

**Current Status of Bills from the 2013 City Package  
February 23, 2013**

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

*Patron:* Comstock

*Summary as introduced:*

**School calendar.** Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

02/05/13 House: Left in Education

**Notes:** City position: support

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

*Patron:* Habeeb

*Summary as introduced:*

**School calendar.** Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

02/05/13 House: Left in Education

**Notes:** City position: support

**HB 1337 Polling place procedures; voter identification; photograph.**

*Patrons:* Cole and Bell, Robert B.

*Summary as passed:*

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

02/22/13 Passed House and Senate

**Notes:** City Position: oppose

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

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

*Summary as introduced:*

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

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

**Notes:** City position: support

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

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

*Summary as introduced:*

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

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

**Notes:** City position: support

**HB 1403 Retail Sales and Use Tax; increases amount of revenue dedicated to Transportation Trust Fund.**

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

*Summary as introduced:*

**Sales and use tax revenue dedicated to the Transportation Trust Fund.** Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a one percent tax rate, phased in by a 0.1 percent increase each year for five years, or over a longer period of time if there is a lack of growth in general fund revenues.

01/23/13 House: Defeated

**Notes:** City position: oppose

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

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

*Summary as introduced:*

**School calendar.** Makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

02/14/13 Senate: Failed to report (defeated) in Education and Health (5-Y 10-N)

**Notes:** City position: support

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

*Patron:* Kory

*Summary as introduced:*

**School calendar.** Makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

02/05/13 House: Left in Education

**Notes:** City position: support

**HB 1525 Tuition, in-state; undocumented persons.**

*Patrons:* Rust, Lopez and McClellan; Senator: Hanger

*Summary as introduced:*

**In-state tuition; undocumented persons.** Makes an undocumented person who is unlawfully present in the United States shall ineligible for in-state tuition unless he (i) entered and began residing in the United States prior to his sixteenth birthday; (ii) has graduated from a public or

private high school in the Commonwealth or has received a General Education Development certificate in the Commonwealth; (iii) has registered as an entering student in a public institution of higher education in the Commonwealth; (iv) has resided in the Commonwealth for at least 5 years immediately preceding his registration as an entering student in an institution of higher education in the Commonwealth; (v) has provided an affidavit to the institution stating that he has filed an application to become a permanent resident of the United States, is actively pursuing such permanent residency or will do so as soon as he is eligible, and that no grounds exist for the denial of such permanent residency; and (vi) has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted, Virginia income tax returns for at least a year prior to the date of enrollment.

02/05/13 House: Left in Appropriations

**Notes:** City position: support

### **HB 1673 School calendar; school boards responsible for setting opening of school year.**

*Patrons:* Krupicka and Surovell

*Summary as introduced:*

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

02/05/13 House: Left in Appropriations

**Notes:** City position: support

### **HB 1787 Polling places; identification required to vote.**

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

*Summary as introduced:*

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

02/01/13 Incorporated into HB1337, which passed

**Notes:** City position: oppose

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

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

*Summary as introduced:*

**Elections; identification to register to vote and to vote.** Requires that an applicant to register to vote must present proof of citizenship with his registration application. The bill provides that any person who is registered in Virginia as of January 1, 2014, is deemed to have provided satisfactory proof of citizenship and provides a method for applicants who do not possess and cannot afford a document proving citizenship to obtain such proof for free. The bill also amends the type of identification a voter must present to vote at the polls. All such identification must

contain the voter's name, date of birth, and photograph; must be issued by the United States or the Commonwealth; and must contain an expiration date that is unexpired or that expired only after the most recent general election. The bill also requires that the Department of Motor Vehicles shall issue a free special identification card to voters who do not possess and cannot afford the necessary photo identification.

02/01/13 Incorporated into HB1337, which passed

**Notes:** City position: oppose

**HB 1880 School calendar; local school boards responsible for setting opening day.**

*Patron:* Morrissey

*Summary as introduced:*

**School calendar.** Makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

02/05/13 House: Left in Education

**Notes:** City position: support

**HB 1905 Restoration of rights; automatically eligible to vote upon.**

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

*Summary as introduced:*

**Restoration of civil rights.** Provides for the automatic restoration of a felon's civil right to be eligible to vote upon the completion of his sentence, including any term of probation or parole, and the payment of all restitution, fines, etc., assessed as a result of the felony conviction.

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

**Notes:** City position: support

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

*Patron:* Herring

*Summary as introduced:*

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

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

**Notes:** City position: support

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

*Patrons:* Lopez and Krupicka

*Summary as introduced:*

**In-state tuition; undocumented persons.** Makes an undocumented person who is unlawfully present in the United States ineligible for in-state tuition unless he meets all of the following criteria: (i) he has resided with his parent, guardian, or other person standing in loco parentis while attending a public or private high school in the Commonwealth; (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) he has registered as an entering student in an institution of higher education in the Commonwealth; (iv) he has resided in the Commonwealth for at least three years immediately preceding his registration as an entering

student in an institution of higher education in the Commonwealth or for one year if he is a veteran or an active duty member of the United States armed forces; (v) he has provided an affidavit to the institution stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he is eligible; and (vi) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

02/05/13 House: Left in Education

**Notes:** City position: support

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

*Patrons:* Lopez and Krupicka

*Summary as introduced:*

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

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

**Notes:** City position: support

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

*Patron:* Torian

*Summary as introduced:*

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

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

**Notes:** City package: support

**HB 2070 Mass Transit; implements performance-based funding.**

*Patron:* Comstock

*Summary as introduced:*

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

02/05/13 House: Left in Transportation

**Notes:** City position: oppose

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

*Patrons:* Herring and James

*Summary as introduced:*

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

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

**Notes:** City position: support

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

*Patron:* Habeeb

*Summary as introduced:*

**Constitutional amendment ; qualifications to vote; executive clemency; restoration of right to vote.** Provides that no person convicted of a felony shall be qualified to vote unless he has completed service of his sentence, including any modifications of the sentence, and the payment in full of any restitution, fines, costs, and fees assessed against him as a result of the felony conviction. The proposed amendment removes the power of the Governor or other appropriate authority (such as another state's law) to restore the right to vote to a felon.

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

**Notes:** City position: support

**HJ 547 Constitutional amendment; restoration of civil rights.**

*Patrons:* Farrell and Morrissey

*Summary as introduced:*

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

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

**Notes:** City position: support

**HJ 563 Constitutional amendment; restoration of civil rights.**

*Patron:* Morrissey

*Summary as introduced:*

**Constitutional amendment; restoration of civil rights.** Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence.

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

**Notes:** City position: support

**HJ 585 Constitutional amendment; restoration of civil rights.**

*Patron:* Tyler

*Summary as introduced:*

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

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

**Notes:** City position: support

**HJ 664 Constitutional amendment; restoration of civil rights.**

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

*Summary as introduced:*

**Constitutional amendment; restoration of civil rights.** Authorizes the General Assembly to



provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence, including any period or condition of probation, parole, or suspension of sentence.

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

**Notes:** City position: support

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

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

*Summary as introduced:*

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

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

**Notes:** City position: support

**SB 719 Polling place procedures; voter identification requirements, etc.**

*Patron:* Black (by request)

*Summary as passed Senate:*

**Elections; polling place procedures; voter identification requirements.** Removes several items from the list of acceptable identification documents that a voter must present when voting at the polls on election day: a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter and a voter's social security card. The bill also requires that all forms of acceptable identification contain a photograph of the voter or the voter's name and address, which conforms to the identification requirements under the Help America Vote Act and harmonizes the identification requirements for state and federal elections.

02/18/13 Defeated in Appropriations

**Notes:** City position: oppose

**SB 967 Absentee ballot.**

*Patrons:* Ebbin; *Delegate:* Surovell

*Summary as passed:*

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

02/20/13 Passed House and Senate

**Notes:** City position: support

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

*Patrons:* McEachin and Ebbin

*Summary as introduced:*

**In-state tuition; undocumented persons.** Makes that an undocumented person who is unlawfully present in the U. S. ineligible for in-state tuition unless he meets all of the following criteria: (i) he has resided with his parent, guardian, or other person standing in loco parentis while attending a public or private high school in this state; (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development certificate in the Commonwealth; (iii) he has registered as an entering student in a public institution of higher education in the Commonwealth; (iv) he has resided in the Commonwealth for at least 3 years immediately preceding his registration as an entering student in an institution of higher education in the Commonwealth or for at least one year if he is a veteran or an active duty member of the United States armed forces; (v) he has provided an affidavit to the institution stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S.

Department of Homeland Security; and (vi) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis has filed, unless exempted by state law, Virginia income tax returns for at least 3 years prior to enrollment.

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

**Notes:** City position: support

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

*Patrons:* Smith and Edwards

*Summary as introduced:*

**School calendar.** Makes local school boards responsible for determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

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

**Notes:** City position: support

**SB 1140 Mass Transit; performance-based funding.**

*Patron:* Petersen

*Summary as passed Senate:*

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

02/21/13 Passed House and Senate

**Notes:** City position: oppose (note: a number of the City's objections have been addressed)

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

*Patron:* Locke

*Summary as introduced:*

**Virginia Fair Housing Law; unlawful discriminatory housing practices.** Adds lawful source of income to the list of unlawful discriminatory housing practices. The bill defines lawful source of income as any income used by a person to pay for the purchase or lease of a dwelling including (i) public assistance, (ii) any manner of gross income, (iii) federal supplemental



security income benefits, (iv) child support, and (v) any federal, state, or local housing assistance, regardless of whether the funds are paid directly to the person or to a landlord or other third party for the benefit of the person. The bill also authorizes the governing body of any county, city, or town to enact an ordinance in accordance with the provisions of the Virginia Fair Housing Law, provided such ordinance includes protections against discrimination that are at least as protective as those provided by the law.

02/04/13 Senate: Passed by indefinitely in General Laws and Technology

**Notes:** City position: support

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

*Patron:* Ebbin

*Summary as introduced:*

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

01/31/13 Senate: Incorporated into SB1090, which was defeated

**Notes:** City position: support

### **SB 1256 Voter identification requirements; photo ID required at polls.**

*Patrons:* Obenshain and Ruff

*Summary as passed Senate:*

**Voter identification requirements; photo ID.** Requires photo ID at the polls by eliminating all forms of identification that do not contain a photograph of the voter from the list of forms of identification any one of which a voter must present in order to be allowed to vote. The bill also adds a valid United States passport to the list and requires that a student identification card issued by an institution of higher education in the Commonwealth contain a photograph in order to be used by a voter. The bill does not affect the right of a voter who does not present one of the required forms of identification to cast a provisional ballot. The bill also provides that the State Board shall provide free voter registration cards that contain a voter's photograph and signature if the voter does not possess other satisfactory photo ID.

02/20/13 Passed House and Senate

**Notes:** City position: oppose

### **SB 1329 Medicaid; expands class of recipients in State.**

*Patron:* Wagner

*Summary as introduced:*

**Expansion of Medicaid.** Expands the class of Medicaid recipients in Virginia to include those meeting the criteria in the federal Patient Protection and Affordable Care Act.

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

**Notes:** City position: support

**SJ 266 Constitutional amendment; restoration of civil rights.**

*Patrons:* Lucas, McEachin, Petersen, Carr, Ebbin and Herring; *Delegate:*

*Summary as passed Senate:*

**Constitutional amendment; restoration of voting rights.** Provides that a person who was convicted of a nonviolent felony and has completed his sentence and paid in full any restitution, fines, costs, and fees assessed against him shall be qualified to vote. A person convicted of a violent felony shall only be qualified to vote if his rights are restored by the Governor.

02/11/13 House: Subcommittee recommends no action

**SJ 321 Constitutional amendment; restoration of voting rights.**

*Patron:* McEachin

*Summary as introduced:*

**Constitutional amendment; restoration of voting rights.** Provides for the automatic restoration of voting rights to persons convicted of nonviolent felonies (excepting felony drug and election fraud crimes) upon completion of sentence, including any term of probation or parole.

01/22/13 Senate: Incorporated into SJ266, which was defeated

**Notes:** City position: support