

Current Status of Bills on Which the City Has Taken a Position February 6, 2015

HB 1274 Electronic devices; search without a warrant prohibited.

Patrons: Farrell and Fariss; *Senator:* Black

Summary as introduced:

Search of electronic device without warrant prohibited. Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.

02/04/15 House: Subcommittee recommends laying on the table

Notes: City Position: support if amended to include cities

HB 1287 Forfeiture of property used in connection with commission of crimes; conviction required.

Patrons: Cole, Surovell, Anderson, Campbell, Carr, Farrell, Fowler, Hester, Hugo, Kilgore, LaRock, LeMunyon, Lingamfelter, Marshall, R.G., McClellan, O'Bannon, Orrock, Pogge, Ramadan, Rasoul and Ware; *Senator:* Carrico

Summary as introduced:

Forfeiture of property used in connection with the commission of crimes; conviction required. Requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been convicted of the crime and has exhausted all appeals.

02/03/15 House: VOTE: PASSAGE (92-Y 6-N)

Notes: City Position: oppose

HB 1293 Stormwater fees; exemptions for religious groups.

Patron: Morris

Summary as introduced:

Stormwater fees; exemptions for religious groups. Requires the State Water Control Board, in establishing a statewide fee schedule for stormwater management programs, to waive permit fees for land-disturbing activities undertaken on property owned by certain churches, religious associations, or denominations. The bill also requires localities to waive stormwater management program service charges for properties owned by such organizations.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1294 Churches and other religious bodies.

Patron: Morris

Summary as introduced:

Churches and other religious bodies. Exempts churches, religious associations, and religious denominations from all state and local taxes, fees, and other charges.

01/30/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1301 Electoral board members and general registrars; compensation and expenses.

Patron: Ware

Summary as introduced:

Compensation and expenses of electoral board members and general registrars. Provides for reimbursement to the localities of the whole amount of compensation and expenses of electoral board members and general registrars, notwithstanding any provision of the general appropriation act to the contrary.

01/21/15 House: Subcommittee failed to recommend reporting (3-Y 4-N)

Notes: City Position: support

HB 1308 Wire, electronic, or oral communications; civil action for unlawful interception, disclosure, etc.

Patrons: Marshall, R.G., Berg and Cole; Senator: Black

Summary as introduced:

Right to privacy in electronic communications; confidential relationship; penalty; civil action. Provides that any person who without lawful authority intercepts, monitors, examines, or otherwise accesses electronic transmissions of messages, data, signals, or other communications that are not intended for public disclosure from any person to another with whom such person is in a confidential relationship is guilty of a Class 1 misdemeanor. The bill defines a "confidential relationship" as a relationship between (i) a husband and wife; (ii) an attorney and client; (iii) a licensed practitioner of the healing arts and patient; (iv) a licensed professional counselor, licensed clinical social worker, licensed psychologist, or licensed marriage and family therapist and client; or (v) a clergy member and person seeking spiritual counsel or advice. The bill also creates a civil cause of action for the person whose electronic transmissions of messages, data, signals, or other communications have been intercepted, monitored, examined, or otherwise accessed against the person who without lawful authority intercepted, monitored, examined, or otherwise accessed such transmissions and any person who facilitated or allowed such interception, monitoring, examination, or access.

02/03/15 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

Notes: City Position: oppose

HB 1310 Taxes on electronic cigarettes and other vapor products.

Patrons: Krupicka and Plum; Senator: Puller

Summary as introduced:

Taxes on electronic cigarettes and other vapor products. Creates a state tax on electronic cigarettes, electronic cigars, electronic cigarillos, and similar products and devices (vapor products) and authorizes cities and towns and certain counties to impose a tax on vapor products. The state tax would be imposed at a rate \$0.40 per milliliter of nicotine liquid solution or other material containing nicotine that is depleted as the vapor product is used. All revenues from the state tax on vapor products would be deposited into the Virginia Health Care Fund. Counties, cities, and towns that are currently authorized to tax cigarettes would be authorized to also tax vapor products at rates determined by the local governing bodies. Any local government imposing a vapor products tax would be required to use the revenues from the tax solely for making grant payments to or funding in support of center-based pre-kindergarten programs or preschool programs designed for child development and kindergarten preparation.

01/28/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1318 Applications for absentee ballots; photo identification required.

Patrons: Campbell and Cole

Summary as introduced:

Applications for absentee ballots; photo identification required. Requires that any voter submitting his application for an absentee ballot by mail or by electronic or telephonic transmission to a facsimile device shall submit with his application a copy of one of the forms of identification acceptable under current law. Currently, only a voter who completes his application for an absentee ballot in person is required to show a form of identification.

02/06/15 House: Read second time

02/06/15 House: Engrossed by House as amended HB1318E

Notes: City Position: oppose

HB 1348 Telecommunication records; warrant requirement, prohibition on collection by law enforcement.

Patron: Carr

Summary as introduced:

Warrant requirement for certain telecommunications records; prohibition on collection by law enforcement. Provides that if an investigative or law-enforcement officer would be required to obtain a search warrant in order to obtain the contents of electronic communications or real-time location data from a provider of electronic communication service or remote computing service, the officer shall not use any device to intercept such communications or collect such real-time location data without first obtaining a search warrant authorizing the use of the device.

01/28/15 House: Incorporated by Courts of Justice into HB1408 (Marshall, R.G.)

Notes: City Position: support

HB 1349 Search of electronic device without warrant prohibited.

Patrons: Carr; Senator: Black

Summary as introduced:

Search of electronic device without warrant prohibited. Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.

01/14/15 House: Subcommittee recommends incorporating into HB1274 (Farrell)

Notes: City Position: oppose

HB 1352 BPOL tax; deduction for amounts paid under subcontracts.

Patrons: Ramadan, Head, Taylor and Webert

Summary as introduced:

BPOL tax; deduction for amounts paid under subcontracts. Allows a deduction from gross receipts for amounts paid by the licensee to persons who are not employees pursuant to a subcontract between the licensee and such other persons.

02/04/15 House: Tabled in Finance

Notes: City Position: oppose

HB 1359 Concealed handgun permits; lifetime permits.

Patrons: Campbell, Cole and Landes

Summary as introduced:

Concealed handgun permits; lifetime permits. Provides for the issuance of concealed handgun permits for Virginia residents that do not expire. Currently, such permits must be renewed every five years.

02/05/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1376 Arrest and summons quotas; prohibition.

Patron: McQuinn

Summary as introduced:

Arrest and summons quotas; prohibition. Provides that the Department of State Police, a local police department, or a sheriff shall not establish a formal or informal quota that requires an officer or deputy to make a specific number of arrests or issue a specific number of summonses within a designated time period. The bill provides further that the number of arrests made or summonses issued by an officer or deputy cannot be used as the sole criterion for evaluating such officer's or deputy's job performance.

01/23/15 House: Stricken from docket by Militia, Police and Public Safety

Notes: City Position: oppose

HB 1386 Disaster relief; assistance by out-of-state businesses and employees.

Patrons: Ware, Bulova, Fariss, Garrett, Knight, Kory, Landes, Orrock and Watts

Summary as passed House:

Disaster relief assistance by out-of-state businesses and employees. Provides that out-of-state businesses and employees who come into the Commonwealth solely for the purpose of performing disaster-related or emergency-related work in response to a declared disaster or emergency shall not be subject to state or local taxes or registration requirements. Upon request, the State Corporation Commission may require such a business to provide certain information.

01/28/15 House: Read third time and passed House VOTE (98-Y 0-N)

01/29/15 Senate: Referred to Committee on Commerce and Labor

Notes: City Position: support

HB 1388 Courthouse and courtroom security; increase of certain fee.

Patron: Albo

Summary as introduced:

Courthouse and courtroom security fee. Increases the maximum local fee on criminal and traffic cases from \$10 to \$20.

02/06/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1389 Higher educational institution; prohibition on regulating concealed handguns.

Patrons: Berg, Morris and Marshall, R.G.

Summary as introduced:

Educational institution; prohibition on regulating concealed handguns. Prohibits any public

institution of higher education from adopting or enforcing any rule, regulation, or policy prohibiting or limiting the carrying of a concealed handgun on property owned or operated by the institution by any person entitled to carry a concealed handgun. The bill also provides that any rule, regulation, or policy adopted prior to July 1, 2015, prohibiting or limiting the carrying of a concealed handgun is invalid.

12/15/14 House: Referred to Committee on Education

Notes: City Position: oppose

HB 1390 State agencies or other entities; regulation of firearms prohibited.

Patron: Berg

Summary as introduced:

Regulation of firearms by state entities. Prohibits any department, agency, or other entity of the Commonwealth from adopting or enforcing any rule, regulation, or policy regarding firearms or ammunition except as expressly authorized by statute. Any rule, regulation, or policy adopted prior to July 1, 2015, without express statutory authority would be invalid. The prohibition would not apply to local, state, or regional correctional facilities or facilities operated by the Department of Behavioral Health and Developmental Services.

12/15/14 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: oppose

HB 1402 Highway maintenance; payments to certain cities and towns.

Patrons: Loupassi, Carr and McClellan

Summary as passed House:

Highway maintenance payments. Provides that cities and towns that receive highway maintenance payments from the Commonwealth based on moving-lane-miles of highway will not have such payments reduced if moving-lane-miles of highway are converted to restricted bicycle or transit-only lanes.

01/30/15 House: Read third time and passed House (84-Y 12-N)

02/02/15 Senate: Referred to Committee on Transportation

Notes: City Position: support

HB 1404 Business permit, license, etc.; timely response by localities.

Patron: Head

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 permit, license, or other approval.

01/21/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1405 Legal notices; advertisement by locality.

Patron: Head

Summary as introduced:

Legal notices; advertisement by locality. Allows localities with a population of 50,000 or greater to meet certain notice requirements by utilizing their websites, radio, or television instead of a newspaper of general circulation.

01/21/15 House: Subcommittee failed to recommend reporting (3-Y 8-N)

Notes: City Position: support

HB 1407 State secondary highways; allocation of 10 per cent of funds.

Patron: Lingamfelter

Summary as introduced:

Allocation of funds for state secondary highways. Allocates 10 percent of state revenues allocated to state secondary highways for use in reconstructing deteriorated state secondary highway pavements. The bill reduces from 25 to 20 percent the share of such revenues currently allocated to advancing high priority projects statewide and reduces from 15 to 10 percent the share of such revenues currently allocated to projects undertaken pursuant to the Public-Private Transportation Act of 1995.

01/29/15 House: Subcommittee recommends laying on the table (6-Y 0-N)

Notes: City Position: support if amended to include cities

HB 1408 Telecommunication records; warrant requirement, prohibition on collection by law enforcement.

Patrons: Marshall, R.G., Berg, Carr and Cole

Summary as introduced:

Warrant requirement for certain telecommunications records; prohibition on collection by law enforcement. Provides that if an investigative or law-enforcement officer would be required to obtain a search warrant in order to obtain the contents of electronic communications or real-time location data from a provider of electronic communication service or remote computing service, the officer shall not use any device to intercept such communications or collect such real-time location data without first obtaining a search warrant authorizing the use of the device.

02/03/15 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

Notes: City Position: support

HB 1409 Public contracts; nondiscrimination, required provisions.

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

Summary as introduced:

Public contracts; nondiscrimination; required provisions. Prohibits agencies of the Commonwealth and other public bodies from requiring any contractor entering into a public contract to agree to additional nondiscrimination provisions that are not otherwise required under the Fair Employment Contracting Act or the Virginia Public Procurement Act.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1410 Motor fuels; reduces tax rate on gasoline and gasohol.

Patrons: Marshall, R.G. and Berg

Summary as introduced:

Motor fuels tax rate. Reduces the motor fuels tax on gasoline and gasohol from 5.1% to 3.5% of the statewide average wholesale price of a gallon of unleaded regular gasoline. The rate increased from 3.5% to 5.1% on January 1, 2015, as required by Chapter 766 of the Acts of Assembly of 2013, because Congress did not pass a law permitting the Commonwealth to require out-of-state sellers to collect and remit sales and use tax.

12/18/14 House: Referred to Committee on Appropriations

Notes: City Position: oppose

HB 1411 Concealed handguns; possession by faculty members at higher educational institutions.

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

Summary as introduced:

Possession of concealed handguns; faculty members at public institutions of higher education. Allows full-time faculty members of public institutions of higher education who possess a valid Virginia concealed handgun permit to carry a concealed handgun on campus.

12/18/14 House: Referred to Committee on Education

Notes: City Position: oppose

HB 1414 Government-issued licenses, etc.; obtaining or renewing, conscience clause.

Patrons: Marshall, R.G., LaRock and Berg

Summary as introduced:

Obtaining or renewing government-issued licenses, etc.; conscience clause. Provides that a person shall not be required to perform, assist, consent to, or participate in any action or refrain from performing, assisting, consenting to, or participating in any action as a condition of obtaining or renewing a government-issued license, registration, or certificate where such condition would violate the religious or moral convictions of such person with respect to same-sex marriage or homosexual behavior.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1416 Real property tax assessment; appeal to circuit court.

Patron: Taylor

Summary as introduced:

Real property tax assessment; appeal to circuit court. Provides that neither the taxpayer nor the locality shall have the burden of proof in an appeal of a real property assessment to the court.

01/28/15 House: Subcommittee failed to recommend reporting (3-Y 5-N)

Notes: City Position: oppose

HB 1425 Elections; run-off elections.

Patrons: Marshall, D.W.; Senator: Ruff

Summary as introduced:

Elections; run-off elections. Provides that no candidate shall be deemed to have been elected at a general or special election to the United States Senate, the House of Representatives, the

General Assembly, or any statewide office unless such candidate receives more than 50 percent of the total votes cast for that office. The bill requires that when no candidate for such an office receives more than 50 percent of the total votes cast at the general election for that office, a run-off election between the candidates receiving the highest and next-highest number of votes for that office shall be held. However, no run-off election shall be held if the number of write-in votes cast for an office and the number of votes cast for the candidate receiving the highest number of votes for an office together equal more than 50 percent of the total votes cast for that office. The bill requires a run-off election following a general election to be held on the first Tuesday in January, and a run-off election following a special election to be held on the fourth Tuesday following the certification by the State Board of Elections of the results of the special election. If a recount is conducted, the bill requires the run-off election following a general or special election to be held on the fourth Tuesday following the date of the certification by the court of the results of the recount. The bill prohibits any run-off election from being held on a legal holiday and provides that the run-off election shall instead be held on the next following Tuesday that is not a legal holiday. The bill also provides that in all other elections, including a general election of electors for the President and Vice-President of the United States, the person having the highest number of votes for an office shall be deemed to have been elected to such office and shall receive the certificate of election. Under current law, except in the case of a recount, the person having the most votes cast at any election shall be deemed to have been elected to that office.

01/22/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1429 Voter identification; accepted forms of identification.

Patrons: Herring, Kory and Murphy

Summary as introduced:

Voter identification; accepted forms of identification. Adds to the list of accepted forms of identification for purposes of voting valid student photo identification cards issued by any private school located in the Commonwealth or by any public or private school or institution of higher education located in any other state or territory of the United States. Students of public high schools in Virginia are currently permitted to use their student photo identification cards for purposes of voting because current law allows the use of photo identification issued by the Commonwealth or one of its political subdivisions. Current law also allows students from public or private institutions of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.

12/23/14 House: Referred to Committee on Privileges and Elections

Notes: City Position: support

HB 1438 Local government; publication of notices for charter changes, referenda, and public hearings, etc.

Patrons: Bell, Richard P. and Landes

Summary as introduced:

Local government; publication of notices for charter changes, referenda, and public hearings, etc.; alternatives. Gives localities alternatives to publication in a newspaper of general circulation in the locality for legal ads and other notices of proposed action. These alternatives include publication in at least two of the following forms of publication: (i) in a

newspaper of general circulation in the locality, including such newspaper's online publication, if any; (ii) on the locality's website; (iii) on any public access channel operated by the locality, to be aired during prime-time programming and at least two other times during the day; (iv) using any automated voice or text alert systems used by the locality; or (v) posting at the local public library established pursuant to § 42.1-33, if any. In addition, the bill provides that any resident of the locality annually filing a written request for notification with the locality shall be provided notice by the locality in a manner mutually agreed upon by the locality and such individual. The request shall include the resident's name, address, zip code, daytime telephone number, and email address, if available. In selecting the methods of publication, the bill requires the locality to publish/advertise in a manner gauged to ensure that the maximum number of persons within the locality are likely to be informed of the existence and content of the proposed action.

01/21/15 House: Subcommittee failed to recommend reporting (4-Y 7-N)

Notes: City Position: support

HB 1446 Clean energy; financing programs, development of underwriting guidelines.

Patrons: Marshall, D.W., Bulova, Minchew and Ramadan

Summary as introduced:

Financing of clean energy programs; development of underwriting guidelines. Expands the requirements of a local ordinance authorizing contracts to provide loans for clean energy improvements. The bill adds water efficiency improvements to the list of improvements for which loans may be offered; allows a locality to contract with a third party to administer the loan program; and requires a locality to identify any administrative fee it intends to impose on participants and sets parameters for the imposition of that fee. The bill also details the priority, enforceability, and other characteristics of the lien, now called a voluntary special assessment lien, that a locality is permitted to place against the property where the clean energy systems are installed. Finally, the bill directs the Department of Mines, Minerals and Energy (DMME) to develop underwriting guidelines for local loans made to finance clean energy improvements. The bill requires DMME to finalize the guidelines by December 1, 2015, incorporating input from certain groups representing real estate, energy efficiency, banking, and other interests or industries and evaluating certain specific criteria. This bill is a recommendation of the Virginia Housing Commission.

02/06/15 House: Reported from Counties, Cities and Towns with substitute (21-Y 1-N)

Notes: City Position: support

HB 1451 Landlord and tenant laws; notice to terminate tenancy.

Patron: Miller

Summary as introduced:

Landlord and tenant laws. Provides that in cases of a change in use, the 120-day termination notice shall not be waived, except in the case of a tenancy from month to month, which may be terminated by the landlord by giving the tenant 30 days' written notice prior to the next rent due date of the landlord's intention to terminate the tenancy. The bill, among other things, (i) allows an owner, manager, or operator of a commercial or residential building or campground to include water, sewer, electrical, natural gas, or other utilities in the amount of rent or additional rent as specified in the rental agreement or lease; (ii) prohibits a landlord from photocopying a U.S. government-issued identification under certain circumstances; (iii) allows a landlord to offer a tenant a rental agreement that includes payment of prepaid rent by the tenant if the tenant does

not otherwise meet the financial qualifications to be a tenant for the dwelling unit; and (iv) allows a landlord or managing agent to enter into an agreement with a third-party service provider to maintain tenant records in electronic form or other medium. In such case, the landlord and managing agent shall not be liable in the event of a breach of the electronic data of such third-party service provider, except in the case of gross negligence or intentional act. The bill also provides that nothing shall be construed to require a landlord or managing agent to indemnify such third-party service provider. The bill also provides that the landlord and tenant may enter into a written waiver of certain rights of a service member as accordance with § 517 of the Servicemembers Civil Relief Act. Such written waiver may include (i) a requirement that the rent be paid by allotment in accordance with § 531 (d) of the Servicemembers Civil Relief Act, (ii) a waiver of the 90-day stay in accordance with § 531 (b) of the Servicemembers Civil Relief Act, or (iii) a requirement that the tenant service member comply with the early termination of the rental agreement provisions of the Virginia Residential Landlord and Tenant Act.

01/28/15 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

01/29/15 Senate: Referred to Committee on General Laws and Technology

Notes: City Position: oppose

HB 1453 Stalking; penalty.

Patron: Miller

Summary as introduced:

Stalking; penalty. Provides that a person who on more than one occasion engages in conduct directed at another person with the intent to coerce, intimidate, or harass, or when he knows or reasonably should know that the conduct coerces, intimidates, or harasses, the other person or the other person's family or household member is guilty of stalking, a Class 1 misdemeanor.

02/04/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1454 Fair Housing Law; unlawful discrimination, sexual orientation; or gender identity.

Patrons: Simon, Lopez, Bulova, Carr, Futrell, Hester, Hope, James, Kory, Krupicka, Lindsey, Mason, McClellan, Plum, Rasoul, Sickles, Spruill, Sullivan, Surovell, Taylor, Tyler, Villanueva, Watts and Yost; *Senators:* Barker, Deeds, Ebbin, Favola, Howell, Locke, Puller, Saslaw and Wexton

Summary as introduced:

Fair Housing Law; unlawful discrimination; sexual orientation; gender identity. Adds discrimination based on sexual orientation or gender identity as an unlawful discriminatory housing practice. The bill defines "sexual orientation" and "gender identity."

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1456 Reports of substance abuse by a pregnant woman; child-protective services.

Patrons: Adams and Miller

Summary as introduced:

Reports of substance abuse by a pregnant woman; child-protective services. Authorizes a local child-protective services department to perform an investigation or family assessment in response to a report or complaint that a pregnant woman is using a controlled substance where

such use would constitute a felony or Class 1 misdemeanor drug offense and would render the woman's unborn child abused or neglected.

02/03/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1467 Concealed handguns; authorization and training for persons designated to carry on school property.

Patrons: Marshall, R.G. and Berg

Summary as introduced:

Authorization and training for persons designated to carry concealed handguns on school property. Permits a school board or an administrator of a private school to designate one or more qualified person for every school who may carry a concealed handgun on school property. Such qualified persons include certain school division employees, certain school volunteers who carry valid concealed handgun permits, and certain retired law-enforcement officers. Any person designated to carry a concealed handgun must be certified and trained by the Virginia Center for School and Campus Safety or the National Rifle Association in the storage, use, and handling of a concealed handgun.

12/30/14 House: Referred to Committee on Education

Notes: City Position: oppose

HB 1468 Asset forfeiture; civil action.

Patrons: Marshall, R.G., Berg, Cole and LaRock

Summary as introduced:

Civil action for asset forfeiture. Creates a cause of action for a defendant who was deprived of property pursuant to asset forfeiture in cases in which there is an acquittal, dismissal of charges, nolle prosequi, or any other final disposition without a conviction. Under such circumstances, the locality or the Commonwealth shall be liable to the defendant for any damages resulting from the forfeiture of such property, plus reasonable attorney fees and costs.

01/28/15 House: Incorporated by Courts of Justice into HB1287 (Cole)

Notes: City Position: oppose

HB 1470 Northern Virginia Transportation Authority; use of revenues, effective date.

Patrons: LaRock, Albo, Anderson, Berg, Fariss, Greason, Howell, Hugo, Ingram, Jones, Leftwich, LeMunyon, Lingamfelter, Marshall, R.G., Miller, Minchew, Ramadan and Ware;
Senator: Vogel

Summary as passed House:

Use of revenues by the Northern Virginia Transportation Authority. Requires that 70 percent of the revenues received by the NVTa under § 33.2-2510 be used by NVTa solely to fund transportation projects selected by the Authority that are contained in the regional transportation plan in accordance with § 33.2-2500 and that have been rated in accordance with § 33.2-257. The bill has a delayed effective date of July 1, 2016.

02/03/15 House: VOTE: PASSAGE (97-Y 0-N)

Notes: City Position: oppose

HB 1478 In-state tuition; students granted Deferred Action for Childhood Arrivals.

Patrons: Kory, Simon and Surovell

Summary as introduced:

In-state tuition; students granted Deferred Action for Childhood Arrivals. Declares that absent congressional intent to the contrary, any person granted Deferred Action for Childhood Arrivals by U.S. Citizenship and Immigration Services has the capacity to intend to remain in Virginia indefinitely and, therefore, is eligible for Virginia domicile and for in-state tuition charges at public institutions of higher education in the Commonwealth.

01/26/15 House: Assigned Education sub: Higher Education

Notes: City Position: support

HB 1494 State Police; reporting hate crimes.

Patrons: Sullivan, Hester, Krupicka, Lopez, Plum, Rasoul, Sickles and Simon

Summary as introduced:

State Police; reporting hate crimes. Includes within the definition of "hate crime" a criminal act committed against a person because of sexual orientation or gender identification, and requires the reporting of the commission of such crime to the State Police.

01/26/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1495 Voter identification; accepted forms of identification.

Patrons: Sullivan, Campbell, Murphy and Simon

Summary as introduced:

Voter identification; accepted forms of identification. Adds to the list of acceptable forms of voter identification a valid student photo identification card issued by any institution of higher education located in any other state or territory of the United States.

01/27/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1501 Highway maintenance; payments to cities and towns on lane-miles of highways.

Patron: Carr

Summary as introduced:

Highway maintenance payments to cities and towns. Bases highway maintenance payments to cities and towns on lane-miles of highways. Under current law, such payments are based on moving-lane-miles available to peak-hour traffic.

01/29/15 House: Subcommittee recommends laying on the table (6-Y 0-N)

Notes: City Position: support

HB 1519 Virginia Biased-Based Profiling Statistics Reporting Act; established.

Patron: Lindsey

Summary as introduced:

Virginia Biased-Based Profiling Statistics Reporting Act. Prohibits the use of biased-based profiling by state and local law-enforcement officers and requires such officers to record certain data regarding motor vehicle and investigatory stops and report this information to the Department of State Police. The Department of State Police is required to develop a statewide

database to analyze the data to determine the existence and prevalence of biased-based profiling in the Commonwealth. 01/22/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1520 Sheriffs, local police, and State Police; transportation & security of officials, dignitaries, etc.

Patron: Lindsey

Summary as introduced:

Duties of sheriffs, local police, and State Police. Requires sheriffs, local police forces, and the State Police to transport and provide security for government officials, members of civic organizations, and other dignitaries.

01/26/15 House: Subcommittee recommends striking from docket

Notes: City Position: oppose

HB 1521 Body-worn camera system; use by law enforcement.

Patron: Lindsey

Summary as introduced:

Use of body-worn camera system by law enforcement. Provides that any sheriff who is the chief law-enforcement officer of his locality and employs 100 or more deputies, any police force that employs 100 or more officers, and the Superintendent of State Police shall, no later than January 1, 2018, implement and operate a body-worn camera system.

01/22/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1525 NVTa; Department of Taxation's costs in administering certain taxes.

Patrons: Minchew, Rust, Futrell, Keam, Kory and Simon; Senators: Ebbin, Barker, Favola and Howell

Summary as introduced:

Department of Taxation's costs in administering certain taxes; Northern Virginia Transportation Authority. Requires the Department of Taxation to provide to the Northern Virginia Transportation Authority (NVTa) the methodology it uses in calculating, and an itemized accounting of, the amount of revenue it retains in costs incurred for administering the collection of sales tax revenue otherwise due to the NVTa.

01/28/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1528 Government Data Collection and Dissemination Practices Act; limitation on collection.

Patrons: Berg and Rasoul

Summary as introduced:

Government Data Collection and Dissemination Practices Act; limitation on collection and use of personal information by law enforcement; penalty. Limits the ability of law-enforcement and regulatory agencies to use technology to collect and maintain personal information on individuals and organizations where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individual or organization. The bill codifies an opinion of the Attorney General regarding the Government Data Collection and Dissemination

Practices Act. The bill also allows a law-enforcement agency to collect information from a license plate reader provided that any information collected shall only be retained for 24 hours and shall only be used for the investigation of a crime or a report of a missing person. The bill provides that any person who sells or uses information collected from a license plate reader by a law-enforcement agency in any unauthorized manner is guilty of a Class 6 felony.

01/06/15 House: Referred to Committee for Courts of Justice

Notes: City Position: oppose

HB 1548 Concealed handgun permit; revocation of permit if delinquent in child support payments.

Patrons: Hope and Krupicka

Summary as introduced:

Revocation of concealed handgun permit; delinquency in child support payments. Provides for the revocation of an individual's concealed handgun permit if such individual (i) has failed to comply with a subpoena, summons, or warrant relating to paternity or child support proceedings or (ii) is delinquent in the payment of child support by 90 days or more or in an amount of \$5,000 or more. If the obligor remedies the delinquency, reaches an agreement with the obligee or Department of Social Services to remedy the delinquency, or complies with the subpoena, summons, or warrant, he may reapply for a concealed weapons permit.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1550 School calendar; local school boards responsible for setting.

Patrons: Greason, Adams, LeMunyon, Minchew and Rust

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening date of the school year and eliminates the post-Labor Day opening requirement.

02/05/15 House: Reported from Education (10-Y 6-N)

Notes: City Position: support

HB 1553 Local notifications; locality may by ordinance establish system to deliver to residents by email.

Patron: Marshall, D.W.

Summary as introduced:

Local emergency notifications. Provides that any locality may by ordinance establish a system to deliver emergency notifications to residents by email or text message. Such ordinance shall be adopted only after a public hearing and shall contain an opt-in provision.

01/28/15 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

01/29/15 Senate: Referred to Committee on Local Government

Notes: City Position: oppose

HB 1565 Companion animals; authority of animal control officers.

Patron: Orrock

Summary as passed House:

Authority of animal control officers. Authorizes an animal control officer to capture and confine a companion animal that is not subject to licensure, upon receiving a complaint from a property owner of the presence of the companion animal on his property without his permission.

02/04/15 House: Read third time and passed House (92-Y 7-N)

Notes: City Position: oppose

HB 1567 Tax-delinquent property; multijurisdictional sale.

Patron: Orrock

Summary as introduced:

Multijurisdictional sale of tax-delinquent property. Provides a method for the sale of tax-delinquent real property that is located in more than one locality. The consent of the treasurer of each locality within which the property is located is required.

01/29/15 House: Passed House BLOCK VOTE (98-Y 0-N)

01/30/15 Senate: Referred to Committee on Finance

Notes: City Position: support

HB 1569 TANF; eligibility, drug-related felonies.

Patrons: Orrock and Peace

Summary as introduced:

Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance, provided that he complies with all obligations imposed by the court and the Department of Social Services, is actively engaged in or has completed a substance abuse treatment program, and participates in drug screenings. The bill provides that a person who fails or refuses to participate in periodic drug testing or who tests positive for the use of illegal substances shall be ineligible to receive TANF benefits for a period of 12 months; however, the person is given one opportunity during the 12-month period to comply with the testing requirement and be reinstated to eligibility for TANF benefits.

02/03/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1572 Open-space land; acquisition.

Patron: Pogge

Summary as introduced:

Acquisition of open-space land. Provides that a locality shall not acquire an interest in property for the purpose of preservation or provision of open-space land that exceeds five years' duration. Any extension shall only be approved in conjunction with a comprehensive plan review.

01/21/15 House: Stricken from docket by Agriculture, Chesapeake and Natural Resources

Notes: City Position: oppose

HB 1574 Voter registration; proof of citizenship.

Patron: Pogge

Summary as introduced:

Voter registration; proof of citizenship. Requires that a person registering to vote provide proof of United States citizenship in a form specified by the State Board of Elections.

02/06/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1576 Real property tax assessments; arbitration.

Patron: Pogge

Summary as introduced:

Real property tax assessments; arbitration. Permits the taxpayer to submit the valuation of an owner-occupied dwelling to binding arbitration in lieu of an appeal to court.

02/02/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1582 Adult abuse, neglect, or exploitation, suspected; mandated reporters.

Patron: Watts

Summary as introduced:

Suspected adult abuse, neglect, or exploitation; mandated reporters. Requires any employee of the Office of the State Long-Term Care Ombudsman and any local ombudsman providing assistance to older individuals receiving long-term care services to report suspected adult abuse, neglect, or exploitation.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1584 Fire services and emergency medical services; revises certain terminology.

Patron: Stolle

Summary as introduced:

Fire services and emergency medical services. Revises terminology related to fire services and emergency medical services and reorganizes provisions governing fire services and emergency medical services. The bill also contains technical amendments.

01/27/15 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

01/28/15 Senate: Referred to Committee on Education and Health

Notes: City Position: support

HB 1590 Cigarettes and other tobacco products; increases state tax rate.

Patrons: Krupicka, BaCote, Hope, Kory, Lopez, McQuinn, Plum, Simon, Spruill, Tyler, Ward and Watts; *Senators:* Ebbin, Favola, Howell, Locke, Lucas and Puller

Summary as introduced:

State tax on cigarettes and other tobacco products; tax rate. Increases the state (i) cigarette tax rate from \$0.30 per pack to \$2.00 per pack, (ii) the cigarette excise tax on roll-your-own tobacco from 10 percent of the manufacturer's sales price to 60 percent, and tax rate on certain other tobacco products by the same percentage. The additional revenue attributable to the increase in taxes is dedicated to public education.

01/28/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1604 Firearms; criminal history record information check, penalties.

Patrons: Plum, Krupicka and Murphy

Summary as introduced:

Transfer of firearms; criminal history record information check; penalties. Adds a definition of "firearms show vendor" or "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 access to licensed dealers who will conduct the criminal history record information check.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1606 Private police departments; definition.

Patrons: Garrett and Herring

Summary as introduced:

Private police departments. Defines "private police department" as any police department that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department. The bill provides that the authority of a private police department is limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property. The bill also provides that private police departments and private police officers shall be subject to and comply with the relevant laws and regulations governing municipal police departments and shall meet the minimum compulsory training requirements for law-enforcement officers. The bill provides further that any private police department in existence on January 1, 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police department was recognized by the Department of Criminal Justice Services at that time may continue to operate as a private police department provided it complies with the necessary requirements. The private police departments so recognized by the Department are the Aquia Harbor Police Department, the Babcock and Wilcox Police Department, the Bridgewater Airpark Police Department, the Carilion Police and Security Services Department, the Kings Dominion Park Police Department, the Kingsmill Police Department, the Lake Monticello Police Department, the Massanutten Police Department, and the Wintergreen Police Department.

02/06/15 House: Reported from Militia, Police and Public Safety with amendments (21-Y 0-N)

Notes: City Position: oppose

HB 1617 DNA; analysis upon conviction of certain Class 1 misdemeanors.

Patron: Toscano

Summary as introduced:

DNA analysis upon conviction of certain Class 1 misdemeanors. Requires every person convicted of certain offenses under Title 18.2 that are punishable as Class 1 misdemeanors to have a sample of his blood, saliva, or tissue taken for DNA analysis. The bill also requires such sample be taken from every juvenile convicted of or adjudicated delinquent of any of three misdemeanor sex offenses: (i) § 18.2-67.4 (sexual battery), (ii) subsection C of § 18.2-67.5

(attempt to commit sexual battery), and (iii) § 18.2-130 (peeping). Under current law, a sample is not taken for DNA analysis from juveniles convicted or adjudicated delinquent of any misdemeanor offenses and is taken from adults convicted of only five misdemeanor sex offenses: (a) § 18.2-67.4, (b) § 18.2-67.4:2 (sexual abuse of a child 13 years of age or older but under 15), (c) subsection C of § 18.2-67.5, (d) § 18.2-130, or (e) § 18.2-370.6 (penetrating the mouth of a child under 13 with the tongue). The provisions of the bill apply only to persons convicted or juveniles adjudicated delinquent on or after July 1, 2015.

02/04/15 House: Incorporated by Courts of Justice into HB1928 (Bell, Robert B.)

Notes: City Position: support

HB 1637 Virginia Public Procurement Act; job order contracts and design professional contracts.

Patron: Minchew

Summary as introduced:

Virginia Public Procurement Act; job order contracts and design professional contracts.

Increases the project amounts for job order contracting (JOC) from \$400,000 to \$500,000 for single task orders and from \$2 million to \$4 million for the sum of all projects performed in a one-year contract term. The bill also (i) decreases the population threshold for localities for the procurement of architectural and engineering services from 80,000 to 78,000 and (ii) increases the single project limit for architectural and engineering services for such localities from \$2 million to \$2.5 million and the aggregate limit for projects performed in a one-year contract term from \$5 million to \$10 million.

02/06/15 House: Engrossed by House - committee substitute HB1637H1

Notes: City Position: support

HB 1643 Virginia Human Rights Act; public employment; prohibited discrimination; sexual orientation.

Patrons: Villanueva, Krupicka, Simon and Yost

Summary as introduced:

Virginia Human Rights Act; public employment; prohibited discrimination; sexual orientation.

Prohibits discrimination in employment based on sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1646 Virginia Freedom of Information Act; proceeding for enforcement.

Patron: Pogge

Summary as introduced:

Virginia Freedom of Information Act; proceeding for enforcement. Provides that in an enforcement action, if the court finds the public body violated certain meeting notice requirements, the court may invalidate any action of the public body taken at such meeting.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1649 Stationary refuse-collection vehicles; procedure for passing and overtaking.

Patron: Villanueva

Summary as introduced:

Passing and overtaking vehicles. Requires that certain procedures be followed when passing certain stationary refuse collection vehicles.

01/30/15 House: Read third time and passed House (92-Y 2-N)

02/02/15 Senate: Referred to Committee on Transportation

Notes: City Position: support

HB 1653 Voter identification; accepted forms of identification.

Patrons: Bulova and Murphy

Summary as introduced:

Voter identification; accepted forms of identification. Adds to the list of accepted forms of identification for purposes of voting valid student photo identification cards issued by any private school located in the Commonwealth. Students of public high schools are currently permitted to use their student photo identification cards for purposes of voting because current law allows the use of photo identification issued by the Commonwealth or one of its political subdivisions. Current law also allows students from both public and private institutions of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.

02/04/15 House: Reported from Appropriations with amendment (22-Y 0-N)

Notes: City Position: support

HB 1660 Recognition of EMS Personnel Licensure Interstate Compact.

Patron: Rust

Summary as introduced:

Recognition of EMS Personnel Licensure Interstate Compact. Creates the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact to (i) protect the public through verification of competency and ensuring of accountability for patient-care-related activities of licensed emergency medical services (EMS) personnel,(ii) facilitate the day-to-day movement of EMS personnel across state boundaries in the performance of their EMS duties as assigned by an appropriate authority, and (iii) authorize state EMS offices to afford immediate legal recognition to EMS personnel licensed in a member state.

01/22/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1662 Transportation network companies (TNCs); licensing process by DMV.

Patrons: Rust, Hugo, Villanueva, DeSteph and Plum

Summary as passed House:

Transportation network companies. Establishes a process for the licensing of transportation network companies (TNCs) by the Department of Motor Vehicles (DMV), provided that TNCs comply with the requirements for licensure. The bill requires TNCs to screen drivers (TNC partners), ensure that all drivers are at least 21 years old and properly licensed to drive, and conduct background checks on all drivers including criminal background, driving history, and status on the sex offender registry. The bill also requires that TNC partner vehicles be titled and

registered personal vehicles; be insured; have a maximum seating capacity of no more than seven persons, excluding the driver; be registered with DMV for TNC use; and display TNC and DMV identification markers. The bill further requires that TNC drivers be covered by a specific liability insurance policy. The bill also imposes several other operational requirements, including requirements that the TNC provide a credential to the driver and disclose information about the TNC partner and TNC policies to passengers, and specifies the nature and limits of the insurance coverage. The bill authorizes DMV to conduct periodic reviews of the TNC to confirm compliance and authorizes fees to cover DMV's costs of administering the program, an initial TNC license fee of \$100,000, and an annual license renewal fee of \$60,000. The bill requires DMV to review the fee structure and report by December 1, 2016.

02/05/15 Passed House and Senate

Notes: City Position: support

HB 1670 Sheriffs; always serving as chief law-enforcement officer of locality.

Patron: Berg

Summary as introduced:

Sheriffs; chief law-enforcement officer of locality. Provides that sheriffs shall always serve as the chief law-enforcement officer of a locality and receive funding in an amount as provided in the general appropriation act to perform in that capacity. The bill also provides that a locality may still establish a police department.

01/28/15 House: Subcommittee recommends striking from docket (7-Y 0-N)

Notes: City Position: oppose

HB 1671 Purchase of handguns; limitation on handgun purchases; penalty.

Patrons: Simon, Carr, Hope, Kory, Lindsey, Lopez, McQuinn, Plum, Sullivan, Surovell and Watts; *Senators:* Ebbin, Favola, Howell, Locke and Saslaw

Summary as introduced:

Purchase of handguns; limitation on handgun purchases; penalty. Prohibits individuals who are not licensed firearms dealers from purchasing more than one handgun in a 30-day period and establishes such an offense as a Class 1 misdemeanor. The bill exempts from this provision (i) law-enforcement agencies and officers, (ii) state and local correctional facilities, (iii) licensed private security companies, (iv) persons who hold a valid Virginia concealed handgun permit, (v) persons whose handgun has been lost or stolen or who are trading in a handgun, (vi) purchases of handguns in a private sale, and (vii) purchases of antique firearms.

01/29/15 House: Subcommittee recommends passing by indefinitely

Notes: City Position: support

HB 1673 Government Data Collection and Dissemination Practices Act; limitation on collection.

Patrons: Anderson, Marshall, R.G., Carr, Greason and Rasoul; *Senator:* Black

Summary as introduced:

Government Data Collection and Dissemination Practices Act; limitation on collection and use of personal information by law enforcement. Limits the ability of law-enforcement and regulatory agencies to use technology to collect and maintain personal information on individuals and organizations where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individual or organization. The bill codifies an opinion of

the Attorney General regarding the Government Data Collection and Dissemination Practices Act. The bill also allows a law-enforcement agency to collect information from a license plate reader, provided that any information collected shall only be retained for seven days and shall only be used for the investigation of a crime or a report of a missing person.

02/06/15 House: Reported from Militia, Police and Public Safety with amendments (17-Y 4-N)

Notes: City Position: oppose

HB 1685 Private police departments.

Patron: Fariss

Summary as introduced:

Private police departments. Defines "private police department" as any police department that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department. The bill provides that the authority of a private police department is limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property. The bill also provides that private police departments and private police officers shall be subject to and comply with the relevant laws and regulations governing municipal police departments and shall meet the minimum compulsory training requirements for law-enforcement officers. The bill provides further that any private police department in existence on January 1, 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police department was recognized by the Department of Criminal Justice Services at that time may continue to operate as a private police department provided it complies with the necessary requirements. The private police departments so recognized by the Department are the Aquia Harbor Police Department, the Babcock and Wilcox Police Department, the Bridgewater Airpark Police Department, the Carilion Police and Security Services Department, the Kings Dominion Park Police Department, the Kingsmill Police Department, the Lake Monticello Police Department, the Massanutten Police Department, and the Wintergreen Police Department.

02/05/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1688 State Comptroller; deposit of fines and fees for violation of local ordinances.

Patron: Minchew

Summary as introduced:

State Comptroller; deposit of fines and fees for violation of local ordinances. Requires the State Comptroller to transmit all fees and fines for violation of county, city, or town ordinances that are not required by law to be recovered by the State Comptroller to the treasury of the county, city, or town whose ordinances were violated no later than 60 days after such fines and fees have been collected from the district courts. The bill also requires the transmittal to be accompanied by an accounting of all local fees and fines collected by district courts.

02/04/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1693 Civil admission process; alternative transportation.

Patron: Bell, Robert B.

Summary as introduced:

Civil admission process; alternative transportation. Provides that a magistrate may authorize

alternative transportation for a person subject to an emergency custody order or temporary detention order when there exists a substantial likelihood that he will cause serious physical harm to himself or others. Current law prohibits the use of alternative transportation when there exists a substantial likelihood that he will cause serious physical harm to himself or others.

02/04/15 House: Reported from Courts of Justice with amendments (20-Y 0-N)

Notes: City Position: support

HB 1694 Temporary detention order; custody.

Patron: Yost

Summary as introduced:

Temporary detention order; custody. Removes the requirement that a person subject to a temporary detention order remain in the custody of the community services board for the duration of the order. This requirement was in conflict with other Code sections that require that such person remain in the custody of law enforcement until custody is transferred to a facility (§ 37.2-809 (E)) or to an alternative transportation provider (§ 37.2-810 (B)).

02/04/15 House: Reported from Courts of Justice with substitute (20-Y 0-N)

Notes: City Position: support

HB 1696 Public service corporations; access to public records to exercise right of eminent domain.

Patrons: Bell, Richard P., Yost and Landes

Summary as introduced:

Public service corporations; access to public records. Makes a public service corporation subject to the public records provisions of the Virginia Freedom of Information Act with respect to any project or activity for which it may exercise the power of eminent domain and has filed or prefiled for a certificate or other permitting document.

01/29/15 House: Tabled in Commerce and Labor

Notes: City Position: support

HB 1702 Firearms; transfer, etc., from licensed dealer.

Patrons: DeSteph and Lopez

Summary as introduced:

Transfer, etc., of firearms from licensed dealer; criminal history record information.

Allows a firearms dealer to perform a criminal history record information check before selling, renting, trading, or transferring any firearm owned by the dealer that is not in his inventory.

Current law requires a dealer to perform the check only if the firearm is from his inventory.

02/06/15 House: Subcommittee recommends reporting (6-Y 0-N)

Notes: City Position: support

HB 1703 Virginia Public Procurement Act; small purchase procedure for construction.

Patron: Morefield

Summary as introduced:

Virginia Public Procurement Act; small purchase procedure for construction. Clarifies that small purchase procedures for purchases not expected to exceed \$100,000 may be used to procure construction.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1708 Certain industrial uses; transmission lines.

Patrons: Marshall, R.G.; Senator: Black

Summary as introduced:

Certain industrial uses; transmission lines. Requires that a zoning ordinance shall provide that any proposed data center that will require utilization of a 230 kilovolt electrical transmission line shall be located only in an area zoned for industrial use. However, if a zoning ordinance authorizes a data center, or similar land use, that will require utilization of a 230 kilovolt or greater electrical transmission line outside of an area zoned for industrial use, any electrical transmission lines that support such a land use and that are located at a distance greater than 300 feet from an existing electrical transmission line shall be placed underground at the expense of the owner of the data center.

01/20/15 House: Assigned C & L sub: Special Subcommittee on Energy

Notes: City Position: support

HB 1717 Psychiatric treatment of minors; objecting minor; criteria; duration of admission.

Patrons: LeMunyon, Bulova, Garrett, Hope, Ingram, O'Bannon, Peace and Stolle

Summary as introduced:

Psychiatric treatment of minors; objecting minor; criteria; duration of admission. Increases from 96 to 120 hours the length of time a minor 14 years of age or older who objects to admission for inpatient treatment or who is incapable of making an informed decision may be admitted to a willing mental health facility. Also amends the criteria for admitting an objecting minor 14 years of age or older for psychiatric treatment to match the criteria for determining whether a non-objecting minor or a minor younger than 14 years of age should be admitted. Finally, the bill provides that if a minor 14 years of age or older who did not initially object to treatment objects to further treatment, the mental health facility where the minor is being treated shall immediately notify the parent who consented to the minor's treatment and provide to such parent a summary of the procedures for requesting continued treatment of the minor.

02/04/15 House: Reported from Courts of Justice with amendments (19-Y 0-N)

02/06/15 House: Read first time

Notes: City Position: oppose

HB 1721 Real property tax; exemption for surviving spouses of members of armed forces killed in action.

Patrons: Ramadan and Fariss

Summary as introduced:

Real property tax exemption; surviving spouses of members of armed forces killed in action. Exempts from taxation the principal residence of a surviving spouse of a member of the armed forces of the United States killed in action regardless of the value of the residence. The 2014 General Assembly enacted legislation exempting from taxation the principal residence of such surviving spouse, provided that the assessed value of the residence was not in excess of the averaged assessed value of dwellings in the county or city situated on property zoned as single family residential. 02/04/15 House: Reported from Finance (20-Y 0-N)

Notes: City Position: oppose

HB 1744 Local employee grievance procedure; final step in procedure.

Patrons: Hugo, Albo and Miller

Summary as introduced:

Local employee grievance procedure. Requires that the final step in an employee grievance procedure adopted by a local governing body, providing for a hearing before an administrative hearing officer or an impartial panel hearing, be selected by the aggrieved employee. Currently, the selection of this final step requires the agreement of both parties. Also permits a school board to conduct a teacher grievance hearing before a three-member fact-finding panel. Under current law, the school board can appoint a hearing officer or conduct the hearing itself.

02/06/15 House: Referred to Committee on Education

Notes: City Position: oppose (although bill is now amended so that it applies only to schools)

HB 1745 Fire Programs Fund.

Patron: Lingamfelter

Summary as introduced:

Fire Programs Fund; expense of administration of insurance laws and regulatory revenue taxes. Increases the rate of the assessment for the Fire Programs Fund from one to 1.4 percent of the total direct gross premium income for fire and related lines of insurance. Decreases the maximum assessment to administer insurance laws and reduces the maximum regulatory revenue tax imposed by the State Corporation Commission.

02/03/15 House: Tabled in Commerce and Labor

Notes: City Position: support

HB 1746 Bicycles; operation on certain bicycle paths and trails, etc.

Patron: Ingram

Summary as introduced:

Operation of bicycles on certain bicycle paths and trails, bicycle lanes, and shared-use paths. Provides that wherever a bicycle path or trail designated by the Department of Conservation and Recreation, a bicycle lane, or a shared-use path is available to bicyclists as an alternative to a roadway available for motor vehicles, bicyclists are required use those paths, lanes, and trails and are prohibited from using roadways available for operation of motor vehicles.

02/02/15 House: Subcommittee recommends laying on the table (7-Y 0-N)

Notes: City Position: oppose

HB 1759 Arrest without warrant; procedures.

Patron: James (by request)

Summary as introduced:

Arrest without warrant; procedures. Allows the magistrate or other issuing authority to examine the investigating or charging officer rather than the arresting officer in determining whether to issue an arrest warrant or summons for a person who was arrested without a warrant.

01/23/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1765 Sheriffs; immunity for actions of deputy.

Patron: Loupassi

Summary as introduced:

Civil liability; sheriff. Provides that a sheriff shall not be liable for civil damages resulting from any act or omission by a deputy sheriff in the performance of his duties as a deputy sheriff.

01/26/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1770 Protective orders; person may petition to have police and court records expunged.

Patron: Loupassi

Summary as introduced:

Expungement of protective orders. Allows a person against whom a protective order has been issued to petition to have police and court records relating to the protective order expunged if the order is subsequently dissolved by the issuing court.

01/21/15 House: Subcommittee recommends incorporating into HB1749 (Ransone)

Notes: City Position: support

HB 1772 Concealed handguns; prohibited at airports, exception.

Patron: Berg

Summary as introduced:

Prohibition on weapons at airport; exception for concealed handguns. Provides that a person entitled to carry a concealed handgun may lawfully possess or transport a concealed handgun in any air carrier airport terminal.

01/12/15 House: Referred to Committee on Transportation

Notes: City Position: oppose

HB 1773 Concealed handgun; possession on school property.

Patrons: Berg and Marshall, R.G.

Summary as introduced:

Possession of concealed handgun on school property. Provides an exception to the crime of possessing a firearm on school property if a person has a valid concealed handgun permit and possession of a concealed handgun occurs outside normal school hours. The bill also provides an exception if a person with a concealed handgun permit stores a concealed handgun in a motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school; current law allows possession while the person is in the motor vehicle in one of those areas.

01/12/15 House: Referred to Committee on Education

Notes: City Position: oppose

HB 1809 Private police departments.

Patrons: Herring, Gilbert and McClellan; *Senators:* Howell and Norment

Summary as introduced:

Private police departments. Defines "private police department" as any police department that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department. The bill provides that the authority of a private police department is limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property. The bill also provides that private

police departments and private police officers shall be subject to and comply with the relevant laws and regulations governing municipal police departments and shall meet the minimum compulsory training requirements for law-enforcement officers. The bill provides further that any private police department in existence on January 1, 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police department was recognized by the Department of Criminal Justice Services at that time may continue to operate as a private police department provided it complies with the necessary requirements. The private police departments so recognized by the Department are the Aquia Harbor Police Department, the Babcock and Wilcox Police Department, the Bridgewater Airpark Police Department, the Carilion Police and Security Services Department, the Kings Dominion Park Police Department, the Kingsmill Police Department, the Lake Monticello Police Department, the Massanutten Police Department, and the Wintergreen Police Department.

02/05/15 House: Subcommittee recommends laying on the table

Notes: City Position: Oppose

HB 1820 Workers' compensation; pecuniary liability for medical services.

Patron: Farrell

Summary as introduced:

Workers' compensation; payment for medical services. Limits an employer's liability for medical, surgical, and hospital service required under the Virginia Workers' Compensation Act to the amount that is generally paid to the provider for similar treatment when the provider is paid for the treatment by or on behalf of an individual receiving such treatment when not ordered by the Workers' Compensation Commission. That amount shall be the average amount reported to have been paid for the treatment based on paid claims data for covered benefits collected by the Virginia All-Payer Claims Database in the most recent year for which such paid claims data is available, plus 20 percent. However, if paid claims data is not available through the Virginia All-Payer Claims Database for the treatment, the amount shall be established by the Workers' Compensation Commission based on evidence produced by the provider or other interested party, including payments made by health insurers and other third-party payors. Currently, the employer's liability is such charges as prevail in the same community for similar treatment paid for by the injured person.

02/05/15 House: Reported from Commerce and Labor with substitute (22-Y 0-N)

Notes: City Position: support

HB 1865 Local fiscal impact bills; first day introduction.

Patron: Kilgore

Summary as introduced:

Local fiscal impact bills; first day introduction. Requires local fiscal impact bills to be introduced no later than the first day of the session.

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

Notes: City Position: support

HB 1884 Assault and battery; penalty when occurs against family or household member.

Patron: O'Quinn

Summary as introduced:

Assault and battery against family or household member; penalty. Provides that upon a

conviction for assault and battery against a family or household member, when the person has been previously convicted of an offense of (i) assault and battery against a family or household member, (ii) malicious or unlawful wounding, (iii) aggravated malicious wounding, (iv) malicious bodily injury by means of a substance, (v) strangulation, or (vi) an offense under the law of any other jurisdiction which has the same elements as any of the above offenses, which occurred within a period of 20 years, and on a different date, the person is guilty of a Class 6 felony. Currently, the Class 6 felony applies only if there are two prior convictions.

01/13/15 House: Referred to Committee for Courts of Justice

Notes: City Position: support

HB 1887 Transportation; funding, formula, updates annual reporting, and allocations.

Patrons: Jones, Cole and Rust

Summary as introduced:

Transportation funding; formula, reporting, and allocations. Removes the Executive Director of the Virginia Port Authority from the Commonwealth Transportation Board (CTB) and makes the members of the CTB subject to removal by the Governor for malfeasance, misfeasance, incompetence, misconduct, neglect of duty, absenteeism, conflicts of interest, failure to carry out the policies of the Commonwealth, or refusal to carry out a lawful directive of the Governor. The bill updates the annual report of the Commissioner of Highways made to the Governor and the General Assembly and adds that such report be submitted to the Joint Legislative Audit and Review Commission and the CTB. The report must include the condition of existing transportation assets; the methodology used to determine maintenance and state of good repair needs; performance targets and outcomes; a listing of prioritized pavement and bridge projects based on the priority ranking system; VDOT strategies for improving the safety, security, and operations of highways; and a review of the VDOT's collaboration with the private sector in delivering services. The bill adds to transportation funding considerations the state of good repair purposes along with asset management practices and maintenance and requires the CTB to develop a priority ranking system for structurally deficient bridges and deteriorated pavements. The bill establishes the high-priority projects program and the highway construction district grant program and replaces the \$500 million annual allocation made by the CTB and the 40-30-30 allocation formula to the primary, secondary, and urban highways with a new 40-30-30 allocation of funds to state of good repair purposes, high-priority projects, and highway construction district grants. The bill also reallocates the interest, dividends, and appreciation that currently accrue to the Transportation Trust Fund and Highway Maintenance and Operating Fund: two-thirds of such current accruals to the Virginia Transportation Infrastructure Bank and one-third of such accruals to the Transportation Partnership Opportunity Fund. The bill also removes the definition of "grant" from the Virginia Transportation Infrastructure Bank and excludes grants from other financing, thereby removing the ability of a governmental entity to apply for a grant. The bill also allows the CTB to make transfers from the Toll Facilities Revolving Account to the Virginia Transportation Infrastructure Bank.

02/04/15 House: Read third time and passed House (93-Y 4-N)

Notes: City Position: support

HB 1902 Stalking; early termination of rental agreements, penalty.

Patron: Lopez

Summary as introduced:

Stalking; early termination of rental agreements; penalty. Provides that the conduct necessary to sustain a conviction for stalking includes conduct by any action, method, device, or means. Also allows a tenant who is a victim of stalking to terminate his rental agreement if he has obtained a protective order or the perpetrator of the crime has been convicted.

02/04/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1905 Landlord and tenant law; retaliatory conduct by landlord.

Patron: Lopez

Summary as introduced:

Landlord and tenant law; retaliatory conduct by landlord. Removes the requirement in the Virginia Residential Landlord Tenant Act that the court determine that the "primary" reason for a landlord taking an action for possession or termination of a rental agreement is retaliation. The tenant continues to have the burden of proving retaliatory intent. The bill also adds in landlord and tenant law a provision prohibiting retaliatory conduct by the landlord.

02/04/15 House: Reported from Courts of Justice (20-Y 0-N)

Notes: City Position: support

HB 1909 Firearms magazines, certain; prohibition of sale, transfer, etc., penalty.

Patron: Lopez

Summary as introduced:

Prohibition of sale, transfer, etc., of certain firearms magazines; fine. 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 \$250 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 will subject the person making such statement to a \$250 fine. The bill also provides that a registrant is limited to three large capacity magazines and must otherwise dispose of all magazines in excess of the limit. Finally, the bill outlines the registration process for anyone who owns a large capacity magazine.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1912 Electric utilities; net energy metering.

Patrons: Lopez and Villanueva

Summary as introduced:

Electric utilities; net energy metering. Increases, from 500 kilowatts to two megawatts, the maximum generating capacity of an electrical generating facility owned or operated by an electric utility's nonresidential customer that is eligible for participation in the utility's net energy metering program. This change to the definition of an "eligible customer-generator" also affects the definition of a "qualified energy project" used in the Virginia Small Business Financing Act.

02/03/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1923 Firearm transfers; criminal history record information checks, penalty.

Patron: Murphy

Summary as introduced:

Transfer of firearms; penalty. Requires a background check for any firearm transfer and requires the Department of State Police to establish a process for transferors to obtain such a check from licensed firearms dealers. A transferor who fails to obtain a required background check and sells a firearm to another person is guilty of a Class 1 misdemeanor. The bill exempts transfers between immediate family members, transfers that occur by operation of law, and transfers by the executor or administrator of an estate or by the trustee of a testamentary trust.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1928 DNA; analysis upon conviction of certain misdemeanors.

Patrons: Bell, Robert B. and Toscano

Summary as introduced:

DNA analysis upon conviction of certain misdemeanors. Adds offenses punishable as Class 1 or Class 2 misdemeanors under § 16.1-253.2 (violation of protective orders), Title 18.2, with certain exceptions, Title 19.2, or § 20-61 (desertion or nonsupport) to the list of offenses for which a person convicted of such offense must have a sample of his blood, saliva, or tissue taken for DNA analysis, provided that the person was sentenced to a term of incarceration, regardless of whether such sentence is suspended in whole or in part. The bill also requires such sample be taken from every juvenile convicted of or adjudicated delinquent of such misdemeanors who has been committed to the Department of Juvenile Justice and every juvenile convicted of or adjudicated delinquent of a violation of § 18.2-67.4 (sexual battery), subsection C of § 18.2-67.5 (attempt to commit sexual battery), or § 18.2-130 (peeping). Under current law, a sample is not taken for DNA analysis from juveniles convicted of or adjudicated delinquent of any misdemeanor offenses and is taken from adults convicted of only five misdemeanor sex offenses: (i) § 18.2-67.4, (ii) § 18.2-67.4:2 (sexual abuse of a child 13 years of age or older but under 15), (iii) § 18.2-67.5, (iv) § 18.2-130, or (v) § 18.2-370.6 (penetrating the mouth of a child under 13 with the tongue). The provisions of the bill apply only to persons convicted or juveniles adjudicated delinquent on or after July 1, 2015.

02/06/15 House: Subcommittee recommends reporting (6-Y 0-N)

Notes: City Position: oppose

HB 1929 Family day homes; licensure.

Patrons: Anderson, Hugo, Peace and Torian

Summary as introduced:

Licensure of family day homes. Provides that the children of a family day home provider and any children who reside in the family day home where care is provided shall be included in determining the number of children receiving care for the purpose of licensure.

01/20/15 House: Assigned HWI sub: Subcommittee #3

Notes: City Position: support

HB 1931 Child welfare agencies; criminal history record checks.

Patrons: Anderson, Hester, Peace and Torian

Summary as introduced:

Regulation of child welfare agencies; national criminal history record checks. Establishes a national criminal history record check requirement for licensure as a child welfare agency, for approval as a family day home by a family day system, for approval as a foster or adoptive parent; for employment or to volunteer at a child welfare agency or family day home; and for all adults residing in a home in which a family day home is operated.

01/26/15 House: Assigned HWI sub: Subcommittee #3

Notes: City Position: support

HB 1933 Transportation network companies; regulation by DMV.

Patron: Anderson

Summary as introduced:

Transportation network companies; penalties. Provides for the regulation of transportation network companies by the Department of Motor Vehicles.

01/29/15 House: Subcommittee recommends laying on the table (6-Y 0-N)

Notes: City Position: oppose

HB 1941 School calendar.

Patron: Adams

Summary as introduced:

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

02/03/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1945 Domestic violence leave for employees.

Patrons: McClellan and Murphy

Summary as introduced:

Domestic violence leave for employees. Requires employers to allow an employee to take domestic violence leave, with or without pay, if the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking. Domestic violence leave may be taken to (i) seek legal or law-enforcement assistance or remedies; (ii) seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking or to attend to health care treatment for a victim who is the employee's family member; (iii) obtain, or assist a family member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, or stalking; (iv) obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking; or (v) participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault, or stalking. Employers are prohibited from discharging or discriminating against an employee because the employee takes domestic violence leave.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 1950 Electric utilities; net energy metering.

Patrons: McClellan, Lopez and Sullivan

Summary as introduced:

Electric utilities; net energy metering. Increases, from 500 kilowatts to two megawatts, the maximum generating capacity of an electrical generating facility owned or operated by an electric utility's nonresidential customer that may be eligible for participation in the utility's net energy metering program. This change to the definition of an "eligible customer-generator" also affects the definition of a "qualified energy project" as used in the Virginia Small Business Financing Act.

02/05/15 House: Reported from Commerce and Labor with substitute (17-Y 3-N)

Notes: City Position: support

HB 1968 Recordation tax; open line deeds of trust.

Patrons: DeSteph and Hester

Summary as introduced:

Recordation tax; open line deeds of trust. Requires that the recordation tax on a deed of trust securing an open line of credit when the amount of the line of credit is increased be paid only on the difference between the amount of the original line of credit and the new amount.

02/04/15 House: Reported from Finance (19-Y 1-N)

02/06/15 House: Read first time

Notes: City Position: support

HB 1973 Businesses, certain; local limitations on number.

Patron: Preston

Summary as introduced:

Local limitations on number of certain businesses. Allows a locality to reasonably limit the number of motor vehicle title loan businesses, payday lenders, check cashers, and precious metals dealers that may be operated at any one time within its territorial limits. The locality may limit the number of establishments based on a specific number of businesses per magisterial or election district or by limiting the number of such businesses within an established radius.

01/27/15 House: Tabled in Commerce and Labor

Notes: City Position: support

HB 1979 Prescription Monitoring Program; procedure upon arrest for certain offenses.

Patron: Ramadan

Summary as introduced:

Procedure upon arrest for certain drug offenses; Prescription Monitoring Program.

Provides that when an officer arrests a person for a drug offense involving a controlled substance, where the dispensing of such substance is required to be reported to the Prescription Monitoring Program, the officer shall cause to be requested from the Program information regarding the identity of the prescriber, if available, unless the officer already knows the identity of the prescriber. The bill also provides that the officer shall cause the prescriber to be notified of the arrest, unless such notification would jeopardize an ongoing criminal investigation.

02/04/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 1981 Transportation network companies (TNCs); licensing process by DMV, report.

Patrons: Hugo and DeSteph

Summary as introduced:

Transportation network companies. Establishes a process for the licensing of transportation network companies (TNCs) by the Department of Motor Vehicles (DMV), provided that TNCs comply with the requirements for licensure. The bill requires TNCs to screen drivers (TNC partners), ensure that all drivers are at least 21 years old and properly licensed to drive, and conduct background checks on all drivers including criminal background, driving history, and status on the sex offender registry. The bill also requires that TNC partner vehicles be titled and registered personal vehicles; be insured; and have a maximum seating capacity of no more than seven persons, excluding the driver. The bill further requires that TNC drivers be covered by a specific liability insurance policy. The bill also imposes several other operational requirements, including requirements that the TNC provide a credential to the driver and disclose information about the TNC partner and TNC policies to passengers, and specifies the nature and limits of the insurance coverage. The bill authorizes DMV to conduct periodic reviews of the TNC to confirm compliance and authorizes fees to cover DMV's costs of administering the program, including an initial TNC license fee of \$70,000 and an annual license renewal fee of \$3,000.

01/29/15 House: Subcommittee recommends laying on the table (6-Y 0-N)

Notes: City Position: oppose

HB 1986 Workforce Development, Virginia Board of; changes to Board requirements.

Patrons: Byron, Marshall, D.W., Filler-Corn, Garrett and Murphy

Summary as passed House:

Virginia Board of Workforce Development. Makes several changes to the Virginia Board of Workforce Development (Board), including (i) requiring quarterly meetings of the Board; (ii) establishing a full-time director position to be supervised by the Governor's Chief Workforce Development Advisor (Advisor) and dedicated to supporting the Board's operations; and (iii) adding, as an area of policy advice to the Governor, issues to create a business-driven system that increases the rates of attainment of workforce credentials and jobs. Beginning November 1, 2016, and annually thereafter, each agency administering any publicly funded career and technical education and workforce development program shall submit to the Governor and the Board a report detailing the program's performance against state-level metrics established by the Advisor. In addition, the Advisor, the Commissioner of the Virginia Employment Commission (VEC), and the Chancellor of the Virginia Community College System (VCCS) shall enter into a memorandum of understanding that sets forth (a) the roles and responsibilities of each of these publicly funded entities; (b) a funding mechanism that adequately supports operations under the federal provisions; and (c) a procedure for the resolution of any disagreements that may arise. The Advisor, VEC, and VCCS shall collaborate to produce an annual executive summary. Each local workforce development board shall develop and execute a strategic plan designed to combine public and private resources to support sector strategies, career pathways, and career readiness skills development. This bill also sets the minimum level of fiscal support from WIOA Adult and Dislocated Worker funds, and provides incentives. The bill also makes several technical amendments required with the transition from the federal Workforce Investment Act of

1998 to the federal Workforce Innovation and Opportunity Act of 2014. On October 1, 2017, the Executive Director of the Board shall provide members of the Board with a detailed report evaluating local workforce development boards' rate of the expenditures for incentives from July 1, 2015, to July 1, 2017.

02/06/15 House: Read third time and passed House (98-Y 0-N 1-A)

Notes: City Position: support

HB 1991 Forfeiture of property used in connection with the commission of crimes; conviction required.

Patron: Morrissey

Summary as introduced:

Forfeiture of property used in connection with the commission of crimes; conviction required; owner retains possession. Requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been convicted of the crime and has exhausted all appeals. The bill also provides that no property shall be seized until after a final judgment of conviction has been entered and all appeals have been exhausted.

01/26/15 House: Subcommittee recommends passing by indefinitely

Notes: City Position: oppose

HB 1993 Blighted property; locality as receiver.

Patron: Morrissey

Summary as introduced:

Locality as receiver for blighted property. Simplifies the process by which a locality may petition to be appointed as a receiver for a blighted property.

01/14/15 House: Referred to Committee on Counties, Cities and Towns

Notes: City Position: support

HB 1995 Pawnbrokers; electronic records shall be maintained on each transaction.

Patron: Morrissey

Summary as introduced:

Pawnbrokers; records to be maintained. Requires a pawnbroker to maintain at his place of business an electronic record of each transaction involving goods, articles, or things pawned, pledged, or purchased.

02/05/15 House: Stricken from docket by General Laws

Notes: City Position: support

HB 2007 Protective orders; assault and battery, penalty.

Patrons: Bell, Robert B. and Murphy

Summary as introduced:

Protective orders; assault and battery; penalty. Provides that a person who is the subject of a protective order who commits an assault and battery resulting in bodily injury on the person protected by the order is guilty of a Class 6 felony. Currently, the assault and battery must result in serious bodily injury in order for the offense to be punishable as a Class 6 felony.

02/06/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 2009 Firearms, certain; law-enforcement certification.

Patrons: LaRock and Landes

Summary as introduced:

Law-enforcement certification of certain firearms. Requires that when certification of a chief law-enforcement officer is required by federal law for transfer of a firearm as defined in the National Firearms Act, such certification must be provided within 60 days if the applicant is not prohibited by law from receiving the firearm. If the applicant is prohibited by law from receiving the firearm, the chief law-enforcement officer or his designee shall notify the applicant in writing of the reason for the prohibition. For the purposes of this measure, the definition of "firearm" is limited to machine guns, rifles and shotguns of a certain length, weapons made from certain rifles or shotguns, and silencers. If the chief law-enforcement officer fails to provide certification within 60 days, the applicant has a right to an ore tenus hearing in circuit court and, unless the evidence shows that the applicant is prohibited by law from receiving the firearm, the court shall order the chief law-enforcement officer to issue the certification within five business days.

02/06/15 House: Reported from Militia, Police and Public Safety with substitute (15-Y 6-N)

Notes: City Position: oppose

HB 2024 Firearms; prohibits in libraries owned or operated by localities.

Patron: BaCote

Summary as introduced:

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

01/14/15 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: support

HB 2027 Weapons; prohibition at airports, exception for handguns.

Patrons: Wilt, Lingamfelter, Ingram, Landes and Taylor

Summary as introduced:

Prohibition on weapons at airport; exception for handguns. Provides that a person may lawfully possess or transport a handgun into any portion of an air carrier airport terminal other than the secured area of the terminal. The bill requires the entity that operates an airport terminal containing a secured area to post at least one notice in a conspicuous location at each entrance to a secured area informing the public that they are entering a secured area and listing the items restricted from being possessed or transported in the secured area.

01/14/15 House: Referred to Committee on Transportation

Notes: City Position: Oppose

HB 2029 Concealed handgun permits; background check, exemption for permit holders.

Patrons: Wilt, Lingamfelter, Cole, Ingram, Landes and Poindexter

Summary as introduced:

Concealed handgun permits; fees; background check; exemption for permit holders.

Provides that a licensed firearms dealer does not have to have a criminal background check performed to determine a person's eligibility to purchase a firearm if the purchaser possesses a valid concealed handgun permit and presents a photo ID issued by an agency of the

Commonwealth or the Department of Defense. The bill increases from \$10 to \$20 the fee charged by the circuit court clerk for processing an application and issuing a permit. The bill also sets at \$30 the maximum fee that is charged for conducting a background investigation of an applicant for a concealed handgun permit. Of this maximum \$30 fee, \$10 must be paid to the State Police for conducting the background check on the applicant and for conducting periodic background checks during the lifetime of any permit, and the local law-enforcement agency may charge a fee not to exceed the remaining \$20. The bill also requires that the State Police, in preparing the report from the Central Criminal Records Exchange for the circuit court with regard to an applicant for a concealed handgun permit, shall initiate a search of the National Instant Criminal Background Check System for purposes of obtaining criminal history record information regarding the applicant.

02/06/15 House: Reported from Militia, Police and Public Safety with substitute (15-Y 6-N)

Notes: City Position: oppose

Counts: HB: 39

HB 2036 Vapor products; prohibits purchase, etc., by minors, liquid nicotine packaging.

Patrons: DeSteph, Garrett and O'Bannon

Summary as introduced:

Purchase, etc., of tobacco products by minors; vapor products; liquid nicotine packaging; civil penalty. Prohibits the sale of vapor products to a minor and the purchase or possession of vapor products by a minor. The bill defines vapor product as a noncombustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other means that can be used to produce vapor from a substance in a solution or other form. Current law prohibits the sale of nicotine vapor products to a minor and the purchase or possession of nicotine vapor products by a minor. The bill also provides that no person shall sell or distribute, or offer for sale or distribution, a liquid nicotine container on or after October 1, 2015, unless the liquid nicotine container is packaged in child-resistant packaging and complies with labeling requirements consistent with regulations adopted by the Board of Agriculture and Consumer Services. The bill requires the Board to adopt regulations establishing standards for child-resistant packaging and labeling requirements no later than September 1, 2015. Any person who sells or distributes, or offers for sale or distribution, a liquid nicotine container on or after October 1, 2015, in packaging that does not meet the child-resistant packaging and labeling requirements is subject to a civil penalty not to exceed \$100 for a first violation, \$200 for a second violation, and \$500 for a third or subsequent violation.

02/06/15 House: Engrossed by House - committee substitute HB2036H2

Notes: City Position: support

HB 2045 Protective orders; possession of firearms; penalty.

Patrons: Filler-Corn, Krupicka, Lopez, Murphy and Sullivan

Summary as introduced:

Protective orders; possession of firearms; penalty. Prohibits a person who is subject to a protective order from possessing a firearm; currently, such person is only prohibited from purchasing or transporting a firearm. Such conduct is punishable as a Class 1 misdemeanor.

02/05/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 2046 Licensure of family day homes.

Patrons: Filler-Corn and Hester

Summary as introduced:

Licensure of family day homes. Requires all family day homes that provide care for one or more children for compensation to be licensed by the Department of Social Services. Currently, only family day homes providing care for six or more children must be licensed. The bill also provides that, for the purposes of determining the number of children receiving care, the provider's own children and any children residing in the home shall be counted.

01/20/15 House: Assigned HWI sub: Subcommittee #3

Notes: City Position: support

HB 2085 Firearms; purchase, possession, or transportation following convictions for certain misdemeanors.

Patrons: Murphy and Simon

Summary as introduced:

Purchase, possession, or transportation of firearms following convictions for certain misdemeanor crimes; restoration of rights; penalty. Prohibits a person who has been convicted of stalking, sexual battery, assault and battery of a family or household member, brandishing a firearm, or two or more convictions of assault and battery from purchasing, possessing, or transporting a firearm. The bill provides for a process by which a person convicted of such crimes may petition the circuit court for a reinstatement of his rights to purchase, possess or transport a firearm.

01/29/15 House: Subcommittee recommends laying on the table

Notes: City Position: support

HB 2147 VIEW Program; screening and assessment for use of illegal substances.

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. When a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department of Social Services shall require 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.

02/05/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 2159 Pedestrians; crossing highways.

Patron: Krupicka

Summary as introduced:

Pedestrians crossing highways. Clarifies the duties of vehicles to stop to allow pedestrians to cross highways at marked crosswalks.

01/26/15 House: Subcommittee failed to recommend reporting (3-Y 4-N)

Notes: City Position: support

HB 2163 Photo-monitoring systems; for traffic light enforcement.

Patron: Cline

Summary as introduced:

Use of photo-monitoring systems for traffic lights; repeal. Repeals the authority for localities to operate a photo-monitoring system for traffic light enforcement, colloquially known as a "photo red" program.

01/22/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HB 2166 Reporting of medical aid or treatment for drug overdoses.

Patron: Pillion

Summary as introduced:

Reporting of medical aid or treatment for drug overdoses. Requires a physician or other person who renders any medical aid or treatment to any person for an overdose that he knows or has reason to believe is an overdose of a controlled substance classified in Schedule I or II of the Drug Control Act to report such aid or treatment and the patient's name and address, if known, to local law enforcement.

01/28/15 House: Subcommittee recommends incorporating into HB164 (-Miller)

Notes: City Position: oppose

HB 2170 Northern Virginia Transportation Commission; transfer of powers and duties.

Patrons: Minchew, Albo, Hugo, LeMunyon and LaRock

Summary as introduced:

Northern Virginia Transportation Commission; Northern Virginia Transportation Authority. Transfers the powers and duties of the Northern Virginia Transportation Commission to the Northern Virginia Transportation Authority.

02/05/15 House: Subcommittee recommends laying on the table (6-Y 0-N)

Notes: City Position: oppose

HB 2215 Prisoners; notification of tertiary care.

Patron: Rush

Summary as introduced:

Board of Corrections; notification of tertiary care of prisoner. Requires the Board of Corrections to promulgate regulations for state and local correctional facilities requiring that notification be made to a prisoner's family or stated emergency contact person whenever a prisoner is moved within or without his assigned facility for the purposes of tertiary care.

01/26/15 House: Subcommittee recommends laying on the table

Notes: City Position: oppose

HJ 508 Constitutional amendment; right to keep and bear arms (first reference).

Patron: Cole

Summary as introduced:

Constitutional amendment (first resolution); right to keep and bear arms. Clarifies that the right to keep and bear arms conferred by Article I, Section 13 of the Constitution of Virginia is an individual right and guarantees the right of an individual to keep and bear arms for defense of self, others, or property or for any other lawful purpose.

01/13/15 House: Assigned P & E sub: Constitutional Amendments

Notes: City Position: oppose

HJ 520 Constitutional amendment; property tax exemption for nonprofit medical clinics serving the indigent.

Patron: Hope

Summary as introduced:

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

01/13/15 House: Assigned P & E sub: Constitutional Amendments

Notes: City Position: oppose

HJ 578 Constitutional amendment; general warrants of search or seizure prohibited.

Patron: Anderson

Summary as introduced:

Constitutional amendment; general warrants of search or seizure prohibited. Clarifies that the right of the people to be secure against unreasonable searches and seizures of their persons, houses, businesses, lands, papers, and effects applies also to communications and stored personal information and data. Furthermore, the requirement that a warrant particularly describe the place to be searched or the persons or things to be seized is extended to communications, personal information, and data to be accessed. The amendment provides that a person's disclosure to another person of his papers, effects, or electronic communications, personal information, or data is not alone a waiver of this right. The amendment also provides that the people shall have remedies of exclusion and actions for damages and other remedies and that defendants shall not enjoy greater immunity than other citizens of the Commonwealth.

01/13/15 House: Assigned P & E sub: Constitutional Amendments

Notes: City Position: oppose

SB 684 Forfeiture of property used in connection with the commission of crimes; conviction required.

Patrons: Carrico, Chafin and Puller; *Delegates:* Cole, Rasoul and Simon

Summary as introduced:

Forfeiture of property used in connection with the commission of crimes; conviction required. Requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been convicted of the crime and has exhausted all appeals.

01/21/15 Senate: Passed by indefinitely in Courts of Justice with letter (12-Y 0-N)

Notes: City Position: oppose

SB 688 Voter identification; accepted forms of identification.

Patrons: Ebbin and Barker; *Delegates:* Simon and Spruill

Summary as introduced:

Voter identification; accepted forms of identification. Adds to the list of accepted forms of identification for purposes of voting valid student photo identification cards issued by any private school located in the Commonwealth or by any public or private school or institution of

higher education located in any other state or territory of the United States. Students of public high schools in Virginia are currently permitted to use their student photo identification cards for purposes of voting because current law allows the use of photo identification issued by the Commonwealth or one of its political subdivisions. Current law also allows students from public or private institutions of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.

02/03/15 Senate: Incorporated by Privileges and Elections into SB820 (Barker)

Notes: City Position: support

SB 694 Firearms; criminal history record information check, penalties.

Patrons: Marsden and Ebbin; *Delegate:* Simon

Summary as introduced:

Transfer of firearms; criminal history record information check; penalties. Requires that a criminal history record information check be performed on a prospective transferee before a firearms show vendor may transfer firearms at a gun show. The bill defines a "firearms show vendor" as a person who (i) is not a licensed dealer in Virginia; (ii) exhibits, sells, offers for sale, transfers, or exchanges any firearm at a firearms show; and (iii) has paid or given some other thing of value to the promoter for the opportunity to sell guns at the gun show. Under current law, only licensed dealers must obtain such a check. The bill also requires the promoter of a firearms show to provide firearms show vendors access to licensed dealers who will conduct the criminal history record information check.

01/26/15 Senate: Incorporated by Courts of Justice into SB993 (Lucas)

Notes: City Position: support

SB 710 Human trafficking; new felonies created, penalties.

Patrons: Edwards and Ebbin; *Delegate:* Kory

Summary as introduced:

Trafficking in persons; penalties. Creates new felonies for trafficking in persons for forced labor or sexual servitude and adds the new felonies as a predicate criminal act under the criminal gang statute, as racketeering crimes, adds their investigation to the functions of a multijurisdiction grand jury, and also allows seizure and forfeiture of property used in committing such felonies. The new felonies and the existing felony of receiving money for procuring a person are added to the rape shield statute. The bill allows a petition for a child in need of services to be substituted for a delinquency petition for certain minors arrested for prostitution, disallows the release of certain victim information, specifies law-enforcement protocol for victims who may not be legally present, requires persons convicted of the new felonies to pay restitution that compensates for the victim's labor, and creates a civil action for trafficked persons. The Secretary of Public Safety and Homeland Security is required to convene an anti-trafficking committee and the Virginia Prevention of Human Trafficking Victim Fund is created, which will be administered by the Department of Criminal Justice Services

02/03/15 Senate: Incorporated by Finance into SB1188 (Obenshain)

Notes: City Position: support

SB 721 Seizure of property; receipt required.

Patrons: Marsden and Petersen

Summary as passed Senate:

Seizure of property; receipt required. Requires the agency seizing property to issue a receipt itemizing the property seized within three days after the seizure.

01/20/15 Senate: Read third time and passed Senate (40-Y 0-N)

01/30/15 House: Referred to Committee for Courts of Justice

Notes: oppose

SB 725 Arrest without warrant; procedures.

Patrons: Lucas and Cosgrove

Summary as introduced:

Arrest without warrant; procedures. Allows the magistrate or other issuing authority to examine the investigating or charging officer rather than the arresting officer in determining whether an arrest warrant or summons should be issued for a person who was arrested without a warrant.

01/29/15 Senate: Read third time and defeated by Senate (15-Y 24-N)

Notes: City Position: support

SB 731 Juvenile law-enforcement records; restorative justice.

Patron: Marsden

Summary as passed Senate:

Juvenile law-enforcement records; restorative justice. Allows law enforcement agencies to release information on juvenile arrests for the purpose of referring a juvenile to a restorative justice program that has a contract with a local governing body or a court services unit. Restorative justice programs are prohibited from further and unrelated disclosure of the information.

01/27/15 Senate: Read third time and passed Senate (39-Y 0-N)

01/30/15 House: Referred to Committee for Courts of Justice

Notes: City Position: support

SB 736 Courthouse and courtroom security; increases assessment.

Patron: Howell

Summary as introduced:

Courthouse security; assessment. Increases from \$10 to \$20 the maximum amount a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse security.

02/05/15 Senate: Reported from Finance (12-Y 2-N)

Notes: City Position: support

SB 742 Elections; run-off elections.

Patrons: Carrico (by request) and McDougale

Summary as introduced:

Elections; run-off elections. Provides that no candidate shall be deemed to have been elected at a general election to any statewide office unless such candidate receives more than 50 percent of the total votes cast for that office. The bill requires that when no candidate for an office receives

more than 50 percent of the total votes cast at the general election for that office, a run-off election between the candidates receiving the highest and next-highest number of votes for that office shall be held. However, no run-off election shall be held if the total number of write-in votes cast for an office and the total number of votes cast for the candidate receiving the highest number of votes for an office together equal more than 50 percent of the total votes cast for that office. The bill requires run-off elections to be held on the fourth Tuesday following the date of the certification of the results of the general election or, if a recount is conducted after the general election, on the fourth Tuesday following the date of the certification of the results of the recount, unless the fourth Tuesday falls on a legal holiday, in which case the run-off election will be held on the sixth Tuesday. The bill provides that all other elections, including a general election of electors for the President and Vice-President of the United States, the person having the highest number of votes for an office shall be deemed to have been elected to such office and shall receive the certificate of election. Under current law, except in the case of a recount, the person having the most votes cast at any election shall be deemed to have been elected to that office.

02/06/15 Senate: Engrossed by Senate - committee substitute with amendment

Notes: City Position: oppose

SB 756 Traffic light signal photo-monitoring systems; referenda.

Patrons: Black; Delegate: Cole

Summary as introduced:

Referenda for traffic light signal photo-monitoring systems. Provides that localities who wish to enact an ordinance providing for the use of traffic light signal photo-monitoring systems must first have voter approval by a referendum. The bill also provides that those localities that have already enacted such ordinances must also provide for a referendum and must repeal their ordinance if not approved by the voters.

01/20/15 Senate: Passed by indefinitely in Privileges and Elections (11-Y 4-N)

Notes: City Position: oppose

SB 764 Electric utilities; net energy metering programs.

Patrons: Edwards and Ebbin

Summary as introduced:

Electric utilities; net energy metering. Increases, from 500 kilowatts to two megawatts, the maximum generating capacity of an electrical generating facility owned or operated by an electric utility's nonresidential customer that may be eligible for participation in the utility's net energy metering program. This change to the definition of an "eligible customer-generator" also affects the definition of a "qualified energy project" as used in the Virginia Small Business Financing Act.

02/02/15 Senate: Incorporated by Commerce and Labor into SB1395 (Dance)

Notes: City Position: support

SB 768 Firearm transfer; 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. The bill exempts certain transfers, such as between immediate family members, by operation of law, and when the transfer is temporary and is necessary to prevent imminent death or great bodily harm or occurs while in the continuous presence of the owner of the firearm.

01/26/15 Senate: Failed to report (defeated) in Courts of Justice (4-Y 10-N)

Notes: City Position: support

SB 770 Workers' compensation; exclusivity of remedy.

Patron: McEachin

Summary as introduced:

Workers' compensation; exclusivity of remedy. Provides that if a court determines that an accident, disease, injury, or death is barred by the exclusivity provisions of the Workers' Compensation Act, then that finding shall be res judicata between the parties and estop them from arguing before the Workers' Compensation Commission that the accident, injury, or death did not arise out of and in the course and scope of the employee's employment. The measure also provides that if the Commission or a court determines that the accident, injury, or death does not arise out of or in the course and scope of such employee's employment, then that finding shall be res judicata and estop those same parties from arguing before a court that the accident is barred by the Act's exclusivity provisions.

02/04/15 Senate: Engrossed by Senate - committee substitute SB770S1

02/06/15 Senate: Passed by for the day

Notes: City Position: support

SB 773 Psychiatric treatment of minors; objecting minor.

Patrons: McWaters, Barker and Edwards; *Delegates:* Bulova, Kory, O'Bannon and Stolle

Summary as passed Senate:

Psychiatric treatment of minors; objecting minor; criteria. Amends the criteria for admitting an objecting minor 14 years of age or older for psychiatric treatment to match the criteria for determining whether a nonobjecting minor or a minor younger than 14 years of age should be admitted. Finally, the bill provides that if a minor 14 years of age or older who did not initially object to treatment objects to further treatment, the mental health facility where the minor is being treated shall immediately notify the parent who consented to the minor's treatment and provide to such parent a summary, prepared by the Office of the Attorney General, of the procedures for requesting continued treatment of the minor.

01/21/15 Senate: Read third time and passed Senate (39-Y 0-N)

01/30/15 House: Referred to Committee for Courts of Justice

Notes: City Position: support

SB 779 Psychiatric treatment of minors; objecting minor, criteria, duration of admission.

Patrons: McWaters; *Delegates:* Bulova and Peace

Summary as passed Senate:

Psychiatric treatment of minors; objecting minor; criteria; duration of admission. Increases from 96 to 120 hours the length of time a minor 14 years of age or older who objects to admission for inpatient treatment or who is incapable of making an informed decision may be admitted to a willing mental health facility. Also amends some of the criteria for admitting an

objecting minor 14 or older for psychiatric treatment. Finally, the bill provides that if a minor 14 years of age or older who did not initially object to treatment objects to further treatment, the mental health facility where the minor is being treated shall immediately notify the parent who consented to the minor's treatment and provide to such parent a summary, prepared by the Office of the Attorney General, of the procedures for requesting continued treatment of the minor.

01/27/15 Senate: Read third time and passed Senate (40-Y 0-N)

01/30/15 House: Referred to Committee for Courts of Justice

Notes: City Position: oppose

SB 780 Family day homes; licensure.

Patrons: Favola, Ebbin and Wexton

Summary as introduced:

Licensure of family day homes. Provides that the children of a family day home provider and any children who reside in the family day home where care is provided shall be included in determining the number of children receiving care for the purpose of licensure. This bill was incorporated into SB 1168.

01/30/15 Senate: Incorporated into SB 1168 (Hanger)

Notes: City Position: support

SB 781 Passing with a double yellow line; drivers allowed to pass a pedestrian, etc.

Patrons: Alexander, Garrett and Reeves

Summary as passed Senate:

Passing with a double yellow line. Allows drivers to cross double yellow lines in order to pass a pedestrian or a device moved by human power, if such movement can be made safely. The bill also relocates a definition from the end of the section to the beginning for clarity.

01/27/15 Senate: Read third time and passed Senate (37-Y 1-N)

02/06/15 House: Assigned Transportation sub: Subcommittee #2

Notes: City Position: oppose

SB 785 Public employment; prohibits discrimination based on basis of sexual orientation or gender identity.

Patrons: McEachin, Ebbin, Alexander, Barker, Colgan, Dance, Edwards, Favola, Howell, Lewis, Locke, Lucas, Miller and Wexton; *Delegates:* Futrell, Rasoul, Sickles and Simon

Summary as introduced:

Nondiscrimination in public employment. Prohibits discrimination in public employment based on the basis of sexual orientation or gender identity, as defined in the bill.

02/03/15 Senate: Read third time and passed Senate (19-Y 19-N)

02/06/15 House: Referred to Committee on General Laws

Notes: City Position: support

SB 794 Magistrates; issuance of arrest warrants, competency to testify.

Patron: Carrico

Summary as passed Senate:

Issuance of arrest warrants; competency to testify. Provides that a judicial officer who finds probable cause may issue a misdemeanor arrest warrant if the complainant is a person other than a law-enforcement officer or an animal control officer and shall issue an arrest warrant if the

complainant is a law-enforcement officer or an animal control officer. The bill also provides that certain persons who have the power to issue warrants are competent to testify in a criminal proceeding on a crime committed in their presence in the course of their official duties.

01/22/15 Senate: Read third time and passed Senate (39-Y 1-N)

01/30/15 House: Referred to Committee for Courts of Justice

Notes: City Position: oppose

SB 797 Photo-monitoring systems; enforcement.

Patron: Locke

Summary as introduced:

Photo red; enforcement. Establishes a procedure by which the operator of a traffic light signal violation monitoring system will mail a "notice of violation" to the alleged violator. If the matter is not resolved within 45 days from the mailing, a summons may be executed and the matter may be enforced in court. Existing provisions for contesting the matter by filing an affidavit stating that the person was not the operator of the vehicle or by so testifying in court are retained.

02/02/15 Senate: Read third time and passed Senate (20-Y 18-N)

02/06/15 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: support

SB 798 Handguns; limitation on purchases, penalty.

Patrons: Locke and Ebbin; *Delegate:* Krupicka

Summary as introduced:

Purchase of handguns; limitation on handgun purchases; penalty. Prohibits individuals who are not licensed firearms dealers from purchasing more than one handgun in a 30-day period and establishes such an offense as a Class 1 misdemeanor. The bill exempts from this provision (i) law-enforcement agencies and officers, (ii) state and local correctional facilities, (iii) licensed private security companies, (iv) persons who hold a valid Virginia concealed handgun permit, (v) persons whose handgun has been lost or stolen or who are trading in a handgun, (vi) purchases of handguns in a private sale, and (vii) purchases of antique firearms.

01/26/15 Senate: Failed to report (defeated) in Courts of Justice (4-Y 10-N)

Notes: City Position: support

SB 799 Hate crimes; definition, reports to State Police.

Patrons: Favola and Ebbin

Summary as introduced:

State Police; reporting hate crimes. Includes within the definition of "hate crime" a criminal act committed against a person because of sexual orientation or gender identification and requires the reporting of the commission of such crime to the Department of State Police.

01/14/15 Senate: Failed to report (defeated) in Courts of Justice (6-Y 7-N)

Notes: City Position: support

SB 802 TANF; State Board of Social Services to review annually.

Patron: Favola

Summary as introduced:

State Board of Social Services; annual review of payments made to Temporary Assistance for Needy Families program recipients and indexing of such payments to the Consumer

Price Index. Requires the State Board of Social Services to develop and implement a process for annually reviewing the amount of assistance paid to eligible recipients through the Temporary Assistance for Needy Families (TANF) program and indexing the amount of such payments in an amount equal to the percentage change in the Consumer Price Index for the year immediately preceding the year in which the review occurs. The provisions of the bill are contingent on federal funding and inclusion in a general appropriation act. The bill requires the State Board of Social Services to report to the Governor and the General Assembly on its progress in implementing the provisions of the act no later than December 1, 2015.

01/23/15 Senate: Stricken at request of Patron in Rehabilitation and Social Services (14-Y 0-N)

Notes: City Position: support

SB 804 Weekend jail time; nonconsecutive days served.

Patron: Stanley

Summary as introduced:

Weekend jail time. Replaces the provision limiting nonconsecutive days for the purpose of allowing the defendant to retain gainful employment with a good cause standard and allows the court to sentence the defendant to nonconsecutive days in jail only if the active portion of the sentence remaining to be served is 120 days or fewer. The bill allows the court to sentence felons to nonconsecutive days in jail if the felony was not an act of violence as defined in § 19.2-297.1.

01/28/15 Senate: Read third time and passed Senate (39-Y 0-N)

01/30/15 House: Referred to Committee for Courts of Justice

Notes: City Position: oppose

SB 820 Voter identification; accepted forms of identification.

Patrons: Barker and Ebbin

Summary as introduced:

Voter identification; accepted forms of identification. Adds to the list of accepted forms of identification for purposes of voting valid student photo identification cards issued by any private school located in the Commonwealth. Students of public high schools are currently permitted to use their student photo identification cards for purposes of voting because current law allows the use of photo identification issued by the Commonwealth or one of its political subdivisions. Current law also allows students from both public and private institutions of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.

02/03/15 Senate: Failed to report (defeated) in Privileges and Elections (7-Y 8-N)

Notes: City Position: support

SB 821 Opportunity Educational Institution; repeals Institution.

Patron: Miller

Summary as introduced:

Opportunity Educational Institution. Repeals the Opportunity Educational Institution.

01/27/15 Senate: Read third time and passed Senate (40-Y 0-N)

01/30/15 House: Referred to Committee on Education

Notes: City Position: support

SB 828 Firearms; possession on private or religious school property.

Patrons: Black; Delegate: Cole

Summary as introduced:

Possession of firearm, etc., on school property; private or religious schools. Eliminates the crimes of possession on the property of a private or religious elementary, middle, or high school; a school bus owned or operated by such school; or any property being used for functions or extracurricular activities sponsored by such school of a stun weapon, knife, or other weapon (currently a Class 1 misdemeanor) or a firearm (currently a Class 6 felony). The bill does not affect the criminal penalties for the possession of such weapons on public school property.

01/26/15 Senate: Stricken at the request of Patron in Courts of Justice (12-Y 0-N)

Notes: City Position: oppose

SB 831 Criminal history record checks; barrier crimes.

Patron: Edwards

Summary as introduced:

Criminal history record checks; barrier crimes. Sets out the list of barrier crimes for (i) individuals seeking employment at nursing homes, home care organizations, hospices, state facilities, and private providers licensed by the Department of Behavioral Health and Developmental Services, community services boards, behavioral health authorities, assisted living facilities, adult day care centers, children's welfare agencies, family day homes approved by family day systems, and children's residential facilities; (ii) applicants for licensure, registration, or approval as assisted living facilities, child welfare agencies, or family day homes approved by family day systems; (iii) individuals with whom a local board of social services or child-placing agency is considering placing a child on an emergency, temporary, or permanent basis; (iv) foster and adoptive homes seeking approval from child-placing agencies; and (v) providers of adult services and adult foster care seeking approval by the Department of Social Services by setting out each of the crimes included in the definition of "barrier crime." The bill also makes technical changes and updates obsolete language.

01/30/15 Senate: Rereferred to Courts of Justice

Notes: City Position: support

SB 833 Electric utilities; net energy metering.

Patrons: Edwards and Ebbin

Summary as introduced:

Electric utilities; net energy metering. Increases, from 500 kilowatts to two megawatts, the maximum generating capacity of an electrical generating facility owned or operated by an electric utility's nonresidential customer that may be eligible for participation in the utility's net energy metering program. This change to the definition of an "eligible customer-generator" also affects the definition of a "qualified energy project" as used in the Virginia Small Business Financing Act.

01/26/15 Senate: Stricken at request of Patron in Commerce and Labor (15-Y 0-N)

Notes: City Position: support

SB 837 Emergency medical services personnel; alternate method for background checks.

Patron: Puller

Summary as introduced:

Emergency medical services personnel; background checks; process. Creates an alternative method for national criminal history background checks for emergency medical services personnel, allowing local governments that have procedures in place for the collection of fingerprints and personal descriptive information and the forwarding of such fingerprints and information directly to the Federal Bureau of Investigation to do so instead of forwarding fingerprints and information through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the national criminal history background checks.

02/05/15 Senate: Incorporated by Education and Health into SB997 (Stuart)

Notes: City Position: support

SB 863 Virginia Public Procurement Act; small purchase procedure for construction.

Patron: Chafin

Summary as introduced:

Virginia Public Procurement Act; small purchase procedure for construction. Clarifies that small purchase procedures for purchases not expected to exceed \$100,000 may be used to procure construction. Under the bill, where small purchase procedures are adopted for construction, the procedures may not waive compliance with the Uniform Statewide Building Code.

01/07/15 Senate: Prefiled and ordered printed; offered 01/14/15 15102336D

01/07/15 Senate: Referred to Committee on General Laws and Technology

01/23/15 Senate: Impact statement from DPB (SB863)

Notes: City Position: support

SB 872 Real property; explanation of increased assessment.

Patrons: Cosgrove; Delegate: Jones

Summary as introduced:

Assessment of real property; explanation of increased assessment. Requires an assessing officer of a governing body to provide, upon taxpayer request, a written explanation of or justification for an increase in the assessed value of the taxpayer's property.

01/26/15 Senate: Read third time and passed Senate (39-Y 0-N)

01/30/15 House: Referred to Committee on Finance

Notes: City Position: oppose

SB 877 Recognition of EMS Personnel Licensure Interstate Compact; created.

Patron: Cosgrove

Summary as introduced:

Recognition of EMS Personnel Licensure Interstate Compact. Creates the Recognition of Emergency Medical Services Personnel Licensure Interstate Compact to (i) protect the public through verification of competency and ensuring of accountability for patient-care-related activities of licensed emergency medical services (EMS) personnel, (ii) facilitate the day-to-day movement of EMS personnel across state boundaries in the performance of their EMS duties as assigned by an appropriate authority, and (iii) authorize state EMS offices to afford immediate legal recognition to EMS personnel licensed in a member state.

02/05/15 Senate: Reported from Education and Health (14-Y 0-N)

Notes: City Position: support

SB 880 Disposable plastic shopping bags; prohibits retailers from providing, local option.

Patron: Lewis

Summary as introduced:

Prohibit retailers from providing disposable plastic shopping bags; local option. Allows any locality by ordinance to prohibit retailers from providing disposable plastic bags to consumers.

02/03/15 Senate: Failed to report (defeated) in Local Government (5-Y 8-N)

Notes: City Position: support

SB 890 Zoning ordinance; vehicle title loan businesses and payday lenders.

Patrons: Petersen and Ebbin; *Delegate:* O'Bannon

Summary as introduced:

Zoning; vehicle title loan businesses and payday lenders. Allows a local zoning ordinance to include reasonable limits on the number of motor vehicle title loan businesses and payday lenders that may be operated at any one time within a zoning district.

01/27/15 Senate: Failed to report (defeated) in Local Government (7-Y 8-N)

Notes: City Position: support

SB 892 Overdoses; establishes an affirmative defense to prosecution of an individual, etc., safe reporting.

Patrons: Petersen; *Delegate:* Rasoul

Summary as passed Senate:

Safe reporting of overdoses. Establishes an affirmative defense to prosecution of an individual for (i) simple possession of a controlled substance, marijuana, or controlled paraphernalia; (ii) intoxication in public; or (iii) the unlawful purchase, possession, or consumption of alcohol if such individual sought or obtained emergency medical attention for himself or for another individual because of a drug- or alcohol-related overdose and if the evidence for the charge was obtained as a result of the individual seeking or obtaining emergency medical attention. The bill provides that the affirmative defense may only be invoked by an individual who (a) remains at the scene of the overdose or at any location to which he is transported for emergency medical attention until a law-enforcement officer responds to the report of an overdose, (b) identifies himself to the responding law-enforcement officer, and (c) if requested by a law enforcement officer, substantially cooperates in a criminal investigation related to the drug or alcohol that resulted in the overdose. This affirmative defense does not prohibit the use of such evidence in the prosecution of such individual for any other offense or the prosecution of other individuals for any offense.

01/29/15 Senate: Read third time and passed Senate (39-Y 0-N)

02/06/15 House: Referred to Committee for Courts of Justice

Notes: City Position: oppose

SB 909 Protective orders; person subject to an order is prohibited from possessing a firearm, penalty.

Patrons: Howell; *Delegates:* Krupicka and Watts

Summary as introduced:

Protective orders; possession of firearms; penalty. Prohibits a person who is subject to a protective order from possessing a firearm; currently, such person is only prohibited from purchasing or transporting a firearm. Such conduct is punishable as a Class 1 misdemeanor. 01/26/15 Senate: Failed to report (defeated) in Courts of Justice (4-Y 10-N)

Notes: City Position: support

SB 911 Child welfare agencies; annual background checks required.

Patron: Wexton

Summary as introduced:

Child welfare agencies; background checks. Requires annual background checks for employees and volunteers of child welfare agencies. Under current law, background checks are required only at the time of initial employment. The bill provides that such background checks must include, among other existing requirements, a sworn statement or affirmation disclosing whether the person is currently the subject of a complaint of child abuse or neglect.

01/30/15 Senate: Incorporated by Rehabilitation and Social Services into SB1055 (Hanger)

Notes: City Position: support

SB 912 Emergency custody orders; temporary firearms restriction orders.

Patrons: Wexton and Ebbin; *Delegates:* Krupicka and Simon

Summary as introduced:

Emergency custody orders; temporary firearms restriction orders. Requires a magistrate who issues an emergency custody order to also issue a temporary firearms restriction order for 90 days. A person who is subject to a temporary firearms restriction order, at any time prior to the expiration of the order, may petition the general district court where he resides to restore his right to purchase, possess, or transport a firearm.

01/26/15 Senate: Stricken at the request of Patron in Courts of Justice (12-Y 0-N)

Notes: City Position: support

SB 917 Virginia Fair Housing Law; unlawful discriminatory housing practices.

Patrons: Wexton, Dance, Ebbin and Lewis; *Delegates:* Sickles and Simon

Summary as introduced:

Virginia Fair Housing Law; unlawful discrimination; sexual orientation, etc. Makes discrimination on the basis of an individual's sexual orientation or gender identity unlawful.

01/19/15 Senate: Failed to report (defeated) in General Laws and Technology (7-Y 7-N)

Notes: City Position: support

SB 943 Firearms; possession or transportation following convictions for certain crimes.

Patrons: Favola; *Delegate:* Watts

Summary as introduced:

Possession or transportation of firearms following convictions for certain misdemeanor crimes; restoration of rights; penalty. Prohibits a person who has been convicted of stalking, assault and battery of a family or household member, or sexual battery from possessing or

transporting a firearm. A person who violates this provision is guilty of a Class 1 misdemeanor. The bill provides for a process by which a person convicted of such crimes may petition the circuit court for a reinstatement of his rights to possess or transport a firearm.

01/28/15 Senate: Referred to Finance

Notes: City Position: support

SB 952 Highway maintenance payments to cities and towns.

Patron: Dance

Summary as introduced:

Highway maintenance payments to cities and towns. Bases highway maintenance payments to cities and towns on lane-miles of highways. Under current law, such payments are based on moving-lane-miles available to peak-hour traffic.

01/28/15 Senate: Passed by indefinitely in Transportation with letter (15-Y 0-N)

Notes: City Position: support

SB 953 Highway maintenance payments to certain cities.

Patron: Dance

Summary as introduced:

Highway maintenance payments to certain cities. Provides for highway maintenance payments to cities for paved trails that accommodate all modes of nonmotorized transportation, at a rate of 50 percent of the per-miles rate established for highway maintenance payments for collector roads and local streets.

01/28/15 Senate: Passed by indefinitely in Transportation with letter (15-Y 0-N)

Notes: City Position: support

SB 960 Juvenile on probation; funding for re-entry and release services.

Patron: Marsden

Summary as introduced:

Department of Juvenile Justice; juveniles on probation; funding for re-entry and release services. Allows funding currently being used for re-entry and release services, including residential placement or treatment services, for juveniles on parole supervision to also be used for persons on probation supervision after placement in a detention home that exceeds 30 days. The bill additionally changes all references of "child" to "person" to allow funds to be used for persons who are 18 to 20 years old at the time of release from commitment to the Department.

02/06/15 Senate: Passed Senate (37-Y 0-N)

Notes: City Position: support

SB 961 Juvenile Justice, Department of; access to criminal history record information.

Patron: Marsden

Summary as introduced:

Department of Juvenile Justice; access to criminal history record information. Adds the Department of Juvenile Justice (DJJ) to the list of entities authorized to receive information from the Virginia Criminal Information Network (VCIN). The bill specifies that DJJ may receive background checks from VCIN in order to complete predispositional and postdispositional reports required by law.

02/05/15 Senate: Read third time and passed Senate (38-Y 0-N)

Notes: City Position: support

SB 965 Government Data Collection and Dissemination Practices Act; use of personal information.

Patrons: Petersen and Black; *Delegate:* Rasoul

Summary as introduced:

Government Data Collection and Dissemination Practices Act; passive collection and use of personal information by law-enforcement agencies. Limits the ability of law-enforcement and regulatory agencies to use technology to collect and maintain personal information on individuals and organizations where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individual or organization. The bill authorizes law-enforcement agencies to collect information from license plate readers, provided such information (i) is held for no more than seven days and (ii) is not subject to any outside inquiries or internal usage, except in the investigation of a crime or missing persons report. After seven days such collected information must be purged from the system.

02/06/15 Senate: Read third time and passed Senate (38-Y 0-N)

Notes: City Position: oppose

SB 974 State police training; reduction in local law-enforcement funding.

Patron: Ruff

Summary as introduced:

State police training; reduction in local law-enforcement funding. Requires a locality to reimburse the Department of State Police for training costs if the locality hires an officer of the Department within five years of the officer's completion of basic training at a police school operated and funded by the Department of State Police. The amount of the reimbursement will be reduced by one-fifth for each year that the officer worked for the Department of State Police.

01/19/15 Senate: Stricken at the request of Patron in Courts of Justice (13-Y 0-N)

Notes: City Position: oppose

SB 990 Domestic violence leave; employers to provide for employees.

Patron: Lucas

Summary as introduced:

Domestic violence leave for employees. Requires employers to allow an employee to take domestic violence leave, with or without pay, if the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking. Domestic violence leave may be taken to (i) seek legal or law-enforcement assistance or remedies; (ii) seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking or to attend to health care treatment for a victim who is the employee's family member; (iii) obtain, or assist a family member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, or stalking; (iv) obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking; or (v) participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic

violence, sexual assault, or stalking. Employers are prohibited from discharging or discriminating against an employee because the employee takes domestic violence leave.

01/12/15 Senate: Referred to Committee on Commerce and Labor

Notes: City Position: support

SB 993 Transfer of firearms; criminal history record information check; penalties.

Patrons: Lucas and Marsden

Summary as introduced:

Transfer of firearms; criminal history record information check; penalties. Adds a definition of "firearms show vendor" or "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 access to licensed dealers who will conduct the criminal history record information check.

01/26/15 Senate: Failed to report (defeated) in Courts of Justice (6-Y 9-N)

Notes: City Position: Support

SB 997 Emergency medical services personnel; background checks, process.

Patrons: Stuart and Puller

Summary as introduced:

Emergency medical services personnel; background checks; process. Creates an alternative method for criminal history background checks for emergency medical services personnel, allowing local governments that have procedures in place for the collection of fingerprints and personal descriptive information and the forwarding of such fingerprints and information directly to the Department of State Police or the Federal Bureau of Investigation to do so instead of forwarding fingerprints and information through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the national criminal history background checks.

02/05/15 Senate: Reported from Finance (14-Y 0-N)

Notes: City Position: support

SB 999 Deeds of trust or mortgages; clarifies calculation of tax, maximum obligation.

Patron: Stuart

Summary as introduced:

Tax on Deeds of trust or mortgages. Clarifies the calculation of the tax on supplemental or modified deeds of trust or mortgages, so that the tax is based on the difference between the maximum obligation secured, whether such amount is actually owed or outstanding, and the maximum amount of debt secured at the time the original instrument was recorded.

01/30/15 Senate: Read third time and passed Senate (38-Y 0-N)

02/06/15 House: Referred to Committee on Finance

Notes: City Position: support

SB 1004 Electronic cigarettes; state tax created, localities authorized to impose.

Patron: Ebbin

Summary as introduced:

Taxes on electronic cigarettes and other vapor products. Creates a state tax on electronic cigarettes, electronic cigars, electronic cigarillos, and similar products and devices (vapor

products) and authorizes cities and towns and certain counties to impose a tax on vapor products. The state tax would be imposed at a rate \$0.18 per milliliter of nicotine liquid solution or other material containing nicotine that is depleted as the vapor product is used. All revenues from the state tax on vapor products would be deposited into the Virginia Health Care Fund, into which all revenues from the state tax on cigarettes are currently deposited. Counties, cities, and towns that are currently authorized to tax cigarettes would be authorized to also tax vapor products at rates determined by the local governing bodies.

01/21/15 Senate: Passed by indefinitely in Finance (15-Y 0-N)

Notes: City Position: support

SB 1025 Transportation network companies.

Patrons: Watkins, Marsden, Obenshain, Stanley and McWaters

Summary as passed Senate:

Transportation network companies. Establishes a process for the licensing of transportation network companies (TNCs) by the Department of Motor Vehicles (DMV), provided that TNCs comply with the requirements for licensure. The bill requires TNCs to screen drivers (TNC partners), ensure that all drivers are at least 21 years old and properly licensed to drive, and conduct background checks on all drivers including criminal background, driving history, and status on the sex offender registry. The bill also requires that TNC partner vehicles be titled and registered personal vehicles; be insured; have a maximum seating capacity of no more than seven persons, excluding the driver; be registered with DMV for TNC use; and display TNC and DMV identification markers. The bill further requires that TNC drivers be covered by a specific liability insurance policy. The bill also imposes several other operational requirements, including requirements that the TNC provide a credential to the driver and disclose information about the TNC partner and TNC policies to passengers, and specifies the nature and limits of the insurance coverage. The bill authorizes DMV to conduct periodic reviews of the TNC to confirm compliance and authorizes fees to cover DMV's costs of administering the program, an initial TNC license fee of \$100,000, and an annual license renewal fee of \$60,000. The bill requires DMV to review the fee structure and report by December 1, 2016.

01/27/15 Senate: Passed Senate (37-Y 0-N 2-A)

01/30/15 House: Referred to Committee on Transportation

Notes: City Position: support

SB 1027 Passing with a double yellow line; drivers allowed to pass pedestrian, etc.

Patron: Garrett

Summary as introduced:

Passing with a double yellow line. Allows drivers to pass a pedestrian, stopped vehicle, or vehicle traveling less than 25 miles per hour by crossing a double yellow line. The bill also relocates a definition from the end of the section to the beginning for clarity.

01/21/15 Senate: Incorporated by Transportation into SB781(Alexander)

Notes: City Position: oppose

SB 1028 Compensation of court-appointed counsel; waivers.

Patron: Marsden

Summary as passed Senate:

Compensation of court-appointed counsel; waivers. Allows court-appointed counsel for parents in child welfare cases to submit a waiver application for additional compensation of \$120 in district court and \$158 for cases appealed to the circuit court.

02/05/15 Senate: Passed Senate (37-Y 0-N)

Notes: City Position: support

SB 1040 License tax; businesses ceasing operations.

Patron: Hanger

Summary as introduced:

License tax; businesses ceasing operations. Allows a person, firm, or corporation that ceases business in one year, but attempts to settle existing, outstanding accounts in the next year, to pay a license tax based on the estimate of the current year's gross receipts instead of those of the previous year. At the time all accounts are closed, the amount paid shall be adjusted for actual gross receipts. Penalties would apply if the person, firm, or corporation provides an unreasonable estimate, or if the person, firm, or corporation engages in any new business during such a year.

01/30/15 Senate: Read third time and passed Senate (38-Y 0-N)

02/06/15 House: Referred to Committee on Finance

Notes: City Position: support

SB 1046 Benefits consortium; certain localities to form.

Patron: Hanger

Summary as introduced:

Benefits consortium for localities. Authorizes the governing bodies of three or more cities, counties, or school boards to form a benefits consortium for the purpose of establishing a self-funded employee welfare benefit plan.

01/12/15 Senate: Referred to Commerce and Labor

Notes: City Position: support

SB 1055 Family day homes; barrier crimes.

Patrons: Hanger and Wexton

Summary as introduced:

Family day homes; barrier crimes. Adds the offenses that require registration in the Sex Offender and Crimes Against Minors Registry to those in current law for which it is unlawful for any person to operate a family day home if he, or if he knows that any other person who resides in, is employed by, or volunteers in the home, has been convicted of such offense.

02/06/15 Senate: Read third time and passed Senate (38-Y 0-N)

Notes: City Position: support

SB 1068 Vapor products; purchase or possession by minors.

Patron: Miller

Summary as introduced:

Purchase, etc., of vapor products by minors; sale or distribution of vapor products or liquid nicotine. Prohibits the sale of vapor products to a minor and the purchase or possession of

vapor products by a minor. 02/04/15 Senate: Passed by indefinitely in Courts of Justice (7-Y 6-N)

Notes: City Position: support

SB 1078 School calendar; local school boards responsible for setting.

Patrons: Vogel; Delegate: Minchew

Summary as introduced:

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

01/29/15 Senate: Incorporated by Education and Health into SB1131(Garrett)

Notes: City Position: support

SB 1102 Transportation network companies.

Patrons: Obenshain and Marsden

Summary as introduced:

Transportation network companies. Establishes a process for the licensing of transportation network companies (TNCs) by the Department of Motor Vehicles (DMV), provided that TNCs comply with the requirements for licensure. The bill requires TNCs to screen drivers (TNC partners), ensure that all drivers are at least 21 years old and properly licensed to drive, and conduct background checks on all drivers including criminal background, driving history, and status on the sex offender registry. The bill also requires that TNC partner vehicles be titled and registered personal vehicles; be insured; and have a maximum seating capacity of no more than seven persons, excluding the driver. The bill further requires that TNC drivers be covered by a specific liability insurance policy. The bill also imposes several other operational requirements, including requirements that the TNC provide a credential to the driver and disclose information about the TNC partner and TNC policies to passengers, and specifies the nature and limits of the insurance coverage. The bill authorizes DMV to conduct periodic reviews of the TNC to confirm compliance and authorizes fees to cover DMV's costs of administering the program, including an initial TNC license fee of \$70,000 and an annual TNC license renewal fee of \$3,000. The bill requires DMV to review the fee structure and report by December 1, 2016.

01/21/15 Senate: Incorporated by Transportation into SB1025 (Watkins)

Notes: City Position: oppose

SB 1124 Licensure of family day homes.

Patrons: Barker; Delegate: Hester

Summary as introduced:

Licensure of family day homes. Provides that the children of a family day home provider and any children who reside in the family day home where care is provided shall be included in determining the number of children receiving care for the purpose of licensure.

01/30/15 Senate: Incorporated by Rehabilitation and Social Services into SB1168 (Hanger)

Notes: City Position: support

SB 1130 Blackjacks and other similar weapons; sale or possession of with intent to sell.

Patron: Garrett

Summary as introduced:

Sale of or possession of with intent to sell blackjacks and similar weapons. Eliminates the

crime of selling, transferring etc., blackjacks, brass or metal knucks, throwing stars or oriental darts, switchblade knives, ballistic knives, or other similar weapons.

02/04/15 Senate: Reported from Courts of Justice (9-Y 4-N)

Notes: City Position: oppose

SB 1132 Concealed handgun; possession on school property prohibited.

Patron: Garrett

Summary as introduced:

Possession of concealed handgun on school property. Provides an exception to the crime of possessing a firearm on school property if a person has a valid concealed handgun permit and possession of a concealed handgun occurs outside normal school hours. The bill also provides an exception if a person with a concealed handgun permit stores a concealed handgun in a motor vehicle in a parking lot, traffic circle or other means of vehicular ingress or egress to the school; current law allows possession while the person is in the motor vehicle in one of those areas.

02/02/15 Senate: Read third time and defeated by Senate (18-Y 20-N)

Notes: City Position: oppose

SB 1137 Loaded rifle or shotgun; regulation of transportation.

Patrons: Garrett and Chafin

Summary as introduced:

Regulation of transportation of a loaded rifle or shotgun. Provides that lawful concealed carry permit holders shall not be subject to the provisions of certain local ordinances that make it unlawful for any person to transport, possess, or carry a loaded shotgun or loaded rifle in any vehicle on any public street, road, or highway within such locality.

02/02/15 Senate: Read third time and passed Senate (25-Y 13-N)

02/06/15 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: oppose

SB 1140 Local fiscal impact bills; first day introduction.

Patrons: Garrett; Delegate: Peace

Summary as introduced:

Local fiscal impact bills; first day introduction. Requires local fiscal impact bills to be introduced no later than the first day of the regular session of the General Assembly.

02/06/15 Senate: Reported from Rules with substitute (15-Y 0-N)

Notes: City Position: support

SB 1155 Firearms; confiscation, reporting, and return by law enforcement.

Patron: Edwards

Summary as introduced:

Confiscation, reporting, and return of firearms by law enforcement. Replaces current requirements that law-enforcement agencies report information regarding confiscated firearms to the Department of State Police with a requirement that information be reported to a firearms tracing system maintained by the U.S. Department of Justice. The bill requires law-enforcement agencies to return stolen firearms to the rightful owner unless the person is prohibited from possessing the firearm or it is needed in a criminal prosecution.

02/03/15 Senate: Passed Senate

02/06/15 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: oppose

SB 1166 Public service corporations; access to public records.

Patrons: Hanger and Edwards

Summary as introduced:

Public service corporations; access to public records. Makes a public service corporation subject to the public records provisions of the Virginia Freedom of Information Act with respect to any project or activity for which it may exercise the power of eminent domain and has filed or prefiled for a certificate or other permitting document.

01/13/15 Senate: Referred to Committee on Commerce and Labor

Notes: City Position: support

SB 1168 Child welfare agencies, etc.; regulation.

Patrons: Hanger, Barker, Ebbin, Marsden and Wexton

Summary as introduced:

Regulation of child welfare agencies. Establishes a national criminal history record check requirement for licensure as a child welfare agency, for approval as a family day home by a family day system, for approval as a foster or adoptive parent; for employment or to volunteer at a child welfare agency or family day home; and for all adults residing in a home in which a family day home is operated and provides that the children of a family day home provider and any children who reside in the family day home where care is provided shall be included in determining the number of children receiving care for the purpose of licensure. 02/06/15 Senate: Passed Senate (27-Y 11-N)

Notes: City Position: support

SB 1170 Assault and battery against family or household member; penalty.

Patron: Carrico (by request)

Summary as introduced:

Assault and battery against family or household member; penalty. Provides that upon a conviction for assault and battery against a family or household member, when the person has been previously convicted of an offense of (i) assault and battery against a family or household member, (ii) malicious or unlawful wounding, (iii) aggravated malicious wounding, (iv) malicious bodily injury by means of a substance, (v) strangulation, or (vi) an offense under the law of any other jurisdiction which has the same elements as any of the above offenses, which occurred within a period of 20 years, and on a different date, the person is guilty of a Class 6 felony. Currently, the Class 6 felony applies only if there are two prior convictions.

01/21/15 Senate: Reported from Courts of Justice (13-Y 0-N)

01/21/15 Senate: Rereferred to Finance

Notes: City Position: support

SB 1177 Commissioners of the revenue; production of documents related to tax liability.

Patron: Norment

Summary as introduced:

Commissioners of the revenue; production of documents by taxpayer. Authorizes a commissioner of the revenue to require a taxpayer to produce documents related to his tax

liability. Current law authorizes a treasurer to summon a taxpayer and require the production of documents, but authorizes a commissioner of the revenue only to summon a taxpayer.

01/30/15 Senate: Read third time and passed Senate (38-Y 0-N)

02/06/15 House: Referred to Committee on Finance

Notes: City Position: support

SB 1181 Nondiscrimination in public employment.

Patron: Ebbin

Summary as introduced:

Nondiscrimination in public employment. Prohibits discrimination in public employment based on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a special disabled veteran or other veteran.

01/19/15 Senate: Incorporated by General Laws and Technology into SB785 (McEachin)

Notes: City Position: support

SB 1187 DNA; analysis upon conviction of certain misdemeanors.

Patron: Obenshain

Summary as introduced:

DNA analysis upon conviction of certain misdemeanors. Adds misdemeanor violations of § 16.1-253.2 (violation of protective orders), 18.2-19 (accessory after the fact), 18.2-60.3 (stalking), 18.2-67.4:1 (infected sexual battery), 18.2-119 (trespass), 18.2-346 (solicitation of prostitution), 18.2-371 (contributing to the delinquency of a minor), 18.2-387 (indecent exposure), or 18.2-387.1 (obscene sexual display) to the list of offenses for which a person convicted of such offense must have a sample of his blood, saliva, or tissue taken for DNA analysis. The bill also requires such sample be taken from every juvenile convicted of or adjudicated delinquent of a misdemeanor violation of § 16.2-253.2, 18.2-19, 18.2-60.3, 18.2-67.4 (sexual battery), 18.2-67.4:1, 18.2-67.5 (attempt to commit sexual battery), 18.2-119, 18.2-130 (peeping), 18.2-346, 18.2-387, or 18.2-387.1. Under current law, a sample is not taken for DNA analysis from juveniles convicted or adjudicated delinquent of any misdemeanor offenses and is taken from adults convicted of only five misdemeanor sex offenses: (i) § 18.2-67.4, (ii) § 18.2-67.4:2 (sexual abuse of a child 13 years of age or older but under 15), (iii) § 18.2-67.5, (iv) § 18.2-130, or (v) § 18.2-370.6 (penetrating the mouth of a child under 13 with the tongue). The provisions of the bill apply only to persons convicted or juveniles adjudicated delinquent on or after July 1, 2015.

02/06/15 Senate: Engrossed by Senate - committee substitute SB1187S1

Notes: City Position: support

SB 1210 Retail sales and transient occupancy taxes on room rentals.

Patron: Ebbin

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 would require 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 room.

02/05/15 Senate: Defeated by Senate (14-Y 24-N)

Notes: City Position: support

SB 1216 Transportation network companies; penalties.

Patron: Stanley

Summary as introduced:

Transportation network companies; penalties. Provides for the regulation of transportation network companies by the Department of Motor Vehicles.

01/21/15 Senate: Incorporated by Transportation into SB1025 (Watkins)

Notes: City Position: oppose

SB 1217 Private police department; definition.

Patrons: Norment, Reeves and Stuart

Summary as passed Senate:

Private police departments. Defines "private police department" as any police department that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department. Provides that of a private police department's authority is limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property. Also provides that private police departments and private police officers shall be subject to and comply with relevant laws and regulations governing municipal police departments and shall meet the minimum compulsory training requirements for law-enforcement officers. Further, any private police department in existence on January 1, 2013, that was not otherwise established by statute or an Act of Assembly and whose status as a private police department was recognized by the Department of Criminal Justice Services at that time may continue to operate as a private police department if it complies with the necessary requirements. The private police departments so recognized by the Department are the Aquia Harbor Police Department, the Babcock and Wilcox Police Department, the Bridgewater Airpark Police Department, the Carilion Police and Security Services Department, the Kings Dominion Park Police Department, the Kingsmill Police Department, the Lake Monticello Police Department, the Massanutten Police Department, and the Wintergreen Police Department. This bill is a recommendation of the Crime Commission.

01/27/15 Senate: Passed Senate

01/30/15 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: oppose

SB 1228 Passing with a double yellow line.

Patron: Reeves

Summary as introduced:

Passing with a double yellow line. Allows drivers to pass a pedestrian, stopped vehicle, or vehicle traveling less than 25 miles per hour by crossing a double yellow line. The bill also relocates a definition from the end of the section to the beginning for clarity.

01/21/15 Senate: Incorporated by Transportation into SB781(Alexander)

Notes: City Position: Oppose

SB 1256 Localities; advertisement of legal notices on radio or television.

Patron: Smith

Summary as introduced:

Advertisement of legal notices by localities. Allows localities required to advertise legal notices by publication in a newspaper of general circulation in the locality or posting on the locality's website to advertise such notices on radio or television in lieu of or in addition to such publication or posting.

01/14/15 Senate: Referred to Committee on Local Government

Notes: City Position: support

SB 1361 Inmates; U.S. Immigration and Customs Enforcement; detainers.

Patron: McDougale

Summary as introduced:

Inmates; U.S. Immigration and Customs Enforcement; detainers. Allows the custodian of a state or local inmate to transfer custody of the person to U.S. Immigration and Customs Enforcement no more than five days before the date such inmate would otherwise be released if the custodian receives a detainer from U.S. Immigration and Customs Enforcement.

01/20/15 Senate: Referred to Committee for Courts of Justice

Notes: City Position: support