

## Current Status of Bills on Which the City Has Taken a Position March 3, 2015

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### **HB 1274 Electronic devices; search without a warrant prohibited.**

*Patrons:* Farrell, Fariss and Futrell; 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.

02/10/15 House: Left in Courts of Justice

**Notes:** City Position: support if amended to include cities

### **HB 1287 Forfeiture of property used in 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 passed House:*

**Forfeiture of property used in 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 authorizing the forfeiture and has exhausted all appeals. The bill provides that property may be forfeited even though no final conviction order is entered if (i) the forfeiture is ordered by the court pursuant to a plea agreement or (ii) the owner of the property has not submitted a written demand for the return of the property within one year from the date the property was seized.

02/17/15 Senate: Passed by indefinitely in Finance with letter (9-Y 5-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.

02/10/15 House: Left in Agriculture, Chesapeake and Natural Resources

**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.

02/10/15 House: Left in Finance

**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.

02/10/15 House: Left in Privileges and Elections

**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 passed House:*

**Right to privacy in electronic communications; confidential relationship; civil action.**

Doubles the amount of liquidated damages that may be recovered against a person who intercepts, discloses, or uses wire, electronic, or oral communications in violation of Virginia's wiretapping law if such communications are 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 increases the allowable liquidated damages from \$400 a day for each day of violation or \$4,000, whichever is higher, to \$800 a day or \$8,000, whichever is higher.

02/24/15 House: Enrolled Bill communicated to Governor on 2/24/15

**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, 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. The bill requires a local governing body imposing the tax to base the tax upon the per milliliter content of nicotine liquid solution or other material containing nicotine that is depleted as the vapor product is used. The bill authorizes Arlington and Fairfax Counties to impose a vapor products tax, but at a rate that does not exceed the state tax on vapor products created under the bill. Under current law, Arlington and Fairfax Counties may impose a tax on cigarettes at a rate that does not exceed the

state cigarette tax. 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.

02/10/15 House: Left in Finance

**Notes:** City Position: support

**HB 1318 Absentee ballots; photo identification required for submission of application.**

*Patrons:* Campbell, Cole and Hugo

*Summary as passed House:*

**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. The bill exempts from this requirement military and overseas voters and persons with a disability. Currently, only a voter who completes his application for an absentee ballot in person is required to show a form of identification.

02/26/15 House: Enrolled Bill communicated to Governor on 2/26/15

**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 Incorporated into HB 1408, which passed

**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.

02/10/15 House: Left in Courts of Justice

**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 lifetime concealed handgun permits. Currently, such permits must be renewed every five years.

02/10/15 House: Left in Militia, Police and Public Safety

**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..

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. The Commission is required to maintain a record of such information and to make the record available to the public.

02/20/15 Senate: Passed Senate with substitute with amendment (38-Y 0-N)

02/24/15 House: Senate substitute with amendment agreed to by House

**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.

02/10/15 House: Left in Appropriations

**Notes:** City Position: support

**HB 1389 Higher educational institutions; 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.

02/10/15 House: Left in 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.

02/10/15 House: Left in 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:*

**Highway maintenance payments; bicycle and transit lanes.** 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 transit-only lanes and allows the City of Richmond to convert such moving-lanes to bicycle lanes and not lose their maintenance payment before July 1, 2016. The bill also directs the Secretary of Transportation to report by December 1 on an appropriate maintenance formula for bicycle lanes.

02/23/15 Senate: Passed Senate with substitute (40-Y 0-N)

02/24/15 House: Senate substitute agreed to by House 15105264D-S1 (85-Y 13-N)

**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.

02/10/15 House: Left in Counties, Cities and Towns

**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.

02/10/15 House: Left in Counties, Cities and Towns

**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.

02/11/15 House: Left in Transportation

**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 passed House:*

**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.

02/23/15 House: Enrolled Bill communicated to Governor on 2/23/15

**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.

02/10/15 House: Left in General Laws

**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.

02/10/15 House: Left in 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.

02/10/15 House: Left in 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.

02/10/15 House: Left in General Laws

**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 circuit court.

02/10/15 House: Left in Courts of Justice

**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. 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 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.

02/10/15 House: Left in Privileges and Elections

**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.

02/10/15 House: Left in 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.

02/10/15 House: Left in Counties, Cities and Towns

**Notes:** City Position: support

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

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

*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.

02/26/15 House: Enrolled Bill communicated to Governor on 2/26/15

**Notes:** City Position: support

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

*Patron:* Miller

*Summary as passed House:*

**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 and a tenant to agree in a rental agreement that the tenant pay prepaid rent; 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.

02/27/15 House: Enrolled Bill communicated to Governor on 2/27/15

**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.

02/10/15 House: Left in Courts of Justice

**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."

02/10/15 House: Left in General Laws

**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.

02/11/15 House: Left in Health, Welfare and Institutions

**Notes:** City Position: oppose

### **HB 1467 Concealed handguns; 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.

02/10/15 House: Left in 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 Incorporated into HB 1287, which died

**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.** Includes transit projects in those transportation projects that will be rated by VDOT in accordance with § 33.2-257 before they are funded by the Authority. The bill has a delayed effective date of July 1, 2016.

02/24/15 House: Enrolled Bill communicated to Governor on 2/24/15

**Notes:** City Position: oppose

#### **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.

02/10/15 House: Left in Militia, Police and Public Safety

**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. Current law allows students from any institution of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.

02/10/15 House: Left in Privileges and Elections

**Notes:** City Position: support

**HB 1501 Highway maintenance; bases 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.

02/11/15 House: Left in Transportation

**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.

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: oppose

**Counts:** HB: 42

**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.

02/10/15 House: Left in Militia, Police and Public Safety

**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, which is defined in the bill as an electronic system for creating, generating, sending, receiving, storing, displaying, and

processing audiovisual recordings, including cameras or other devices capable of creating such recordings, that may be worn about the person of a law-enforcement officer. Such a system must comply with the model policy or guideline that will be established by the Department of Criminal Justice Services.

02/10/15 House: Left in Militia, Police and Public Safety

**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.

02/10/15 House: Left in Finance

**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.

02/10/15 House: Left in Courts of Justice

**Notes:** City Position: oppose

**HB 1548 Concealed handgun permit; revocation 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.

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: support

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

*Patrons:* Greason, Adams, LeMunyon, McClellan, 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.

02/12/15 Senate: Failed to report (defeated) in Education and Health (5-Y 9-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 passed House:*

**Local notifications.** Provides that any locality may by ordinance establish a system to deliver deliver notifications to residents by email, phone, text message or other similar means of communication. Such ordinance shall be adopted only after a public hearing and shall contain an opt-in provision for non-emergency notifications. Existing notification systems shall be deemed to meet the requirements of the bill.

02/26/15 House: Enrolled Bill communicated to Governor on 2/26/15

**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.

02/19/15 Senate: Defeated by Senate (8-Y 29-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.

02/23/15 House: Enrolled Bill communicated to Governor on 2/23/15

**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.

02/10/15 House: Left in Appropriations

**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.

02/10/15 House: Left in Appropriations

**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.

02/10/15 House: Left in Finance

**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.

02/11/15 House: Left in Health, Welfare and Institutions

**Notes:** City Position: oppose

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

*Patron:* Stolle

*Summary as passed House:*

**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.

02/26/15 House: Conference report agreed to by House (97-Y 0-N)

02/27/15 Senate: Conference report agreed to by Senate (37-Y 0-N)

**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.

02/10/15 House: Left in Finance

**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.

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: support

**HB 1606 Private police departments; definition.**

*Patrons:* Garrett and Herring

*Summary as passed House:*

**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.

02/27/15 House: Enrolled Bill communicated to Governor on 2/27/15

**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 Incorporated into HB 1928, which passed

**Notes:** City Position: support

### **HB 1622 Electric utilities; net energy metering.**

*Patrons:* Sullivan and Minchew

*Summary as introduced:*

**Electric utilities; net energy metering.** Increases the maximum generating capacity of an electrical generating facility owned or operated by an electric utility's residential customer that may be eligible for participation in the utility's net energy metering program from 20 kilowatts to 40 kilowatts. The measure also increases the maximum generating capacity of such a facility owned or operated by a nonresidential customer that may be eligible for participation in such a program from 500 kilowatts to one megawatt. 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.

02/10/15 House: Left in Commerce and Labor

**Notes:** City Position: support

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

*Patron:* Minchew

*Summary as passed House:*

**Virginia Public Procurement Act; design professional term contracts.** Decreases the population threshold for localities for the procurement of architectural and engineering services from 80,000 to 78,000 and 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 \$6 million.

02/24/15 Senate: Passed Senate (39-Y 0-N)

**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.

02/10/15 House: Left in General Laws

**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.

02/10/15 House: Left in General Laws

**Notes:** City Position: oppose

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

*Patron:* Villanueva

*Summary as introduced:*

**Passing stationary refuse collection vehicles.** Requires that, with due regard to safety and traffic conditions, drivers of motor vehicles overtaking stationary vehicles in the process of refuse collection (i) on a highway of at least four lanes, yield the right of way by a making a lane change into a nonadjacent lane or (ii) on a highway of fewer than four lanes or if changing lanes would be unreasonable or unsafe, decrease speed to 10 mph below the posted speed limit and pass at least two feet to the left of the stationary vehicle.

02/23/15 House: Enrolled Bill communicated to Governor on 2/23/15

**Notes:** City Position: support

**HB 1653 Voter identification; accepted forms of identification.**

*Patrons:* Bulova, Herring, Kory and Murphy

*Summary as passed House:*

**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. The bill has a delayed effective date of January 2, 2016.

02/26/15 House: Enrolled Bill communicated to Governor on 2/26/15

**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.

02/11/15 House: Left in Health, Welfare and Institutions

**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 a national criminal background check, a driving history report, and status on the state and national sex offender registries. 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 and specifies the nature and limits of the insurance coverage. 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.

The bill authorizes DMV to conduct periodic reviews of TNCs 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. This bill is identical to SB 1025.

02/17/15 Governor: Approved by Governor-Chapter 2 (effective - see bill)

**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.

02/10/15 House: Left in Appropriations

**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.

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: support

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

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

*Summary as passed House:*

**Government Data Collection and Dissemination Practices Act; license plate readers; limitation on collection and use of personal information by law enforcement.** Limits the ability of law-enforcement and regulatory agencies to use license plate readers 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. Information collected by a license plate reader without a warrant 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. The bill codifies an opinion of the Attorney General regarding the Government Data Collection and Dissemination Practices Act.

02/26/15 House: Conference report agreed to by House (94-Y 2-N)

02/27/15 Senate: Conference report agreed to by Senate (37-Y 0-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.

02/10/15 House: Left in Militia, Police and Public Safety

**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.

02/10/15 House: Left in Appropriations

**Notes:** City Position: support

### **HB 1693 Civil admission process; alternative transportation.**

*Patron:* Bell, Robert B.

*Summary as passed House:*

**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 the person will cause serious physical harm to himself or others.

02/25/15 House: Enrolled Bill communicated to Governor on 2/25/15

**Notes:** City Position: support

**HB 1694 Temporary detention order; custody.**

*Patrons:* Yost, McClellan, Simon and Ward

*Summary as passed House:*

**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 or to an alternative transportation provider. This bill is identical to SB 966.

02/25/15 House: Enrolled Bill communicated to Governor on 2/25/15

**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 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 that a dealer perform such a check only if the firearm is from the dealer's inventory.

02/26/15 House: Conference report agreed to by House (96-Y 0-N)

02/27/15 Senate: Conference report agreed to by Senate (37-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. Under the bill, where small purchase procedures are adopted for construction, the procedures may not waive compliance with the Uniform Statewide Building Code.

02/10/15 House: Left in General Laws

**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.

02/10/15 House: Left in Commerce and Labor

**Notes:** City Position: support

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

*Patrons:* LeMunyon, Bulova, Garrett, Hope, Ingram, McClellan, O'Bannon, Peace, Simon, Stolle and Ward

*Summary as passed House:*

**Psychiatric treatment of minors; objecting minor; criteria; duration of admission.** 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. The bill also 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.

02/23/15 Senate: Passed Senate with amendment (40-Y 0-N)

02/24/15 House: VOTE: ADOPTION (98-Y 0-N)

**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. Pursuant to subdivision (b) of Section 6-A of Article X of the Constitution of Virginia, which was adopted by the voters in 2014, the 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. The bill exempts the principal residence of any such surviving spouse regardless of assessed value. Subdivision (b) of Section 6-A of Article X provides that the exemption will cease if the surviving spouse remarries.

02/27/15 House: Enrolled Bill communicated to Governor on 2/27/15

**Notes:** City Position: oppose

**HB 1729 Distributed electric generation; establishment of community solar gardens.**

*Patron:* Sullivan

*Summary as introduced:*

**Distributed electric generation; community solar gardens.** Authorizes the establishment of community solar gardens, which are required to be owned by a subscriber organization that has at least 10 subscribers. Subscribers will receive credits on their utility bills from energy generated at the solar facility in proportion to the size of their subscription. The output and renewable energy credits from a solar garden shall be purchased by the utility in the form of net metering credits allocated to the subscribers. To the extent that a subscriber's net metering credit exceeds the subscriber's electric bill in any billing period, the credit will be applied against future bills. If the electricity output of the community solar garden is not fully subscribed, the utility is required to purchase the unsubscribed renewable energy at a rate equal to the utility's average hourly incremental cost of electricity supply over the immediately preceding calendar year.

02/05/15 House: Tabled in Commerce and Labor

**Notes:** City Position: support

**HB 1744 Local employee grievance procedure; final step in procedure adopted by local government.**

*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. The bill also permits a school board to conduct a teacher grievance hearing before a three-member fact-finding panel. Under current law, the school board has the option of appointing a hearing officer or conducting such hearing itself.

02/10/15 House: Left in Education

**Notes:** City Position: oppose

**HB 1745 Fire Programs Fund; expense of administration of insurance laws and regulatory revenue taxes.**

*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, bicycle lanes, and shared-use paths.**

*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 roads available for operation of motor vehicles.

02/11/15 House: Left in Transportation

**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 othe 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.

02/10/15 House: Left in Courts of Justice

**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.

02/10/15 House: Left in Courts of Justice

**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.** Provides that a person against whom a protective order has been issued may petition to have police and court records relating to the protective order expunged if the order is subsequently dissolved by the issuing court.

02/10/15 House: Left in Courts of Justice

**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.

02/11/15 House: Left in 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.

02/10/15 House: Left in 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. The bill contains an emergency clause. This bill is a recommendation of the Virginia State Crime Commission.

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: Oppose

**HB 1820 Workers' compensation; pecuniary liability of the employer for medical services, report.**

*Patrons:* Farrell, Bloxom, Fariss, Howell, Jones, Knight, Lingamfelter, Massie and Minchew

*Summary as passed House:*

**Workers' compensation; payment for medical services.** Requires the Virginia Workers' Compensation Commission to establish the prevailing community rate for medical, surgical, or hospital services in communities at an amount that is representative of the charge for the same services charged by providers in the community where the services are provided in the Commonwealth. The Commission is directed to obtain a representative sample of charges for

such services by providers in a community. If the sample size of data of charges is sufficient to serve as the basis for statistically significant results, the Commission shall establish the prevailing community rate for the service at the middle value of such mean, median, and mode of the charges for the same services. The Commission is required annually to adjust each prevailing community rate to reflect the rate of increase in the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The Commission may further adjust each prevailing community rate in consideration of access to health care, the need to control costs, or factors. The measure will expire on July 1, 2018.

02/25/15 Senate: Passed Senate with substitute (39-Y 0-N)

02/26/15 House: VOTE: ADOPTION (98-Y 1-N)

**Notes:** City Position: support

**HB 1849 Zoning appeals, board of; granting of variance, ex parte communications, proceedings.**

*Patron:* Marshall, D.W.

*Summary as introduced:*

**Variations.** Changes the standard by which a board of zoning appeals shall grant an application for a variance by eliminating or altering several of the requirements.

02/20/15 Senate: Passed Senate with substitute with amendment (38-Y 0-N)

02/24/15 House: Senate substitute with amendment agreed to by House (98-Y 0-N)

**Notes:** City Position: oppose

**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.

02/10/15 House: Left in 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.

02/10/15 House: Left in Courts of Justice

**Notes:** City Position: support

**HB 1887 Commonwealth Transportation Board; membership, funding, updates annual reporting, and allocations.**

*Patrons:* Jones, Cole and Rust

*Summary as passed House:*

**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. Both provisions would become effective July 1, 2016. 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. Further, the bill authorizes the Department of Rail and Public Transportation to enter into agreements not to exceed 20 years under the Public-Private Transportation Act to improve passenger rail service with private entities that finance improvements in return for annual payments.

02/24/15 Senate: Passed Senate with substitute (35-Y 4-N)

02/25/15 House: Senate substitute agreed to by House 15105334D-S2 (94-Y 1-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. The bill also provides that a tenant who is a victim of stalking may terminate the tenant's

rental agreement if the tenant has obtained a protective order or the perpetrator of the crime has been convicted.

02/10/15 House: Left in Courts of Justice

**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.

02/24/15 Senate: Passed Senate (39-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.

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: support

**HB 1911 Electric utilities; net energy metering, standby charges.**

*Patron:* Lopez

*Summary as introduced:*

**Electric utilities; net energy metering; standby charges.** Requires the State Corporation Commission, before approving a supplier's proposed standby charge methodology, to find that a value of solar analysis demonstrates that the standby charges reflect the supplier's net costs or benefits properly associated with serving the customers that have installed a net metered generation facility. The bill specifies that a value of solar analysis determines such net costs or benefits by subtracting the value of all benefits provided to the supplier or the electric grid as a result of the installation and operation of the solar generation facility from the portion of the supplier's infrastructure costs that are properly associated with serving such customers.

02/10/15 House: Left in Commerce and Labor

**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 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.

02/10/15 House: Left in Commerce and Labor

**Notes:** City Position: support

**HB 1913 Electric utilities; renewable energy resources and energy efficiency goals.**

*Patron:* Lopez

*Summary as introduced:*

**Electric utilities; renewable energy resources and energy efficiency goals.** Revises the existing voluntary renewable energy portfolio standard program to require participating utilities to make investments in solar energy generation, onshore wind generation, offshore wind generation, and cumulative energy efficiency savings by calendar year 2030, but does not provide sanctions on a utility that fails to meet this goal. The measure (i) deletes provisions of the existing renewable energy portfolio standard program that provide credits for qualified investments by a participating utility in research and development programs and activities; (ii) deletes the double and triple credits for certain types of renewable energy generation while retaining the double credit for energy from on-shore wind obtained under power purchase agreements entered into prior to January 1, 2013; and (iii) requires participating utilities, through the implementation of energy efficiency and demand-side management programs, by calendar year 2022 to reduce the consumption of electric energy by retail customers by an amount equal to 10 percent of the amount of electric energy consumed by retail customers in 2006. The measure also provides that for compliance with any RPS Goal for calendar years 2015 through 2025, a utility may only apply renewable energy generated from renewable energy generation facilities owned by the utility, renewable energy purchased or acquired by the utility from a non-utility generator, renewable energy certificates purchased or acquired by the utility from customer-generators participating in net energy metering, or renewable energy certificates purchased or acquired by the utility from generators in the interconnection region of the regional transmission entity, except that a utility may not apply such renewable energy certificates to meet more than 20 percent of the sales requirement for the RPS Goal in any year.

02/10/15 House: Left in Commerce and Labor

**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.

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: support

### **HB 1925 Renewable energy; third party power purchase agreements.**

*Patron:* Lopez

*Summary as introduced:*

**Renewable energy; third party power purchase agreements.** Replaces the pilot program enacted in 2013 that authorized certain third party power purchase agreements providing financing of certain renewable generation facilities. The measure requires the State Corporation Commission to establish third party power purchase agreement programs for eligible customer-generators in the service territories of Dominion Virginia Power and AEP. This measure differs from the existing pilot program in that (i) the existing pilot program applies only to Dominion Virginia Power and (ii) the maximum size of a renewable generation facility is increased from one megawatt to two megawatts.

02/10/15 House: Left in Commerce and Labor

**Notes:** City Position: support

### **HB 1928 DNA; analysis upon conviction of certain misdemeanors.**

*Patrons:* Bell, Robert B. and Toscano

*Summary as passed:*

**DNA analysis upon conviction of certain misdemeanors.** The bill adds misdemeanor violations of § 16.1-253.2 (violation of a protective order), 18.2-60.3 (stalking), 18.2-60.4 (violation of a stalking protective order), 18.2-67.4:1 (infected sexual battery), 18.2-102 (unauthorized use of animal, aircraft, vehicle, or boat valued at less than \$200), 18.2-121 (entering property of another for purpose of damaging it), 18.2-387 (indecent exposure), 18.2-387.1 (obscene sexual display) and 18.2-479.1 (resisting arrest) to the list of offenses for which an adult convicted of such offense must have a sample of his blood, saliva, or tissue taken for DNA analysis. Under current law, a sample is taken for DNA analysis from adults convicted of only five misdemeanor sex offenses: (i) § 18.2-67.4 (sexual battery), (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 (attempted sexual battery), (iv) § 18.2-130 (peeping), or (v) § 18.2-370.6 (penetrating the mouth of a child under 13 with the tongue). The bill also increases the fee collected for the withdrawal of the DNA sample from \$25 to \$53. The bill applies only to persons convicted on or after July 1, 2015.

02/26/15 House: Enrolled Bill communicated to Governor on 2/26/15

**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.

02/11/15 House: Left in Health, Welfare and Institutions

**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.

02/11/15 House: Left in Health, Welfare and Institutions

**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.

02/11/15 House: Left in Transportation

**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.

02/10/15 House: Left in Education

**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.

02/10/15 House: Left in Commerce and Labor

**Notes:** City Position: support

**HB 1950 Electric utilities; net energy metering programs.**

*Patrons:* McClellan, Lopez, Sullivan and Mason; Senator: Ebbin

*Summary as passed House:*

**Electric utilities; net energy metering.** Increases, from 500 kilowatts to one megawatt, 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. In addition, the capacity of any generating facility installed under this section after July 1, 2015, shall not exceed the expected annual energy consumption based on the previous 12 months of billing history or an annualized calculation of billing history if 12 months of billing history is not available. The measure also (i) requires any eligible customer-generator seeking to participate in net energy metering to notify its supplier and receive approval to interconnect prior to installation of an electrical generating facility and (ii) clarifies requirements regarding the customer-generator's obligation to bear the costs of equipment required for the interconnection to the supplier's electric distribution system. The change to the definition of an "eligible customer-generator" affects the definition of a "qualified energy project" as used in the Virginia Small Business Financing Act.

02/26/15 House: Enrolled Bill communicated to Governor on 2/26/15

**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.

02/17/15 Incorporated into HB2161, which passed

**Notes:** City Position: support

**HB 1973 Businesses, certain; local limitations on number.**

*Patron:* Preston

*Summary as introduced:*

**Local limitations on number of certain businesses.** Provides that a locality may by ordinance 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 ordinance may limit the number of such 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 drug 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.

02/10/15 House: Left in Courts of Justice

**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 TNC license renewal fee of \$3,000.

02/11/15 House: Left in Transportation

**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.

02/27/15 House: Enrolled Bill communicated to Governor on 2/27/15

**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.

02/10/15 House: Left in Courts of Justice

**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.

02/10/15 House: Left in 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.

02/10/15 House: Left in Appropriations

**Notes:** City Position: support

**HB 2009 Firearms, certain; law-enforcement certification.**

*Patrons:* LaRock and Landes

*Summary as passed House:*

**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 and my award the applicant court costs and reasonable attorney fees.

02/25/15 Senate: Passed Senate with amendment (25-Y 14-N)

02/26/15 House: Senate amendment agreed to by House (71-Y 29-N)

**Notes:** City Position: oppose

**HB 2023 Child care subsidy; license required.**

*Patrons:* BaCote, Bulova, Helsel, Hester, Hope, James, Joannou, Kory, Krupicka, Lindsey, Mason, McClellan, Murphy, Plum, Simon, Spruill, Torian, Toscano, Tyler, Ward, Watts and Yost; Senator: Locke

*Summary as introduced:*

**Child care subsidy; license required.** Requires licensure for any child day center or family day home, other than those located on federal property and operated or certified by the Department of Defense, that contracts with the State Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Fund.

02/11/15 House: Left in Health, Welfare and Institutions

**Notes:** City Position: Support, but amend so that City continues to regulate smaller day care facilities.

**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.

02/10/15 House: Left in 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.** Allows a person to 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 authority, commission, or other 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.

02/11/15 House: Left in 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 passed House:*

**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 to cover its costs associated with processing the application 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. The bill also provides that an applicant for a concealed handgun permit must include his alien number or admission number if he is not a citizen of the United States. Finally, the bill provides that a person is disqualified from obtaining a concealed handgun permit if he is otherwise disqualified from possessing or receiving a firearm pursuant to state or federal law.

02/24/15 Senate: Left in Finance

**Notes:** City Position: oppose

**HB 2036 Nicotine Vapor products; prohibits purchase, etc., by minors, packaging, civil penalty.**

*Patrons:* DeSteph, Garrett and O'Bannon

*Summary as passed:*

**Purchase, etc., of tobacco products by minors; liquid nicotine packaging; penalty.** Provides that no person shall sell or distribute, or offer for retail sale or distribution, a liquid nicotine container on or after January 1, 2016, unless the liquid nicotine container is packaged in child-resistant packaging and complies with labeling regulations adopted by the Board of Agriculture and Consumer Services. Any person who sells or distributes, or offers for retail sale or distribution, a liquid nicotine container on or after January 1, 2016, in packaging that does not meet the child-resistant packaging and labeling requirements is guilty of a Class 4 misdemeanor. The bill also provides that any adult may sign for tobacco products, nicotine vapor products, or alternative nicotine products purchased through mail order or the Internet. Current law requires the signature of the purchaser.

02/25/15 House: Enrolled Bill communicated to Governor on 2/25/15

**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.

02/10/15 House: Left in Militia, Police and Public Safety

**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.

02/11/15 House: Left in Health, Welfare and Institutions

**Notes:** City Position: support

**HB 2073 Electric utilities; net energy metering, energy balancing devices.**

*Patrons:* Toscano and Marshall, D.W.

*Summary as introduced:*

**Electric utilities; net energy metering; energy balancing devices.** Directs the State Corporation Commission to establish a program for eligible energy balancing customers, which are customers that own an energy balancing device that provides value to the electric utility or regional transmission entity in the form of spinning reserve, frequency regulation, distribution system support, reactive power, demand response, or other electric grid services. An energy balancing device means either a grid-integrated electric vehicle or an electric battery that absorbs

and returns energy to the electric grid on either a second-to-second response basis that provides frequency regulation or on a longer-term daily response basis that returns that energy to the electric grid during peak periods of demand. An energy balancing device does not add net electricity to the grid over a net metering period. An eligible energy balancing customer will be credited for the electricity it adds to the grid at the rate charged for the customer's usage of electricity.

02/10/15 House: Left in Commerce and Labor

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

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: support

**HB 2125 Use of unmanned aircraft systems; search warrant required.**

*Patrons:* Cline, Austin, Bell, Richard P., Campbell, Davis, Hodges, Leftwich, Morris, Pillion, Poindexter, Rush, Ware and Yost

*Summary as passed House:*

**Use of unmanned aircraft systems by public bodies; search warrant required.** Replaces the moratorium on the use of unmanned aircraft systems by state and local law enforcement and regulatory entities, except in defined emergency situations or in training exercises related to such situations, that will expire on July 1, 2015, with an absolute prohibition on the use of unmanned aircraft systems by such law enforcement and regulatory entities unless a search warrant has been obtained prior to such use. The warrant requirement does not apply to certain search and rescue operations, certain Virginia National Guard functions, research and development conducted by institutions of higher education or other research organizations, or the use of unmanned aircraft systems for private, commercial, or recreational use.

02/25/15 Senate: Passed Senate with amendments (39-Y 0-N)

02/26/15 House: Senate amendments agreed to by House (100-Y 0-N)

**Notes:** City Position: oppose

**HB 2127 Virginia Biased-Based Profiling Statistics Reporting Act; report.**

*Patrons:* Futrell, Plum and Rasoul

*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. The Superintendent of State Police is required to report annually on the findings of the analysis to the Governor, the General Assembly, and the Attorney General.

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: oppose

**HB 2129 Barriers to licensure or registration; certain DCJS regulated industries.**

*Patron:* Mason

*Summary as passed House:*

**Barriers to licensure or registration; private security services businesses; bail bondsmen; bail enforcement agents; special conservators of the peace.** Prohibits persons who are required to register as a sex offender from obtaining a license or registration from the Department of Criminal Justice Services for the private security industry, bail bonding industry, and special conservators of the peace program.

02/24/15 Senate: Left in Courts of Justice

**Notes:** City Position: support

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

*Patrons:* Cline and Bell, Robert B.

*Summary as introduced:*

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

Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department of Social Services shall require 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 one year.

02/10/15 House: Left in Appropriations

**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.

02/11/15 House: Left in Transportation

**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 red" program.

02/10/15 House: Left in Militia, Police and Public Safety

**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.

02/10/15 House: Left in Courts of Justice

**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.

02/11/15 House: Left in Transportation

**Notes:** City Position: oppose

**HB 2186 Public school buildings; minimum standards, recommendations for minimum usable school site size.**

*Patron:* Kory

*Summary as introduced:*

**Minimum standards for public school buildings; recommendations for minimum usable school site size.** Requires the Board of Education's minimum standards for the erection of or addition to public school buildings to include the following recommendations for minimum usable site sizes: (i) one acre per 100 students and (ii) an additional four acres for elementary schools, 10 acres for middle schools, and 10 acres for high schools. Local school boards must provide the Board with justifications for deviations from such recommendations.

02/10/15 House: Left in Education

**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.

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: oppose

**HB 2235 HOT lanes; when law-enforcement vehicles may use.**

*Patron:* Rust

*Summary as introduced:*

**HOT lanes; law-enforcement vehicles.** Clarifies the circumstances under which law-enforcement vehicles may use HOT lanes without paying a toll.

02/23/15 House: Enrolled Bill communicated to Governor on 2/23/15

**Notes:** City Position: support

**HB 2267 Virginia Solar Energy Development Authority; created, report.**

*Patrons:* Hugo, Bulova, Ramadan, Rasoul, Villanueva and Yost; Senator: Ebbin

*Summary as passed House:*

**Virginia Solar Energy Development Authority.** Creates the Virginia Solar Energy Development Authority to facilitate, coordinate, and support the development of the solar energy industry and solar-powered electric energy facilities in the Commonwealth. The Authority is directed to do so by developing programs to increase the availability of financing for solar energy projects, facilitate the increase of solar energy generation systems on public and private sector facilities in the Commonwealth, promote the growth of the Virginia solar industry, and provide a hub for collaboration between entities to partner on solar energy projects. The Authority will be composed of 11 members, of whom six will be appointed by the Governor, three will be appointed by the Speaker of the House, and two will be appointed by the Senate Committee on Rules. Members may be representatives of solar businesses, solar customers, renewable energy financiers, state and local government solar customers, and solar research academics. The Authority is charged with, among other tasks, (i) identifying existing state and regulatory or administrative barriers to the development of the solar energy industry, (ii) collaborating with entities such as higher education institutions to increase the training and development of the workforce needed by the solar industry in Virginia, including industry-recognized credentials and certifications, (iii) applying to the U.S. Department of Energy for loan guarantees for such projects, and (iv) performing any other activities as may seem appropriate to increase solar energy generation in Virginia and the associated jobs and economic development and competitiveness benefits. The Director of the Department of Mines, Minerals and Energy may utilize nonstate-funded support to carry out any duties assigned to the Director. Funding may be provided by any source, public or private, for the purposes for which the Authority is created. The bill has a sunset date of July 1, 2025.

02/25/15 Senate: Passed Senate with amendment (38-Y 1-N)

02/26/15 House: Senate amendment agreed to by House (81-Y 17-N 1-A)

**Notes:** City Position: support

**HB 2274 Electric utilities; cost recovery.**

*Patron:* Kilgore

*Summary as passed House:*

**Electric utilities; cost recovery.** Permits investor-owned electric utilities to recover from certain customers, through a rate adjustment clause, the projected and actual costs of designing, implementing, and operating State Corporation Commission-approved programs that accelerate the vegetation management of distribution rights-of-way. The measure provides that these costs shall not be allocated to or recovered from certain classes of large customers.

02/23/15 Senate: Stricken at request of Patron in Commerce and Labor (10-Y 0-N)

**Notes:** City Position: oppose

**HB 2301 Protective orders; assault and battery; penalty.**

*Patron:* 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.

02/04/15 House: Incorporated into HB2007, which died

**Notes:** City Position: support

**HB 2327 Offsite improvements or land dedications; regulation of development by localities.**

*Patron:* Leftwich

*Summary as introduced:*

**Offsite improvements or land dedications.** Provides that localities shall not require a landowner to make offsite improvements or make dedications of land as a condition of use of an existing parcel when such use is a permitted use pursuant to the zoning ordinance and when existing public facilities are available to such parcel.

02/06/15 House: Stricken from docket by Counties, Cities and Towns

**Notes:** City Position: oppose

**HB 2351 Land subdivision and development; approval not to be conditioned on consent of easement holder.**

*Patron:* Leftwich

*Summary as introduced:*

**Land subdivision and development; approval not to be conditioned on consent of easement holder.** Provides that no locality shall condition the approval of a subdivision plan, site plan, plat, or construction plan, or condition the issuance of any required occupancy permit for occupancy of such property or the structures thereon, upon the consent or permission of any person or entity holding an easement over, under, or through the property that is the subject of such plan or plat.

02/06/15 House: Stricken from docket by Counties, Cities and Towns

**Notes:** City Position: oppose

**HB 2369 Conservators of the peace, special; orders of appointment.**

*Patron:* Berg (by request)

*Summary as passed House:*

**Special conservators of the peace; order of appointment.** Provides that a judge may revoke an order of appointment for a special conservator of the peace for good cause shown and after the special conservator of the peace has been given notice and an opportunity to be heard. Pending a hearing on revocation, the order may be temporarily suspended. The bill also provides that an appointment shall be eligible for suspension and revocation after a hearing if a special conservator of the peace is convicted of an offense for which he could not initially become registered as a special conservator of the peace.

02/27/15 Senate: Conference report agreed to by Senate (37-Y 0-N)

02/27/15 House: Conference report agreed to by House (85-Y 9-N)

**Notes:** City Position: oppose

**HB 2370 Firearms; transfer at gun shows, voluntary background check, penalties.**

*Patron:* Toscano

*Summary as introduced:*

**Transfer of firearms at gun shows; voluntary background check; penalties.** Requires the State Police to be available to perform background checks for non-dealer sales at gun shows if requested by a party involved in a transaction. The promoter of the firearms show shall furnish the State Police sufficient facilities to perform the background checks. In order for the bill to become effective, the U.S. Department of Justice must approve the policies and procedures that the Department of State Police will use to implement the provisions of the bill.

02/10/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: support

**HB 2393 Virginia Community Policing Act; created, report.**

*Patrons:* Futrell and Torian

*Summary as introduced:*

**Virginia Community Policing Act; report.** Prohibits the use of biased-based profiling or excessive force by state and local law-enforcement officers and requires such officers to record certain data regarding motor vehicle and investigatory stops and complaints alleging the use of excessive force and report this information to the State Police. State Police is required to develop a statewide database to analyze the data. The Superintendent of State Police is required to report annually on the findings of the analysis. Sheriff's offices and police departments that have a high rate of occurrence of engaging in biased-based profiling or using excessive force are required to implement a body-worn camera system.

02/10/15 House: Left in Militia, Police and Public Safety

**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.

02/10/15 House: Left in Privileges and Elections

**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.

02/10/15 House: Left in Privileges and Elections

**Notes:** City Position: oppose

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

*Patrons:* Anderson and Rasoul

*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.

02/10/15 House: Left in Privileges and Elections

**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.

02/03/15 Incorporated into SB820, which was defeated

**Notes:** City Position: support

**SB 693 Feral cats; trapping, neutering, and returning to site activity.**

*Patron:* Martin

*Summary as passed Senate:*

**Trap, neuter, and return activity.** Permits a person to trap and sterilize a feral cat before returning it to the site where it was trapped. The bill excludes a participant in such an activity from the definition of "owner" regarding custody of the subject cat; under current law, abandonment of an animal by an owner is a misdemeanor.

02/24/15 House: Left in Agriculture, Chesapeake and Natural Resources

**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 Incorporated into SB993, which was defeated

**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, and requires persons convicted of the new felonies to pay restitution that compensates for the victim's labor.

02/03/15 Incorporated into SB1188, which passed

**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.

02/27/15 House: Conference report agreed to by House (98-Y 0-N)

02/27/15 Senate: Conference report agreed to by Senate (37-Y 0-N)

**Notes:** oppose

**SB 725 Arrest without warrant; procedures.**

*Patrons:* Lucas and Cosgrove

*Summary as introduced:*

**Arrest without warrant; procedures.** Allows the magistrate or other 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..

02/24/15 House: Left in 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.

02/24/15 House: Left in Appropriations

**Notes:** City Position: support

**SB 742 Elections; run-off elections.**

*Patrons:* Carrico (by request) and McDougale

*Summary as passed Senate:*

**Elections; run-off elections.** Provides that no candidate shall be deemed to have been elected at a general election to any statewide office or to the United States Senate 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 the 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.

02/24/15 House: Left in Appropriations

**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 Incorporated into SB1395, which passed

**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 passed:*

**Workers' compensation; exclusivity of remedy.** Provides that if the Worker's Compensation Commission or a court on appeal from the Commission makes a finding in an unappealed order based on an evidentiary hearing or a factual stipulation of the parties that the claim relating to an accident, disease, injury, disease or death did not arise out of or in the course of the employee's employment, then that finding shall be res judicata between the parties and estop them from arguing before a court that the accident is barred by the exclusivity provisions of the Workers' Compensation Act. The bill further sets out the notice provisions required in order for the court finding to be res judicata.

02/24/15 House: Passed House with amendments BLOCK VOTE (99-Y 0-N)

02/25/15 Senate: House amendments agreed to by Senate (39-Y 0-N)

**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.

02/24/15 Senate: Enrolled Bill Communicated to Governor on 2/24/15

**Notes:** City Position: support

**SB 779 Psychiatric treatment of minors; duration of admission, petition for judicial approval.**

*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. The bill also amends some of the criteria for admitting an objecting minor 14 years of age 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.

02/24/15 House: Passed House with substitute (95-Y 4-N)

02/25/15 Senate: House substitute agreed to by Senate (38-Y 0-N)

**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.

01/22/15 Senate: Impact statement from DPB (SB780)

01/30/15 Incorporated into SB1168, which passed

**Notes:** City Position: support

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

02/20/15 House: VOTE: PASSAGE (87-Y 9-N)

02/24/15 Senate: House substitute agreed to by Senate (38-Y 1-N)

**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 passed Senate:*

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

02/24/15 House: Left in General Laws

**Notes:** City Position: support

**SB 794 Judicial personnel; testimony of certain personnel.**

*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.

02/24/15 House: Passed House with substitute (79-Y 20-N)

02/25/15 Senate: House substitute agreed to by Senate (39-Y 0-N)

**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 of the notice of violation, 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.

02/24/15 House: Left in 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.

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.

02/24/15 House: Left in 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 repealed.** Repeals the Opportunity Educational Institution.

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15

**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.

02/10/15 Senate: Passed by indefinitely in Courts of Justice (10-Y 2-N)

**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 created 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 (SB997-Stuart) (14-Y 0-N)

**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 Statewide Building Code.

02/09/15 Incorporated into SB1371, which passed)

**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.

02/25/15 Senate: Enrolled Bill Communicated to Governor on 2/25/15

**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.

02/24/15 House: Left in Health, Welfare and Institutions

**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. The bill exempts from any such prohibition reusable bags of a certain thickness and garbage bags that are sold in multiples.

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

**Notes:** City Position: support

**SB 882 Motor vehicle doors; opening and closing doors, penalty.**

*Patron:* Petersen

*Summary as passed Senate:*

**Opening and closing motor vehicle doors.** Requires drivers to wait for a reasonable opportunity to open vehicle doors on the side adjacent to moving traffic. A violation constitutes a traffic infraction punishable by a fine of not more than \$50.

02/24/15 House: Left in Transportation

**Notes:** City Position: oppose

**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.

02/26/15 House: Conference report agreed to by House (97-Y 0-N)

02/27/15 Senate: Conference report agreed to by Senate (37-Y 0-N)

**Notes:** City Position: oppose

**SB 909 Protective orders; person subject to one is prohibited from possessing a firearm.**

*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/ Incorporated into SB1395, which died

**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 a period of 90 days. A person subject to a temporary firearms restriction order who purchases, possesses, or transports a firearm while the order is in effect is guilty of a Class 1 misdemeanor. A person who is subject to a temporary firearms restriction order, at any time prior to the expiration of such order, may petition the general district court in the county or city in which 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 Fair Housing Law; unlawful discrimination, sexual orientation or gender identity.**

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

*Summary as introduced:*

**Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity.** Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill also defines sexual orientation and gender identity.

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 misdemeanor 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.

02/11/15 Senate: Left in 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 also allows funds to be used for persons who are 18, 19, or 20 at the time of release from commitment to the Department.

02/24/15 House: Left in Courts of Justice

**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.

02/24/15 House: Passed House (71-Y 27-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 passed Senate:*

**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 unless it is being utilized in an ongoing investigation.

02/26/15 Senate: Conference report agreed to by Senate (38-Y 0-N)

02/27/15 House: Conference report agreed to by House (97-Y 0-N)

**Notes:** City Position: oppose

**SB 967 Extended Foster Care Services and Support; created.**

*Patrons:* Favola and Ebbin; *Delegate:* Peace

*Summary as introduced:*

**Extended foster care services and support.** Creates the Extended Foster Care Services and Support Program to provide foster care services and support, including foster care maintenance payments, to qualifying individuals age 18 to 21 years who were formerly in the custody of a local board of social services.

02/24/15 House: Left in Appropriations

**Notes:** City Position: support

**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 of State Police within five years of the officer's completion of basic training at a police school operated and funded by the Department. 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.

02/09/15 Senate: Passed by indefinitely in Commerce and Labor with letter (14-Y 0-N)

**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 passed Senate:*

**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 adopted an ordinance to require applicants to submit to fingerprinting and to provide personal descriptive information to receive the results of such background checks directly from the Central Criminal Records Exchange.

02/20/15 House: Passed House with amendment (93-Y 1-N)

02/24/15 Senate: House amendment agreed to by Senate (39-Y 0-N)

**Notes:** City Position: support

**SB 999 Deeds of trust or mortgages; calculation of tax shall be calculated using rate scale.**

*Patron:* Stuart

*Summary as passed:*

**State recordation taxes and fees.** Clarifies and makes substantive and technical changes to state recordation taxes and fees, including requiring that the recordation tax on any deed of trust that is supplemental to an existing deed of trust be calculated only on that portion of the debt that is in addition to the original debt on which the tax has been paid. Under current law, such calculation of the recordation tax is restricted to supplemental deeds of trust with the same lender.

02/24/15 Senate: Enrolled Bill Communicated to Governor on 2/24/15

**Notes:** City Position: support

**SB 1001 Dogs or cats; sell, exchange, etc., prohibited on or in any roadside, parkway, etc.**

*Patron:* Stanley

*Summary as passed:*

**Sale and procurement of certain pets.** Prohibits the sale or display of a dog or cat on or in a roadside, parking lot, flea market, or similar place, with certain exceptions. The bill limits the sources of pet shop dogs to humane societies, public animal shelters, and breeders who meet certain qualifications and establishes a record-keeping requirement for pet shops selling dogs.

The bill also applies the existing misdemeanor penalty for a violation of the section to each dog sold or offered for sale.

02/24/15 House: VOTE: PASSAGE (82-Y 15-N)

02/25/15 Senate: House substitute with amendment agreed to by Senate (39-Y 0-N)

**Notes:** City Position: support

**SB 1004 Electronic cigarettes and other vapor products; 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. 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 a national criminal background check, a driving history report, and status on the state and national sex offender registries. 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 and specifies the nature and limits of the insurance coverage. 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.

This bill is identical to HB 1662.

02/17/15 Governor: Approved by Governor-Chapter 3 (effective - see bill)

**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 Incorporated into SB781, which passed

**Notes:** City Position: oppose

**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 the previous year's gross receipts. 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.

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15

**Notes:** City Position: support

**SB 1046 Benefits consortium; formation of a not-for-profit consortium by localities.**

*Patron:* Hanger

*Summary as passed:*

**Benefits consortium for localities.** Authorizes the governing bodies of three or more cities, counties, or school boards, if they comprised the membership of a multiple employer welfare arrangement on December 31, 2014, to form a benefits consortium for the purpose of establishing a self-funded employee welfare benefit plan. The benefits consortium will be a nonstock corporation established to operate a benefits plan. Each member of the benefits consortium shall be contractually liable for its allocated share of the consortium's liabilities. The benefits consortium will be exempt from taxation and from insurance regulations.

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15

**Notes:** City Position: support

**SB 1055 Child welfare agencies; background checks, barrier crimes.**

*Patrons:* Hanger and Wexton

*Summary as passed Senate:*

**Child welfare agencies; background checks and barrier crimes.** Establishes a national fingerprint-based criminal history record check requirement for licensure or registration 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. The bill also 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. The bill requires that a search of the statewide central registry maintained pursuant to § 63.2-1515 for information on any investigation of child abuse or neglect undertaken against employees and volunteers of child day centers and family day homes be conducted annually, and that initial background checks for such employees and

volunteers 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. The provisions of the bill related to national fingerprint-based criminal history record checks have a delayed effective date of July 1, 2017.

02/24/15 House: Left in Appropriations

**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. 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 prohibits (i) the sale or distribution of liquid nicotine in a liquid nicotine container; (ii) the sale or distribution of liquid nicotine, a vapor product, or a vapor product solution within 1,000 feet of the premises of any place he knows or has a reason to know is a child day center or a primary, secondary, or high school; (iii) the sale or distribution of liquid nicotine or a vapor product solution that contains any artificial or natural flavor that imparts a characterizing flavor other than the flavor of tobacco; and (iv) the distribution of any free samples of liquid nicotine, vapor products, or vapor product solutions. Any person who violates a prohibition is subject to a civil penalty in the amount of \$500 for a first violation, \$1,000 for a second violation, and \$2,500 for a third or subsequent violation.

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 Incorporated into SB1131, which was defeated

**Notes:** City Position: support

**SB 1092 General registrars; reassigning duties of the electoral board.**

*Patron:* Vogel

*Summary as passed Senate:*

**General registrars; reassigning duties of the electoral board.** Reassigns duties of the electoral board to the general registrars related to absentee voting and campaign finance.

02/24/15 Senate: Enrolled Bill Communicated to Governor on 2/24/15

**Notes:** City Position: support

**SB 1095 Prospective foster parents; barrier crimes.**

*Patron:* McEachin

*Summary as introduced:*

**Prospective foster parents; barrier crimes.** Allows child-placing agencies to approve as an

adoptive or foster parent an applicant convicted of felony possession of drugs with intent to distribute, provided the applicant has had his civil rights restored by the Governor and at least 20 years have elapsed since the conviction.

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15

**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.

01/21/15 Incorporated into SB1025, which the City supported, and which passed

**Notes:** City Position: oppose

### **SB 1123 Child care subsidy; license required.**

*Patrons:* Barker; Delegate: Hester

*Summary as passed Senate:*

**Child care subsidy; license required.** Requires licensure for any child day center or family day home, other than those located on federal property and operated or certified by the U.S.

Department of Defense, that contracts with the State Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant. The bill has a delayed effective date of July 1, 2016.

02/24/15 House: Left in Appropriations

**Notes:** City Position: support, but amend so that City continues to regulate smaller day care facilities

### **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 Incorporated into SB1168, which passed

**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 other similar weapons.** Eliminates the crime of selling, transferring, or possessing with the intent to sell or transfer blackjacks, brass or metal knucks, throwing stars or oriental darts, switchblade knives, ballistic knives, or other similar weapons. The crime is currently punishable as a Class 4 misdemeanor.

02/18/15 House: Defeated by House (17-Y 83-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.

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 passed:*

**Regulation of transportation of a loaded rifle or shotgun.** Provides that any person who holds a valid concealed handgun permit 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.

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15

**Notes:** City Position: oppose

**SB 1140 Local fiscal impact bills; first day introduction.**

*Patrons:* Garrett; *Delegate:* Peace

*Summary as passed Senate:*

**Local fiscal impact bills; first day introduction.** Requires bills that require a net reduction of revenues by local governments to be introduced no later than the first day of session.

02/20/15 House: Tabled in Rules

**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.

02/24/15 House: Left in Militia, Police and Public Safety

**Notes:** City Position: oppose

**SB 1160 Renewable energy; third party power purchase agreements.**

*Patron:* Edwards

*Summary as introduced:*

**Renewable energy; third party power purchase agreements.** Replaces the pilot program enacted in 2013 that authorized certain third party power purchase agreements providing financing of certain renewable generation facilities. The measure requires the State Corporation Commission to establish third party power purchase agreement programs for eligible customer-generators in the service territories of Dominion Virginia Power and AEP. This measure differs from the existing pilot program in that (i) the existing pilot program applies only to Dominion Virginia Power and (ii) the maximum size of a renewable generation facility is increased from one megawatt to two megawatts.

02/11/15 Senate: Left in Commerce and Labor

**Notes:** City Position: support

**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.

02/09/15 Senate: Passed by indefinitely in Commerce and Labor with letter (8-Y 3-N 3-A)

**Notes:** City Position: support

**SB 1168 Family day homes and child day centers; local government to report business licenses issued.**

*Patrons:* Hanger, Barker, Ebbin, Favola, Marsden and Wexton

*Summary as passed Senate:*

**Family day homes and child day centers; licensure and notice requirements.** Provides that the children of a family day home provider and any children who reside in the family day home who are under the age of six and are present in the home while care is being provided shall be included in determining the number of children receiving care for the purpose of licensure. The bill amends the definition of "family day home" to include any home that voluntarily registers pursuant to § 63.2-1704 and to exclude any home where all of the children in care (i) are grandchildren of the provider and the provider does not receive funds from the federal Child Care and Development Block Grant or (ii) reside in the home. The bill requires commissioners of revenue or other local officials to report to the Department of Social Services semiannually the contact information of any child day center or family day home to which a business license was

issued and requires every unlicensed and unregistered family day home to file, prior to providing care, a written declaration of intent to operate such family day home with the Commissioner of the Department of Social Services. The provisions of the bill related to the definition of "family day home" have a delayed effective date of July 1, 2016.

02/27/15 House: Conference report agreed to by House (67-Y 26-N)

02/27/15 Senate: Conference report agreed to by Senate (33-Y 4-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.

02/11/15 Senate: Left in Finance

**Notes:** City Position: support

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

*Patron:* Norment

*Summary as passed:*

**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.

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15

**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 Incorporated into SB785, which died

**Notes:** City Position: support

**SB 1187 DNA; analysis upon conviction of certain misdemeanors.**

*Patron:* Obenshain

*Summary as passed:*

**DNA analysis upon conviction of certain misdemeanors.** The bill adds misdemeanor violations of §§ 16.1-253.2 (violation of a protective order), 18.2-60.3 (stalking), 18.2-60.4 (violation of a stalking protective order), 18.2-67.4:1 (infected sexual battery), 18.2-102 (unauthorized use of animal, aircraft, vehicle, or boat valued at less than \$200), 18.2-121 (entering property of another for purpose of damaging it), 18.2-387 (indecent exposure), 18.2-387.1 (obscene sexual display), and 18.2-479.1 (resisting arrest) to the list of offenses for which an adult convicted of such offense must have a sample of his blood, saliva, or tissue taken for DNA analysis. Under current law, a sample is taken for DNA analysis from adults convicted of only five misdemeanor sex offenses: (i) § 18.2-67.4 (sexual battery), (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 (attempted sexual battery), (iv) § 18.2-130 (peeping), or (v) § 18.2-370.6 (penetrating the mouth of a child under 13 with the tongue). The bill also increases the fee collected for the withdrawal of the DNA sample from \$25 to \$53. The bill applies only to persons convicted on or after July 1, 2015.

02/24/15 Senate: Enrolled Bill Communicated to Governor on 2/24/15

**Notes:** City Position: support

**SB 1201 Stormwater; procedure for approval of dredging operations in the Chesapeake Bay Watershed.**

*Patron:* Wagner

*Summary as passed:*

**Stormwater; municipal separate storm sewer system permittees; dredging.** Directs the State Water Control Board (the Board) to establish a procedure for the approval of dredging operations in the Chesapeake Bay watershed as a method by which to meet pollutant reduction and loading requirements. The bill provides that before the Board is required to establish the procedure, the Chesapeake Bay Program shall first approve the procedure as a creditable practice for pollutant removal. The bill requires that any dredging comply with all applicable laws. The bill also requires that any locality imposing certain stormwater fees may make funds available for stormwater maintenance dredging, including at the point of discharge, where stormwater has contributed to the deposition of sediment in state waters.

02/26/15 House: Conference report agreed to by House (91-Y 1-N 1-A)

02/27/15 Senate: Conference report agreed to by Senate (36-Y 0-N)

**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 use or possession of 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 Incorporated into SB1025, which the City supported and which passed

**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. 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. The bill contains an emergency clause. This bill is a recommendation of the Virginia State Crime Commission.

02/26/15 Senate: Enrolled Bill Communicated to Governor on 2/26/15

**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 Incorporated into SB781, which passed

**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.

02/11/15 Senate: Left in Local Government

**Notes:** City Position: support

**SB 1334 Electric utilities; cost recovery.**

*Patron:* Chafin

*Summary as passed Senate:*

**Electric utilities; cost recovery.** Permits investor-owned electric utilities to recover from certain customers, through a rate adjustment clause, the projected and actual costs of designing, implementing, and operating State Corporation Commission-approved programs that accelerate the vegetation management of distribution rights-of-way. The measure provides that these costs shall not be allocated to or recovered from certain classes of large customers.

02/26/15 Governor: Approved by Governor-Chapter 37 (effective 7/1/15)

**Notes:** City Position: oppose

**SB 1349 Electric utility regulation; suspension of regulatory reviews of utility earnings.**

*Patron:* Wagner

*Summary as passed Senate:*

**Electric utility regulation; suspension of reviews of earnings.** Bars the State Corporation Commission (SCC) from conducting a biennial review of the rates, terms, and conditions for any service of (i) Dominion Virginia Power for the five test periods beginning January 1, 2015, and ending December 31, 2019, and (ii) Appalachian Power for the four test periods beginning January 1, 2014, and ending December 31, 2017 (the Transitional Rate Period). An investor-owned incumbent electric utility's existing tariff rates shall not be adjusted between the beginning of the Transitional Rate Period and the conclusion of the first biennial review after the conclusion of the Transitional Rate Period, except as permitted for fuel factor and purchased power cost adjustments, rate adjustment clauses, and emergency temporary rate increases. During the Transitional Rate Period, the SCC shall have the right to inspect the books, papers, and documents of any such utility and to require it to provide special reports and statements concerning its business. The SCC is directed to conduct two biennial proceedings for each such utility during the Transitional Rate Period to determine what constitutes the utility's fair rate of return on common equity for use in connection with rate adjustment clauses. Dominion Virginia Power is prohibited from recovering from customers 50 percent of certain deferred fuel expenses and the SCC is required to reduce the utility's fuel factor rate. Except for early retirement plans identified in an integrated resource plan filed by September 1, 2014, an electric utility shall not permanently retire an electric power generation facility from service during the Transitional Rate Period without first obtaining the SCC's approval, which may be granted if the SCC determines that the retirement is reasonable and prudent. During the Transitional Rate Period, an electric utility shall recover the costs associated with asset impairments related to early retirement determinations for utility generation facilities resulting from the implementation of carbon

emission guidelines for existing electric power generation facilities issued pursuant to § 111(d) of the Clean Air Act, costs associated with severe weather events, and costs associated with natural disasters, only through its existing tariff rates for generation or distribution services. During the Transitional Rate Period, the SCC and Department of Environmental Quality shall provide reports that address issues related to the implementation of such carbon emission guidelines issued pursuant to the federal Clean Air Act. The measure also (i) authorizes a utility to recover, through a rate adjustment clause, the costs of constructing or purchasing solar energy facilities and (ii) requires Dominion Virginia Power and Appalachian Power to conduct and fund pilot programs for energy assistance and weatherization for low income, elderly, and disabled individuals in their respective service territories in the Commonwealth. The measure also requires each electric utility to file updated integrated resource plans by July 1, 2015, and thereafter each May 1; currently, such updates are required to be filed biennially. Such plans are required to consider options for maintaining and enhancing rate stability, energy independence, economic development including retention and expansion of energy-intensive industries, and service reliability. In preparing a plan, a utility is required to evaluate the effect of current and pending environmental regulations upon the continued operation of existing electric generation facilities or options for construction of new electric generation facilities and the most cost effective means of complying with current and pending environmental regulations.

02/24/15 Governor: Approved by Governor-Chapter 6 (effective 7/1/15)

**Notes:** City Position: oppose

**SB 1381 Private animal shelter; clarifies purpose and definition.**

*Patrons:* Stanley (by request), Alexander and Lewis; *Delegate:* Hester

*Summary as introduced:*

**Definition of private animal shelter.** Clarifies that the purpose of a private animal shelter is to find permanent adoptive homes and facilitate other lifesaving outcomes for animals.

02/23/15 House: VOTE: PASSAGE (95-Y 2-N)

02/24/15 Senate: House amendment agreed to by Senate (38-Y 1-N)

**Notes:** City Position: support

**SB 1433 Protective orders; assault and battery; penalty.**

*Patron:* Carrico

*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.

02/11/15 Senate: Left in Finance

**Notes:** City Position: support