

**Current Status of Bills on Which the City Has Taken a Position
February 23, 2013**

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. The bill was incorporated into HB1481.

01/22/13 House: Stricken from docket by Commerce and Labor

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.

01/30/13 House: Stricken from docket by Finance

Notes: City position: support

HB 1332 Local government audit; allowed to request audit from Auditor of Public Accounts upon majority vote.

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.

02/21/13 Passed House and Senate

Notes: City position: support

HB 1357 Handheld personal communications devices; texting while driving.

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

Summary as introduced:

Texting while driving. Makes texting while driving a primary offense. This bill was incorporated into HB 1907.

02/01/13 House: Incorporated into HB1907, which passed House and Senate

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. 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 stop or detain a driver for some other violation, the primary offense, before issuing a citation for texting while driving, the secondary offense.

02/01/13 House: Incorporated into HB1907, which passed House and Senate

Notes: City position: support

HB 1383 Criminal history record information; emergency medical services providers.

Patron: Pogge

Summary as passed House:

Criminal history checks of emergency medical services personnel. Provides that the State Board of Health shall require each person who applies to be a volunteer with or employee of an emergency medical services agency to submit fingerprints and provide personal descriptive information for the purpose of a state and national criminal history record check.

02/14/13 Passed House and Senate

Notes: City position: oppose

HB 1394 Absentee voting; persons age 65 and older on day of an election are entitled to vote absentee.

Patrons: Marshall, D.W., Lopez, Scott, J.M. and 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 House: Tabled in Privileges and Elections

Notes: City position: support

HB 1395 Abandoned vehicles; public auction conducted by locality shall include an internet sale by auction.

Patron: Marshall, D.W.

Summary as passed House:

Abandoned vehicles; sale those taken into custody at auction. Provides that "public auctions" at which abandoned vehicles are sold by local governments can include internet sales.

02/21/13 Passed House and Senate (HB1395ER)

Notes: City position: support

HB 1401 Real property tax; collection of delinquent taxes, notice to taxpayer regarding payment agreement.

Patron: Cole

Summary as passed House:

Real property tax; sale of sole dwelling for delinquent taxes. Requires that, prior to initiating judicial proceedings to sell real property because of delinquent taxes, the locality must notify the

taxpayer that he has the right to request that the treasurer enter into a payment schedule with him to pay the delinquent taxes.

02/20/13 Passed House and Senate

Notes: City position: oppose

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

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 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 Department of Motor Vehicles over rolling six-month periods, to determine the cents to be charged.

01/23/13 House: Tabled in Finance

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. 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 five 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.

02/06/13 House: Left in Militia, Police and Public Safety

Notes: City position: support

HB 1412 VIEW Program; substance abuse screening 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

02/05/13 House: Left in Health, Welfare and Institutions

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.

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

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.

02/05/13 House: Left in Finance

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.

01/23/13 House: Incorporated into HB2313, which was passed

Notes: City position: support

HB 1455 Elderly or incapacitated persons; financial exploitation.

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 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.

01/25/13 Incorporated into HB1682, which passed the House and Senate

Notes: City position: support

HB 1494 Sheriffs; expands authority to deputize persons to direct traffic, training required.

Patron: Dance

Summary as passed House:

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.

02/13/13 Senate: Stricken at request of Patron in Transportation

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

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

Patrons: Hope, Krupicka and Plum

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.

02/05/13 House: Left in Health, Welfare and Institutions

Notes: City position: support

HB 1557 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 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 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.

02/06/13 House: Left in Militia, Police and Public Safety

Notes: City position: oppose

HB 1562 Dangerous and vicious dogs; confinement.

Patrons: Orrock and Kory

Summary as passed House:

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 vicious dog has willfully failed to comply with the law. When the owner of a dangerous dog has willfully failed to comply with the law, the bill authorizes an officer to confine the dog.

02/18/13 Passed House and Senate

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.

02/05/13 House: Left in Finance

Notes: City position: support

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

Patron: Garrett

Summary as passed House:

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 (i) any trainer at the academy if he has been certified by the Department of Criminal Justice Services and (ii) any person who is a criminal justice training academy approved instructor.

02/13/13 Passed House and Senate

Notes: City position: support

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

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

Summary as passed House:

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 private or religious school property if such officer is hired by the private or religious 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.

02/18/13 Passed House and Senate

Notes: City position: oppose

HB 1598 Real property tax; boards of equalization.

Patron: Anderson

Summary as passed House:

Real property tax; boards of equalization. Modifies several provisions governing boards of equalization including (i) modifying 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; and (vi) setting deadlines for consideration of certain information.

02/21/13 Passed House and Senate

Notes: City position: oppose (note: bill was amended to address City concerns)

HB 1642 Rights of parents; fundamental right to make decisions concerning care, etc., of their children.

Patrons: Pogge, Morris, Cole, Marshall, R.G. and Ransone; Senator: Black

Summary as passed:

Rights of parents. Provides that a parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parent's child. The bill further provides that the provisions of the bill codify the opinion of the Supreme Court of Virginia in *L.F. v. Breit*, issued on January 10, 2013, as it relates to parental rights.

02/21/13 Passed House and Senate

Notes: City position: oppose

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

Patrons: BaCote, Helsel, McQuinn, Ramadan, Scott, J.M., Spruill, Ward, Watson and Yancey; 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.

02/14/13 Passed House and Senate

Notes: City position: support

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

Patrons: Krupicka and Surovell

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 (e.g., Potomac Yard), then the locality is entitled to retain the sales tax revenue generated in the service district, not to exceed \$1.25 million per year, to pay bonds issued to construct the station.

02/05/13 House: Left in Finance

Notes: City position: support

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

02/06/13 House: Left in Militia, Police and Public Safety

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 10

cents 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.

01/23/13 Incorporated into HB2313, which passed

Notes: City position: support

HB 1680 Temporary detention orders; increases maximum duration person may be detained 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.

01/23/13 House: Tabled in Courts of Justice

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.

02/06/13 House: Left in Militia, Police and Public Safety

Notes: City position: support

HB 1718 Transportation projects and planning; reimbursement of VDOT by localities, etc.

Patron: Anderson

Summary as passed House:

Transportation planning and projects. Requires a locality to repay the Department when a locality requests termination of a project and the Department does not agree to the termination or the locality or metropolitan planning organization doesn't advance the project.

02/21/13 Passed House and Senate

Notes: City position: oppose

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

Patron: O'Bannon

Summary as passed House:

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.

02/18/13 Passed House and Senate

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.

02/05/13 House: Left in Counties, Cities and Towns

Notes: City position: oppose

HB 1728 Virginia Vulnerable Adult Protection Act; created.

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.

02/01/13 House: Tabled in Courts of Justice

Notes: City position: support

HB 1742 Foster care; independent living services.

Patrons: Brink, Crockett-Stark, Filler-Corn, Krupicka 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.

02/05/13 House: Left in Appropriations

Notes: City position: support

HB 1743 Independent living services; foster children committed to Department of Juvenile Justice, etc.

Patrons: Brink and Krupicka

Summary as passed House:

Independent living services. Provides that local departments of social services and licensed child-placing agencies may 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 of Juvenile Justice. The bill expands the definition of "independent living services" to include services provided to a person who is at least 18 years of age but who has not yet reached the age of 21 years who, immediately prior to his commitment to the Department of Juvenile Justice, was in the custody of the local board of social services.

02/23/13 Passed House and Senate

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.

02/05/13 House: Left in 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

02/05/13 House: Left in Finance

Notes: City position: oppose

HB 1847 Criminal street gang predicate offenses; penalties.

Patron: Albo

Summary as passed House:

Criminal street gang predicate offenses. Expands the class of criminal street gang predicate offenses to include capital murder, additional assault offenses, burglary offenses, grand larceny, sale of stolen property, manufacture/distribution of methamphetamine, violent use of a machine gun, possession/use of a sawed-off shotgun, additional firearm possession offenses, stalking, and additional drug offenses.

02/23/13 Passed House and Senate

Notes: City position: support

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

Patrons: Loupassi and Ware, O.; *Senator:* Howell

Summary as introduced:

Reckless driving; using a handheld communications device. 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 stop or detain a driver for some other violation, the primary offense, before issuing a citation for texting while driving, the secondary offense.

02/01/13 Incorporated into HB1907, which passed

Notes: City position: support

HB 1878 Sources of transportation revenue.

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. Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers; eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.

01/23/13 House: Tabled in 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.

02/05/13 House: Left in General Laws

Notes: City position: oppose

HB 1883 Handheld personal communications devices; texting while driving.

Patron: Bulova

Summary as introduced:

Texting while driving. 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. Also provides that a violation of this provision shall not preclude prosecution under any other applicable provision of the criminal law.

02/01/13 Incorporated into HB1907, which passed

Notes: City position: support

HB 1907 Handheld personal communications devices; primary offense for texting while driving, mandatory fine.

Patrons: Anderson, Cline, Rust, Bulova, Comstock, Cosgrove, Cox, J.A., Crockett-Stark, Dance, Dudenhefer, Edmunds, Farrell, Greason, Head, Herring, Hodges, Hugo, Iaquinto, Ingram, Jones, Kory, Landes, LeMunyon, Loupassi, Marshall, D.W., Marshall, R.G., Merricks, Minchew, Morris, O'Quinn, Orrock, Peace, Plum, Purkey, Ransone, Robinson, Rush, Scott, J.M., Tata, Villanueva, Ware, O., Wilt and Yost

Summary as passed House:

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 increases the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving 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 increases the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving offense.

02/22/13 Passed House and Senate

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.

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

Notes: City position: support

HB 1938 Absentee voting; persons age 65 and older 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.

01/18/13 Incorporated into HB1394, which was defeated

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.

02/05/13 House: Left in General Laws

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 transmit the forms to the commissioner.

02/05/13 House: Left in Finance

Notes: City position: support

HB 1982 Local tax bills; permits treasurers to convey access online from database on treasurer's website.

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.

02/15/13 Passed House and Senate

Notes: City position: support

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

Patrons: May and Keam

Summary as passed House:

Vehicle weight limits and overweight permits. Makes several technical changes in order to clarify legislation passed last Session dealing with vehicle weight limits and overweight permits.

02/14/13 Passed House and Senate

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 of up to \$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.

02/18/13 Passed House and Senate

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.

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

Notes: City position: oppose

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

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

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.

02/20/13 Passed House and Senate

Notes: City position: support

HB 2009 VIEW; substance abuse screening 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.

02/05/13 House: Left in Health, Welfare and Institutions

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.

02/05/13 House: Left in General Laws

Notes: City position: support

HB 2025 Firearms; requires background check for any purchase.

Patrons: Hope, BaCote, Brink, Krupicka, Lopez, McQuinn, Plum, Scott, J.M., Spruill, Surovell, 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.

02/06/13 House: Left in Militia, Police and Public Safety

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.

02/20/13 Passed House and Senate

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.

02/05/13 House: Left in General Laws

Notes: City position: support

HB 2109 VIEW; substance abuse screening 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.

02/05/13 House: Left in Health, Welfare and Institutions

Notes: City position: oppose

HB 2152 Transportation district commissions; membership.

Patron: Anderson

Summary as passed:

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

02/21/13 Passed House and Senate with delayed effective date (July 1, 2014)

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.

02/05/13 House: Left in Education

Notes: City position: support

HB 2188 Line of Duty Act; 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 self-fund the benefits available under the Act.

02/05/13 House: Left in Appropriations

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.

02/18/13 Passed House and Senate

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. Prohibits a polling place from being located in a school building.

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

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. Makes a person who imports, sells, barter, or transfers an assault firearm guilty of a Class 6 felony. Makes a person who imports, sells, barter, or transfers a firearms magazine that is designed to hold more than 20 rounds of ammunition guilty of a Class 1 misdemeanor.

02/06/13 House: Left in Militia, Police and Public Safety

Notes: City position: support

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.

02/23/13 Passed House and Senate

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.

02/06/13 House: Left in Militia, Police and Public Safety

Notes: City position: support

HB 2224 Motor fuels tax; increases rate by \$0.10 per gallon.

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.

01/23/13 House: Tabled in Finance

Notes: City position: support

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

Patrons: Morefield and Kilgore

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.

02/18/13 Passed House and Senate

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.

02/06/13 House: Left in Militia, Police and Public Safety

Notes: City position: support

HB 2253 Transportation 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. 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. Increases the state registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles 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, Loudoun, and Prince William Counties 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. 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.

01/23/13 Incorporated into HB2313, which passed

Notes: City position: support

HJ 551 Constitutional amendment; General Assembly may exempt real property of spouses of soldiers killed.

Patrons: Ramadan, Anderson, Dudenhefer, Albo, Brink, Bulova, Byron, Cole, Comstock, Cosgrove, Dance, Edmunds, Fariss, Garrett, Greason, Hodges, Hope, Hugo, Ingram, Johnson, Keam, Kilgore, Knight, Kory, Krupicka, LeMunyon, Lewis, Lingamfelter, Marshall, D.W., Merricks, Minchew, Morris, Morrissey, O'Bannon, O'Quinn, Pogge, Poindexter, Purkey, Putney, Ransone, Robinson, Rush, Scott, J.M., Stolle, Tata, Villanueva, Ward, Ware, O., Watson, Wright and Yancey; Senators: Stanley, Barker, Black, Carrico, Garrett, Marsden, McDougale, Petersen, Puckett, Puller, Reeves, Ruff and Stuart

Summary as passed:

Constitutional amendment; real property tax exemption for spouses of soldiers killed in action. Provides that the General Assembly may provide a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action. Such tax exemption may not be claimed by a surviving spouse who has remarried.

02/19/13 Passed House and Senate

Notes: City position: oppose (the legislation was amended to partially address the City's objection)

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

Patrons: Hope and Scott, J.M.

Summary as introduced:

Constitutional amendment; 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.

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

Notes: City position: oppose

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

Patrons: Martin and Ruff; Delegate: Cole

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.

02/06/13 Senate: Left in Finance

Notes: City position: oppose

SB 695 Va. Toll Relief Act and Va. Casino Gaming Commission.

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.

01/28/13 Senate: Passed by indefinitely in General Laws and Technology (15-Y 0-N)

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 certain Planning Districts.

01/28/13 Senate: Passed by indefinitely in General Laws and Technology (15-Y 0-N)

Notes: City position: oppose unless local zoning prevails

SB 700 Taxes on fuels; issuance of bonds.

Patrons: Alexander; Delegate: Spruill

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 from \$0.175 per gallon to \$0.125 per gallon. 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.

02/06/13 Senate: Left in 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.

02/18/13 House: Left in General Laws

Notes: City position: support

SB 706 Mentally incapacitated persons; financial exploitation, penalty.

Patrons: Stuart, Herring, Ebbin and Ruff

Summary as passed Senate:

Financial exploitation of incapacitated persons; penalty. Provides that it is unlawful for any person who knows or should know that another person suffers from mental incapacity to, through the use of that other person's mental incapacity, take, obtain, or convert money or other thing of value belonging to that other person with the intent to permanently deprive him thereof.

02/20/13 Passed House and Senate

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.

01/22/13 Senate: Stricken at request of Patron

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

SB 717 Transportation funding.

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. Increases the registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles 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. Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers. Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.

02/06/13 Senate: Left in Finance

Notes: City position: support

SB 721 VIEW; substance abuse screening 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.

02/04/13 Defeated by Senate (19-Y 20-N)

Notes: City position: oppose

SB 724 Absentee voting; persons age 65 and older are entitled to vote absentee.

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

Summary as passed Senate:

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.

02/12/13 House: Subcommittee recommends laying on the table (this defeats the bill)

Notes: City position: support

SB 767 Retail sales and transient occupancy taxes.

Patrons: Wagner and Hanger

Summary as passed Senate:

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. When 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.

02/18/13 House: Left in 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.

01/23/13 Senate: Stricken at request of Patron

Notes: City position: oppose

SB 776 Virginia New Hire Reporting Center; 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 must submit information on a newly hired employee to the Center within 20 days. Defines a newly hired employee as one 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 days. This expanded definition of a newly hired employee is required by 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.

02/15/13 Passed House and Senate

Notes: City position: support

SB 785 Firearms; use in commission of crime, civil liability.

Patron: Marsden

Summary as introduced:

Use of firearm in commission of crime; civil liability. Provides that a person may be held liable for injury to the person or property of another or for wrongful death resulting from the use of a firearm in the commission of a crime if it can be shown by clear and convincing evidence that the firearm came into the possession of the person who committed the crime because of the failure of the civil defendant to adequately secure the firearm from theft, etc.

01/18/13 Senate: Passed by indefinitely in Courts of Justice (8-Y 5-N)

Notes: City position: support

SB 789 Employees; equal compensation irrespective of sex.

Patrons: McEachin and Herring

Summary as introduced:

Equal compensation of employees irrespective of sex. Amends existing law requiring equal pay for equal work irrespective of sex to (i) increase the penalty for a violation from double unpaid wages to triple unpaid wages plus reasonable attorney fees; (ii) prohibit employers from punishing employees for sharing salary information with their coworkers; and (iii) prohibit unequal provision of benefits and privileges.

01/14/13 Senate: Failed to report (defeated) in Commerce and Labor (5-Y 10-N)

Notes: City position: support

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

Patron: Garrett

Summary as passed Senate:

Temporary removable windshield placards. Allows licensed physicians, nurse practitioners, physician assistants, podiatrists, or chiropractors to certify 15 days in advance of a medical procedure that an applicant will have with a temporary disability that limits or impairs their ability to walk. DMV will mail the temporary placard to the applicant.

02/18/13 Passed House and Senate

Notes: City position: support

SB 828 Dangerous and vicious dogs; when owner is charged with a violation, officer shall confine dog, etc.

Patron: Blevins

Summary as passed Senate:

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 vicious dog has willfully failed to comply with the law. If the owner of a dangerous dog has willfully failed to comply with the law, the bill authorizes an officer to confine the dog.

02/12/13 Passed House and Senate

Notes: City position: support

SB 839 Local boundaries for law-enforcement; 911 dispatch and response.

Patron: Carrico

Summary as passed:

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.

02/18/13 Senate: Passed House and Senate

Notes: City position: support

SB 841 Uniform Statewide Building Code; occupancy standards for residential dwelling.

Patron: Locke

Summary as passed Senate:

Uniform Statewide Building Code; establishment of occupancy standards for residential dwelling units by owners or managing agents. Authorizes an owner or managing agent of a residential dwelling unit to develop and implement reasonable occupancy standards restricting the maximum number of occupants permitted to occupy the dwelling unit to two persons per bedroom. Under the bill, the occupancy standard is subject to the provisions of applicable state and federal laws and regulations. The bill also provides that the occupancy standards of an owner or managing agent shall not be enforceable under the provisions of the Uniform Statewide Building Code.

02/20/13 Passed House and Senate

SB 864 Firearms; possession within residence of victim by persons subject to protective orders.

Patron: Favola

Summary as passed Senate:

Possession or transportation of firearms; protective orders. Creates a Class 1 misdemeanor for the possession of a firearm while in the residence of the alleged victim or the transport of a firearm by a person who has been served with an emergency protective order issued as a result of an assault and battery against a family or household member. The bill also provides that in order to be convicted of the existing Class 1 misdemeanor of purchasing or transporting a firearm when subject to a protective order the person must have been served with the order.

02/18/13 House: Left in Courts of Justice

Notes: City position: support

SB 875 Provisional driver's license holders; 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.

02/18/13 House: Left in Courts of Justice

Notes: City position: support

SB 884 Impoundment structures; notice of increase in the flow of water, civil penalties.

Patron: Deeds

Summary as passed Senate:

Impoundment structures; notice of increase in the flow of water; penalty. Prohibits an owner of a high hazard potential impounding structure from increasing the flow of water in a manner that increases water depths below the structure by more than two feet without notifying certain property owners and emergency services. The bill does not apply to some releases of water, such as those due to certain rain events or emergencies. Civil penalties assessed for violations are to be paid into the Dam Safety Administrative Fund.

02/13/13 House: Tabled in Agriculture, Chesapeake and Natural Resources

Notes: City position: support

SB 911 Firearms; criminal history records check required for transfer, penalties.

Patron: Howell

Summary as introduced:

Transfer of firearms; criminal history records check. 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.

01/18/13 Senate: Defeated

Notes: City position: support

SB 925 Retail Sales & Use Tax; revenue dedicated to Transportation Trust Fund.

Patron: McWaters

Summary as introduced:

Sales and use tax revenue dedicated to transportation. Increases the amount of sales and use tax revenue dedicated to the transportation 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 three years.

02/06/13 Senate: Left in Finance

Notes: City position: oppose

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

Patrons: Stuart and 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, 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.

01/29/13 Senate: Passed by indefinitely in Finance (12-Y 3-N)

Notes: City position: oppose

SB 941 Child abuse or neglect, alleged; authority to talk to child or sibling.

Patron: Reeves

Summary as introduced:

Alleged child abuse or neglect; authority to talk to child or sibling. Limits the authority of a person required to make a report or conduct an investigation or family assessment in cases of alleged child abuse or neglect to talk to a child or his sibling without the consent or presence of the child's or sibling's parent, guardian, legal custodian, or other person standing in loco parentis to cases in which the child has been taken into emergency custody. The bill establishes a procedure whereby a person required to conduct an investigation or family assessment may seek a court order for the parent, guardian, legal custodian, or person standing in loco parentis to produce the child suspected of being abused or neglected or his sibling for the purpose of an interview in cases in which the child has not been taken into emergency custody.

01/11/13 Senate: Stricken at request of Patron

Notes: City position: oppose

SB 981 Handheld personal communications devices; unlawful to use on school property or crossing, etc.

Patron: Howell

Summary as passed Senate:

School zones; use of certain devices by drivers prohibited. Provides that any person who operates a moving motor vehicle within a reduced-speed school crossing zone or on school property while using any handheld personal communications device is guilty of a traffic infraction. The bill includes an exception for law-enforcement.

02/15/13 House: Defeated

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.

01/28/13 Senate: Stricken at request of Patron

Notes: City position: oppose

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

Patrons: Marsh, Howell, Herring 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.

01/23/13 Senate: Passed by indefinitely in Courts of Justice (8-Y 7-N)

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.

01/30/13 Senate: Stricken at the request of Patron

Notes: City position: oppose

SB 1045 Criminal justice training academies; sovereign immunity of trainers certified by DCJS, etc.

Patron: Newman

Summary as passed Senate:

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 (i) any trainer at the academy if he has been certified by the Department of Criminal Justice Services and (ii) any person who is a criminal justice training academy approved instructor.

02/11/13 Passed House and Senate

Notes: City position: support

SB 1094 Retail sales and transient occupancy taxes; taxes on room rentals, 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 of the room.

01/22/13 Senate: Incorporated by Finance into SB767, which the House defeated

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.

01/29/13 Senate: Passed by indefinitely in Finance (15-Y 0-N)

Notes: City position: support

SB 1136 Firearm transfers; penalties.

Patron: McEachin

Summary as introduced:

Firearm transfers; penalties. Creates a Class 2 misdemeanor for a person who is not a licensed dealer to sell, rent, trade, or transfer a firearm to any other person who is not a licensed dealer. The bill also creates a Class 2 misdemeanor for a person who is not a licensed dealer to buy, rent, trade, or transfer a firearm from any other person who is not a licensed dealer.

01/18/13 Senate: Failed to report (defeated) in Courts of Justice (6-Y 8-N)

Notes: City position: support

SB 1148 Firearms magazines; prohibits person from selling, etc. those designed to hold more than 10 rounds.

Patron: McEachin

Summary as introduced:

Prohibition of sale, transfer, etc. of certain firearms magazines; penalties. Prohibits any person from selling, bartering, or transferring a firearms magazine designed to hold more than 10 rounds of ammunition. A violation is a Class 1 misdemeanor. The bill prohibits a person from carrying semi-automatic center-fire firearms with more than 10 rounds of ammunition in a public place; under existing law this prohibition applies only in certain localities and only to such firearms if the firearm holds more than 20 rounds of ammunition. The bill redefines "assault firearm" in the Code section that prohibits noncitizens and persons not lawfully admitted for permanent residence from possessing assault firearms and in the Code section that prohibits dealers from transferring an assault firearm to such persons by reducing the number of rounds of ammunition that the magazine will hold from more than 20 to more than 10. The rounds of ammunition are also reduced from more than 20 to more than 10 in the section that makes it unlawful for a person younger than 18 years of age to possess an assault firearm.

01/18/13 Senate: Failed to report (defeated) in Courts of Justice (7-Y 7-N)

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. The bill was incorporated into SB 1222.

02/04/13 Senate: Incorporated by Courts of Justice into SB1222, which passed

Notes: City position: support

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

Patrons: Deeds, Black and Edwards

Summary as passed Senate:

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 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (ii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. The required provisions do not apply to any contracts for the procurement of professional services.

02/18/13 House: Left in General Laws

Notes: City position: oppose

SB 1205 Criminal street gang predicate offenses; penalties.

Patron: McDougle

Summary as passed Senate:

Criminal street gang predicate offenses. Expands the definition of a predicate criminal act associated with gang activity to include the following crimes: murder, aggravated malicious wounding, reckless endangerment by throwing objects, strangulation of another, possession of infectious biological substances or radiological agents, burglary, entering dwelling house, etc., with intent to commit murder, rape, robbery or arson, grand larceny, receipt of a stolen firearm, manufacturing, distributing, etc., or possessing with intent to manufacture or distribute methamphetamine, discharging firearms or missiles within or at building or dwelling house, use of machine gun for crime of violence, possession or use of "sawed-off" shotgun or rifle, possession of firearm by felon, possession of firearms by persons not legally present, possession of firearms while in possession of controlled substances, felony stalking, felony distribution, etc. of synthetic cannabinoids, a felony violation of manufacture, etc. of controlled substances, felony violation of distribution or possession with intent to distribute marijuana, conspiracy to commit a felony violation of manufacture, etc. of controlled substances, conspiracy to commit a felony violation of distribution or possession with intent to distribute marijuana.

02/23/13 Passed House and Senate

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.

01/29/13 Senate: Read third time and defeated by Senate (19-Y 20-N)

Notes: City position: oppose

SB 1222 Handheld personal communications devices; for texting while driving, mandatory fine.

Patrons: Norment, Barker and Howell

Summary as passed Senate:

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 increases the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving 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 increases the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving offense.

02/21/13 Passed House and Senate

Notes: City position: support

SB 1228 Firearms; property or facilities owned or leased by localities.

Patrons: Saslaw (by request); Delegate: Scott, J.M.

Summary as introduced:

Control of firearms; property owned or leased by localities. Repeals provisions preventing localities from adopting ordinances and taking administrative actions regarding firearms and authorizes localities to adopt ordinances that prohibit firearms, ammunition, or components, or a combination thereof, on property owned or leased by a locality.

01/18/13 Senate: Failed to report (defeated) in Courts of Justice (6-Y 8-N)

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.

01/18/13 Senate: Defeated

Notes: City position: support

SB 1238 Handheld personal communications devices; texting while driving.

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.

02/04/13 Senate: Incorporated by Courts of Justice into SB1222, which passed

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 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.

01/29/13 Senate: Defeated

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.

02/18/13 House: Left in General Laws

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.

01/21/13 Senate: Incorporated by Courts of Justice into SB706, which passed

Notes: City position: support

SB 1281 Firearms; criminal history record information check required for any purchase.

Patron: Deeds

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 someone who is prohibited from possessing a firearm by state or federal law is guilty of a Class 6 felony.

01/18/13 Senate: Passed by indefinitely in Courts of Justice (8-Y 6-N)

Notes: City position: support