefits; appeal to the**

**Commissioner.** Establishes a right to review by the Commissioner of Social Services of any decision of a local board of social services granting, denying, or changing a benefit available to a child in foster care for any individual whose claim for benefits related to foster care services available pursuant to state or federal law is denied or not acted upon by the local department with reasonable promptness.

01/25/13 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

01/28/13 Senate: Referred to Committee on Rehabilitation and Social Services

**Notes:** City position: support

**HB 2169 Grievance procedure, local; removes requirement.**

*Patron:* Cole

*Summary as introduced:*

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

02/05/13 House: Read third time and passed House (67-Y 27-N)

02/06/13 Senate: Referred to Committee on Local Government

**Notes:** City position: support

**HB 2190 Stormwater management ordinances.**

*Patron:* Cosgrove

*Summary as passed House:*

**Stringency of stormwater management ordinances.** Requires localities to report to the Department of Conservation and Recreation when a more stringent stormwater management ordinance or stormwater requirements are developed by the localities. Before adoption of such an ordinance, the Department must review the ordinance or requirement and determine where the requirements will prevent the degradation of water resources and address TMDL requirements.

02/04/13 House: Read third time and passed House (73-Y 26-N)

02/05/13 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

**Notes:** City position: oppose

**HB 2211 Stalking; Class 6 felony for conviction of second offense within five years.**

*Patrons:* McClellan, Brink, Herring, Krupicka, LeMunyon and Watts

*Summary as passed House:*

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

02/05/13 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)

02/06/13 Senate: Referred to Committee for Courts of Justice

**Notes:** City position: support

**HB 2243 Escort vehicle drivers; certification and regulation in State.**

*Patron:* May

*Summary as introduced:*

**Escort driver certification.** Provides for the certification and regulation of escort drivers in the Commonwealth. The bill also adds a traffic infraction for impeding or disrupting vehicles operating under a hauling permit that requires an escort vehicle.

02/04/13 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)

02/05/13 Senate: Referred to Committee on Transportation

**Notes:** City position: support

**HB 2279 Children; placement of nonresident child in State residential facility.**

*Patron:* Fariss

*Summary as introduced:*

**Placement of children.** Eliminates language providing that regulations of the Board of Social Services shall not prohibit placement of a nonresident child in a children's residential facility in the Commonwealth by a custodial parent who assumes full financial responsibility for the child prior to final approval of the placement pursuant to the Interstate Compact on the Placement of Children when the placement is made without the involvement of a public officer or agency.

02/05/13 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)

02/06/13 Senate: Referred to Committee on Rehabilitation and Social Services

**Notes:** City position: support

**HB 2306 Eminent domain; just compensation paid for real property, tax assessments.**

*Patron:* Ramadan

*Summary as passed House:*

**Eminent domain; just compensation; tax assessments.** Makes just compensation for real property taken pursuant to eminent domain nothing less than the appraisal of the fair market value of such property, if such an appraisal is required, or the current assessed value of such property for real estate tax purposes when the entire parcel for which the assessment has been made is to be acquired, whichever is greater. Under current law, just compensation shall not be less than the appraisal of fair market value if such an appraisal is required.

02/01/13 House: Read third time and passed House (70-Y 28-N)

02/04/13 Senate: Referred to Committee for Courts of Justice

**Notes:** City position: oppose

**HB 2316 Public Procurement Act; multiple project contracts for engineering services.**

*Patron:* Byron

*Summary as passed House:*

**Virginia Public Procurement Act; multiple project contracts for architectural or professional engineering services relating to construction.** Raises, for certain local public bodies, the maximum cost of architectural or professional engineering services for all projects in one contract term of a multiple project contract from \$500,000 to \$1 million, and raises the

maximum cost of architectural or professional engineering services for any single project from \$100,000 to \$200,000 for airports and aviation transportation projects.

02/04/13 House: Printed as engrossed 13103826D-E

02/05/13 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)

02/05/13 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

02/06/13 Senate: Constitutional reading dispensed

02/06/13 Senate: Referred to Committee on General Laws and Technology

**Notes:** City position: support

**SB 920 Emergency custody and involuntary temporary detention; transportation.**

*Patron:* Carrico

*Summary as passed Senate:*

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

02/04/13 Senate: Passed Senate (37-Y 3-N)

02/06/13 House: Referred to Committee on Health, Welfare and Institutions

**Notes:** City position: support

**SB 996 Temporary detention orders; increases maximum duration to 72 hours.**

*Patron:* Barker

*Summary as passed Senate:*

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

02/01/13 Senate: Read third time and passed Senate (39-Y 0-N)

02/06/13 House: Assigned Courts sub: #2 Civil

**Notes:** City position: support

**SB 1004 Early termination of rental agreements by victims of family abuse, etc.**

*Patrons:* Howell and Black

*Summary as introduced:*

**Landlord and tenant law; early termination of rental agreements by victims of family abuse or sexual assault.** Provides that a tenant who is a victim of (i) family abuse, (ii) sexual abuse, or (iii) criminal sexual assault may terminate a rental agreement under certain circumstances. The bill details the instance under which termination may be sought and the process that must be followed by the tenant to effect the termination.

02/01/13 Senate: Read third time and passed Senate (39-Y 0-N)

02/06/13 House: Referred to Committee on General Laws

02/06/13 House: Assigned GL sub: #1 Housing

**Notes:** City position: support

**SB 1024 Administrative Process Act; exemption; Department of Criminal Justice Services.**

*Patron:* Howell

*Summary as introduced:*

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

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

01/25/13 House: Referred to Committee on General Laws

02/01/13 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

**Notes:** City position: support

**SB 1026 Law-enforcement officers; grounds for decertification.**

*Patrons:* Howell and Norment

*Summary as introduced:*

**Law-enforcement officers; grounds for decertification.** Provides that no person who becomes a law-enforcement officer on or after July 1, 2013, may have been convicted of or pled guilty or no contest to a Class 1 misdemeanor involving moral turpitude, any sex offense, or any domestic assault. Additionally, any certified law-enforcement officer who has been convicted of or pled guilty or no contest to any such crime shall be decertified by the Criminal Justice Services Board. The bill additionally requires a sheriff, chief of police, or agency administrator to notify the Criminal Justice Services Board in writing when any certified law-enforcement officer or jail officer who is currently employed is convicted of or pleads guilty or no contest to certain crimes. Notice is also required when a law-enforcement officer or jail officer resigns or is terminated in advance of a pending drug screening or conviction of an offense that requires decertification. Upon receiving notice, the Criminal Justice Services Board shall decertify such officer. The bill provides that lack of notification shall not prohibit the Criminal Justice Services Board from decertifying an officer who has been found to have committed a certain crime or who has not maintained compliance with mandated training standards.

02/08/13 House: Reported from Militia, Police and Public Safety with substitute (22-Y 0-N)

**Notes:** City position: support

**SB 1029 Planning and zoning; local commissions.**

*Patron:* Reeves

*Summary as passed Senate:*

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

02/04/13 Senate: Read third time and passed Senate (40-Y 0-N)

02/08/13 House: Reported from Counties, Cities and Towns (21-Y 0-N)

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

**SB 1050 Extension of loads beyond front of vehicles.**

*Patron:* McDougle

*Summary as introduced:*

**Extension of loads beyond front of vehicles.** Allows loads to extend 10 feet beyond the front of the vehicle for utility poles during the daytime and for emergency utility repair at night. Under current law, no vehicle may carry a load that extends more than three feet.

02/07/13 House: Reported from Transportation (22-Y 0-N)

**Notes:** City position: support

**SB 1246 Virginia Public Procurement Act; multiple project contracts for airports.**

*Patron:* Colgan

*Summary as passed Senate:*

**Virginia Public Procurement Act; multiple project contracts.** Raises (i) the maximum cost of architectural or professional engineering services for all projects in one contract term of a multiple project contract from \$500,000 to \$1.5 million and (ii) the maximum cost of architectural or professional engineering services for any single project from \$100,000 to \$500,000 for airports and aviation transportation projects. For a locality or authority or sanitation district with a population in excess of 80,000, the bill raises the maximum cost of such services from \$1 million to \$2 million.

02/05/13 Senate: Passed Senate (40-Y 0-N)

02/11/13 House: Referred to Committee on General Laws

**Notes:** City position: support

**SB 1270 Marina operators; includes state & local agencies among those required to file lists of boat owners.**

*Patron:* Ruff

*Summary as introduced:*

**Marina operators to file lists of boat owners.** Includes state and local agencies among certain operators of marinas or boat storage places that must file with the commissioner of the revenue a list of boat owners and the name and number of the boats in the marina.

02/04/13 House: Assigned Finance sub: #2

02/06/13 House: Subcommittee recommends reporting with amendment(s) (8-Y 1-N)

**Notes:** City position: support

**SB 1313 Income tax, local; City of Portsmouth authorized to levy to generate revenue for transportation.**

*Patron:* Stosch

*Summary as introduced:*

**Local income tax.** Adds the City of Portsmouth to the list of localities authorized to impose a local income tax to generate revenue to be used for transportation purposes. The bill also removes the requirement that the local income tax be approved by a referendum and repeals the five-year sunset on the local income tax.

02/05/13 Senate: Passed Senate (27-Y 11-N)

02/11/13 House: Referred to Committee on Finance

**Notes:** City position: support

**SB 1314 Local boundaries for law-enforcement; organizing for purpose of 911.**

*Patron:* Puckett

*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.

02/08/13 House: Referred to Committee on Militia, Police and Public Safety

**Notes:** City position: support

**SB 1342 Higher education; mental health treatment coordination for students.**

*Patron:* Petersen

*Summary as passed Senate:*

**Higher education; mental health treatment coordination.** Provides that the governing board of each public four-year institution of higher education may establish written memoranda of understanding with its local community services board or behavioral health authority and with local hospitals and other local mental health facilities in order to expand the scope of services available to students seeking treatment. The bill requires each memorandum to designate a contact person to be notified when a student is involuntarily committed or when a student is discharged from a facility and consents to such notification. The bill also requires each memorandum to include the institution in the post-discharge planning of a student who has been committed and intends to return to campus, to the extent allowable under state and federal privacy laws.

02/01/13 Senate: Read third time and passed Senate (39-Y 0-N)

02/06/13 House: Referred to Committee on Education

02/08/13 House: Assigned Education sub: Higher Education and Arts

**Notes:** City position: support