

Recommended Positions on Bills of Importance to the City January 25, 2016

HB 5 Same-sex marriages; civil unions.

Patrons: Simon, Keam, Aird, Bell, John J., Boysko, Bulova, Carr, Filler-Corn, Heretick, Herring, Hope, Kory, Krizek, Levine, Lopez, Mason, McClellan, Murphy, Plum, Price, Rasoul, Sickles, Sullivan, Toscano and Watts

Summary as introduced:

Same-sex marriages; civil unions. Repeals the statutory prohibitions on same-sex marriages and civil unions or other arrangements between persons of the same sex purporting to bestow the privileges and obligations of marriage. These prohibitions are no longer valid due to the United States Supreme Court decision in Obergefell v. Hodges, 576 U.S. ____ (June 26, 2015).

11/16/15 House: Referred to Committee for Courts of Justice

Notes: City Position: support

HB 9 Voter registration; required information on application form.

Patron: Cole

Summary as introduced:

Voter registration; application; form and required information. Specifies in greater detail the information that applicants for voter registration are required to provide on the voter registration application form. The bill also requires the general registrars to deny the application of any applicant who fails to provide his full name or indicate that he does not have a middle name; fails to provide his gender, date of birth, or social security number or indicate that he does not have a social security number; fails to provide his citizenship status or provides that he is not a U.S. citizen; fails to provide his residence address or indicate rural residence location or homelessness; fails to provide information regarding the circumstances of restoration of his voting rights after felony convictions, if any, or adjudications of mental incapacity, if any; fails to provide previous voter registration information or indicate lack thereof; or fails to indicate that he will be, or indicates that he will not be, at least 18 years of age on or before the date of the next general election.

11/16/15 House: Referred to Committee on Privileges and Elections

01/14/16 House: Assigned to sub: Subcommittee Elections

Notes: City Position: oppose

HB 25 Firefighting equipment; penalty for tampering with, etc.

Patron: Habeeb

Summary as introduced:

Tampering, etc., with firefighting equipment; penalty. Provides that a person who injures, destroys, removes, tampers with, or otherwise interferes with the operation of any firefighting equipment or apparatus is guilty of a Class 1 misdemeanor.

11/17/15 House: Referred to Committee for Courts of Justice

01/14/16 House: Assigned to sub: Subcommittee Criminal Law

01/18/16 House: Subcommittee recommends reporting with amendment(s) (11-Y 0-N)

Notes: City Position: support

HB 40 Public safety answering points; deployment of text-to-9-1-1.

Patron: Kory

Summary as introduced:

Public safety answering points; deployment of text-to-9-1-1. Requires each public safety answering point (PSAP) by July 1, 2019, to be able to receive and process calls for emergency assistance sent via text message.

11/23/15 House: Referred to Committee on Commerce and Labor

01/19/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: support

HB 45 Payday loan offices and motor vehicle title loan offices; distance from casino facility.

Patrons: Krizek, Kory and Simon; Senators: Ebbin and Surovell

Summary as introduced:

Payday loan offices and motor vehicle title loan offices; distance from casino facility. Prohibits the State Corporation Commission (SCC) from issuing a license for the operation of a payday lending office or motor vehicle title lending office if such office is within 20 miles of a casino facility located in any state. Casino facilities include Indian gaming operations conducted pursuant to the federal Indian Gaming Regulatory Act. The measure includes limitations on the SCC's authority to revoke or suspend an existing license when a violation of the 20-mile provision exists on July 1, 2016, or when a violation would be created by the opening of a casino facility after a license was issued.

11/24/15 House: Referred to Committee on Commerce and Labor

Notes: City Position: support

HB 48 Forfeiture of property used in connection with the commission of crimes; finding of guilt required.

Patron: Cole

Summary as introduced:

Forfeiture of property used in connection with the commission of crimes; finding of guilt 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 found guilty of the crime authorizing the forfeiture, regardless of whether he has been sentenced. The bill provides that property may be forfeited even though no finding of guilt is made 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.

11/25/15 House: Referred to Committee for Courts of Justice

01/14/16 House: Assigned to sub: Subcommittee Criminal Law

01/18/16 House: Subcommittee recommends reporting (8-Y 3-N)

Notes: City Position: oppose

HB 61 Virginia Freedom of Information Act; misdemeanor violations, penalty.

Patron: Morris

Summary as introduced:

Virginia Freedom of Information Act; misdemeanor violations; penalty. Provides that in

addition to the civil enforcement provisions of the Virginia Freedom of Information Act (FOIA), any officer, employee, or member of a public body who, without legal excuse or justification, deliberately, willfully, and knowingly violates certain FOIA provisions is guilty of a Class 1 misdemeanor.

12/04/15 House: Referred to Committee on General Laws

01/18/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: oppose

HB 76 Concealed handguns; authorization and training for persons designated to carry on school property.

Patrons: Marshall, R.G. and Cole

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 persons 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. The bill also outlines the training requirements for designated persons to be established by the Department of Criminal Justice Services.

12/07/15 House: Referred to Committee on Education

01/15/16 House: Assigned to sub: Subcommittee Elementary and Secondary Education

Notes: City Position: oppose

HB 77 Sex or gender discrimination; applicable federal law.

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

Summary as introduced:

Sex or gender discrimination; applicable federal law. Provides that for the purposes of the Virginia Human Rights Act, an "unlawful discriminatory practice" shall not include conduct that violates any federal administrative policy, rule, or regulation adopted on or after January 1, 2012.

12/07/15 House: Referred to Committee on General Laws

Notes: City Position: oppose

HB 80 Property certified as tax exempt; effective date of tax exemption.

Patron: Byron

Summary as introduced:

Property certified as tax exempt; effective date of tax exemption. Provides that once the required certification for tax exemption is made by a state or local authority for pollution control equipment and other real and personal property that is required to be certified in order to be exempt, such property will be deemed to be exempt as of the date the property is placed in service. Current law requires that certain pollution control, recycling, and solar energy real and personal property placed in service must be certified as being used primarily for the purpose of abating or preventing pollution of the atmosphere or waters of the Commonwealth in order to be exempt from local property taxes but does not specify the beginning date for the exemption.

12/08/15 House: Referred to Committee on Finance
01/19/16 House: Assigned to sub: Subcommittee #2
01/20/16 House: Subcommittee recommends reporting (11-Y 0-N)
Notes: City Position: oppose

HB 81 Foster care records; retention and destruction.

Patron: Cole

Summary as introduced:

Foster care records; retention and destruction. Requires the Commissioner of Social Services to reserve all records related to foster care cases for a period of 22 years after the date of birth of the child who is the subject of the foster care case.

12/08/15 House: Referred to Committee on Health, Welfare and Institutions
01/21/16 House: Tabled in Health, Welfare and Institutions

Notes: City Position: oppose

HB 83 Federal firearms laws; enforcement.

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

Summary as introduced:

Federal firearms laws; enforcement. Provides that agencies and political subdivisions of the Commonwealth, and employees thereof, shall not knowingly aid any employee or entity of the federal government (i) in the enforcement of federal firearms laws that take effect on or after December 1, 2015, or (ii) in the conduct or enforcement of a criminal background check related to any intrastate sale, loan, gift, or other transfer of a firearm between citizens of Virginia.

12/10/15 House: Referred to Committee on Militia, Police and Public Safety
01/15/16 House: Referred from Militia, Police and Public Safety
01/15/16 House: Referred to Committee on Appropriations

Notes: City Position: oppose

HB 86 VIEW; pilot program for substance abuse screening and assessment.

Patron: Morris

Summary as introduced:

Department of Social Services; pilot program for substance abuse screening and assessment for VIEW; report. Requires the Department of Social Services to develop a pilot program for screening and assessing participants in the Virginia Initiative for Employment not Welfare program for use of illegal substances. The bill requires the Department to provide an interim report the pilot program to the Governor and the General Assembly by December 1, 2016, and a final report on the results of the pilot program no later than December 1, 2017.

12/10/15 House: Referred to Committee on Health, Welfare and Institutions
01/14/16 House: Assigned to sub: Subcommittee Subcommittee #1

Notes: City Position: oppose

HB 92 Local taxes; interest on refunds.

Patron: Cole

Summary as introduced:

Local taxes; interest on refunds. Permits localities to not pay interest on tax refunds caused by erroneous assessments that are due to the failure of taxpayers to file tax returns timely.

12/11/15 House: Referred to Committee on Finance

01/19/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: support

HB 93 School calendar; local school boards responsible for setting opening day of school.

Patrons: Kory and Plum

Summary as introduced:

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

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

01/15/16 House: Assigned to sub: Subcommittee Education Innovation

Notes: City Position: support

HB 99 High-occupancy vehicle (HOV) lanes; certain vehicles use of HOT lanes on Interstate 395, exceptions.

Patron: Cole (by request)

Summary as introduced:

Use of HOV lanes; exceptions. Allows vehicles that have fewer than three occupants that display an installed E-ZPASS transponder and have paid the toll on the Interstate 95 HOT lanes to use HOV lanes of Interstate 395 during peak traffic periods.

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

01/15/16 House: Assigned to sub: Subcommittee Subcommittee #3

Notes: City Position: Oppose

HB 117 Oversize vehicles; removes authority of localities to issue permit & authorizes Commissioner of DMV.

Patrons: Knight; Senator: DeSteph

Summary as introduced:

Permits for excessive size. Removes the authority of localities to issue permits for oversize vehicles and authorizes the Commissioner of the Department of Motor Vehicles to issue such permits. The bill does not affect localities' current authorization to issue permits for vehicles that are overweight or both overweight and oversize.

12/16/15 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee Subcommittee #1

Notes: City Position: oppose

HB 126 Speed limits; establishes minimum speed of 45 miles per hour on interstate highways, etc.

Patron: Marshall, D.W.

Summary as introduced:

Minimum speed limits. Establishes a minimum speed limit of 45 miles per hour on interstate highways or other limited access highways with divided roadways, nonlimited access highways having four or more lanes, and all state primary highways.

12/16/15 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee Subcommittee #1

Notes: City Position: oppose

HB 140 Weight limits; increases maximum gross weight of a motor vehicle eligible for an overload permit.

Patron: Cole (by request)

Summary as introduced:

Extensions of weight limits. Increases the maximum gross weight of a motor vehicle eligible for an overload permit, based on axle spacing and number of axles on such vehicle, from 84,000 pounds to 90,000 pounds.

12/20/15 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee Subcommittee #1

Notes: City Position: oppose

HB 141 Government Data Collection and Dissemination; license plate readers.

Patron: Marshall, R.G.

Summary as introduced:

Government Data Collection and Dissemination Practices Act; license plate readers. Codifies an opinion of the Attorney General regarding the Government Data Collection and Dissemination Practices Act by limiting the ability of law-enforcement and regulatory agencies to use license plate readers to collect and maintain personal information on individuals where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individuals. The bill provides that 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 also prohibits an agency from acquiring personal information collected from license plate readers from a third-party private vendor if the agency would not have been permitted to collect or retain the information on its own.

12/21/15 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: oppose unless bill is amended to closer to a 60 day retention period

HB 156 Private animal shelter; a facility operates to find permanent homes for animals.

Patron: Orrock

Summary as introduced:

Private animal shelter. Clarifies that a private animal shelter is a facility that operates for the purpose of finding permanent adoptive homes for animals or for any other purpose authorized in the animal care chapter of the Code.

12/22/15 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/13/16 House: Assigned to sub: Subcommittee Agriculture

01/18/16 House: Subcommittee recommends striking from docket

Notes: City Position: support

HB 167 Possession of firearms by School board employees who are former law-enforcement officers.

Patron: Cole

Summary as introduced:

School board employees who are former law-enforcement officers; possession of firearms. Permits any local school board to allow any employee who is a former law-enforcement officer and ceased or retired from serving in such capacity while in good standing to possess any firearm designed or intended to expel a projectile by action of an explosion of a combustible material upon (i) any public school in the school division, including buildings and grounds; (ii) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; and (iii) any school bus owned or operated by the local school board.

12/23/15 House: Referred to Committee on Education

01/15/16 House: Assigned to sub: Subcommittee Elementary and Secondary Education

Notes: City Position: oppose

HB 179 Virginia Human Rights Act; prohibits discrimination in employment.

Patrons: Kory, Bell, John J., Filler-Corn, Heretick, Herring, Sickles and Sullivan

Summary as introduced:

Virginia Human Rights Act; prohibited discrimination in employment. Prohibits discrimination in private or public employment based on sexual orientation or status as a veteran. Under the Virginia Human Rights Act, such discrimination is actionable if the violating employer has between five and 15 employees. 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. The bill also conforms various provisions prohibiting discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or veteran status.

12/23/15 House: Referred to Committee on General Laws

Notes: City Position: support

HB 198 Conservator of the peace, special; application for appointment by locality.

Patron: Lingamfelter

Summary as introduced:

Application for special conservator of the peace by locality. Provides that no official or employee of a school board or locality may apply for the appointment of a special conservator of the peace without attaching a written assessment of the need for such appointment from the sheriff or chief of police to the application.

12/28/15 House: Referred to Committee on Militia, Police and Public Safety

01/18/16 House: Assigned to sub: #2

01/21/16 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N)

Notes: City Position: oppose

HB 203 Extended Foster Care Services and Support Program; established.

Patrons: Lingamfelter and Peace

Summary as introduced:

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

12/28/15 House: Referred to Committee on Health, Welfare and Institutions

01/20/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: support

HB 216 Sales and Use Tax; tax on food purchased for human consumption.

Patron: LeMunyon

Summary as introduced:

Sales and use tax; food purchased for human consumption. Phases out over a five-year period the state and local sales and use tax on food purchased for human consumption. Under current law, the local tax rate on food is 1% and the state tax rate on such food is 1.5%, with a 1% tax dedicated to localities on the basis of school-age population and the remaining 0.5% tax dedicated to the Transportation Trust Fund. The bill dedicates state sales and use tax revenue to hold harmless localities and the Transportation Trust Fund.

12/28/15 House: Referred to Committee on Finance

Notes: City Position: oppose

HB 217 Machinery and tools, merchants' capital, and BPOL taxes; maximum rates.

Patron: LeMunyon

Summary as introduced:

Machinery and tools, merchants' capital, and BPOL taxes; maximum rates established. Prohibits a locality from increasing its machinery and tools tax, merchants' capital tax, and BPOL fees and taxes above the locality's rates in effect as of January 1, 2016.

12/28/15 House: Referred to Committee on Finance

01/19/16 House: Assigned to sub: Subcommittee #3

Notes: City Position: oppose

HB 222 Recognition of EMS Personnel Licensure Interstate Compact; created.

Patrons: Stolle, Keam, Levine, Orrock, O'Bannon, Rasoul, Spruill and Wilt; Senator: DeSteph

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 ensure 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. The bill includes an enactment clause authorizing the State Emergency Medical Services Advisory Board to review decisions of the Interstate Commission for EMS Personnel Practice and, upon approval by the Interstate Commission of any action that will have the result of increasing the cost to the Commonwealth of membership in the compact, recommend to the General Assembly that the Commonwealth withdraw from the compact. The bill also provides that the compact shall expire on July 1, 2021, if it has not become effective as a result of enactment into law by at least 10 member states.

12/29/15 House: Referred to Committee on Health, Welfare and Institutions

01/19/16 House: Reported from Health, Welfare and Institutions (22-Y 0-N)

01/21/16 House: Read second time and engrossed

Notes: City Position: support

HB 223 Courthouse and courtroom security; assessment.

Patrons: Stolle and Lindsey

Summary as introduced:

Courthouse and courtroom 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 and courtroom security.

12/29/15 House: Referred to Committee for Courts of Justice

01/14/16 House: Assigned to sub: Subcommittee Civil Law

01/18/16 House: Subcommittee recommends reporting & referring to Appropriations (9-Y 0-N)

Notes: City Position: support

HB 260 Firearms; law-enforcement certification of transfer.

Patrons: LaRock and Collins

Summary as introduced:

Law-enforcement certification of certain firearms. Provides that when the 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 the bill, 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.

12/31/15 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: oppose

HB 286 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 legal notice requirements by advertising on local radio or TV stations or publishing on the locality's website instead of publishing in a newspaper of general circulation.

01/04/16 House: Referred to Committee on Counties, Cities and Towns

01/18/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: support

HB 296 Eluding police; penalty.

Patron: O'Quinn

Summary as introduced:

Eluding police; penalty. If a law-enforcement officer pursues a person who has disregarded a signal to stop, and the person drives in willful and wanton disregard of such signal so as to interfere with or endanger the operation of the law-enforcement vehicle or to endanger another person, and the law-enforcement officer suffers serious bodily injury as a result of the pursuit, this bill would make the person is guilty of a Class 4 felony. Under current law, the law-enforcement officer must be killed in order for the Class 4 felony to apply.

01/04/16 House: Referred to Committee for Courts of Justice

01/09/16 House: Impact statement from VCSC (HB296)

Notes: City Position: support

HB 300 Fair Housing Law; unlawful discriminatory housing practices, sexual orientation.

Patrons: Simon, Taylor, Bagby, Bell, John J., Boysko, Heretick, Herring, Hope, Kory, Krizek, Lindsey, Mason, McClellan, McQuinn, Murphy, Plum, Rasoul, Sickles, Villanueva, Watts and Yost; Senators: Favola, Howell, Lewis, Marsden, McPike, Saslaw and Surovell

Summary as introduced:

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

01/04/16 House: Referred to Committee on General Laws

Notes: City Position: support

HB 339 Recordation tax; securing of loan by locality for certain borrower.

Patron: Pogge

Summary as introduced:

Recordation tax; exemption. Provides an exemption from recordation tax for any deed of trust that secures a loan made by a locality to a borrower whose household income does not exceed 80% of the area median household income established by the U.S. Department of Housing and Urban Development for the purpose of erecting or rehabilitating a home for such borrower, including the purchase of land for such home.

01/05/16 House: Referred to Committee on Finance

Notes: City Position: oppose

HB 368 Firearms; disposition of those acquired by localities.

Patron: Davis

Summary as introduced:

Disposition of certain firearms acquired by localities. Provides that a locality is not required to offer for sale certain firearms that are surrendered to a locality accompanied by a signed request that the firearm be destroyed.

01/05/16 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: support

HB 385 Discrimination; ordinances or regulations prohibiting.

Patron: Marshall, R.G.

Summary as introduced:

Discrimination; ordinances or regulations prohibiting. Prohibits any political subdivision, including a locality or school board, from enacting an ordinance or adopting a regulation prohibiting discrimination on any basis other than race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status, or disability.

01/06/16 House: Referred to Committee on General Laws

Notes: City Position: oppose

HB 391 Motor vehicle title loan offices; distance from military base.

Patrons: Krizek, Bagby, Bell, John J., Boysko, Herring, Hope, Kory, Lindsey, McQuinn, Murphy, Plum, Rasoul and Simon; Senators: Ebbin, Favola and Surovell

Summary as introduced:

Motor vehicle title loan offices; distance from military base. Prohibits the State Corporation Commission from issuing a license for the operation of a motor vehicle title loan office if such office is within 10 miles of a military base.

01/06/16 House: Referred to Committee on Commerce and Labor

Notes: City Position: support

HB 397 Discrimination; specification of certain terms relating to sex or gender.

Patrons: LaRock, Cole, Fariss, Freitas, Marshall, D.W. and Marshall, R.G.; Senator: Garrett

Summary as introduced:

Discrimination based on an individual's sex. Specifies that the terms "because of gender," "because of sex," "on the basis of gender," and "on the basis of sex" and terms of similar import when used in reference to discrimination in the Code mean because of or on the basis of the biologic character or quality that distinguishes an individual as either male or female as determined at birth by analysis of the individual's gonadal, internal and external morphologic, chromosomal, and hormonal characteristics. The bill provides that no local ordinance prohibiting discrimination on the basis of sex shall consider the mere separation of individuals by sex to be discrimination. The bill permits local school boards to enact policies prohibiting discrimination in education on the basis of race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status, or disability, provided that, consistent with Article I, Section 11 of the Constitution of Virginia, no such policy shall consider the mere separation of individuals by sex to be discrimination.

01/06/16 House: Referred to Committee on General Laws

Notes: City Position: oppose

HB 422 Firearms businesses; local regulation of dealers in proximity of schools.

Patrons: Murphy, Simon, Bell, John J., Hester, Hope, James, Kory, Levine, Lindsey, Lopez, McClellan, McQuinn, Plum and Tyler

Summary as introduced:

Firearms businesses; local regulation; proximity to schools. Authorizes any locality to adopt an ordinance regulating or prohibiting anyone from engaging in the business of selling firearms at retail, providing gunsmithing services, or operating a sports shooting range, within 1,000 feet of a school.

01/07/16 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: support

HB 423 Firearms; possession in school zone, penalty.

Patrons: Simon, Bagby, Bell, John J., Boysko, Carr, Hope, Kory, Krizek, Lindsey, McQuinn, Plum, Sullivan, Toscano and Watts

Summary as introduced:

Possession of firearms in school zone; penalty. Provides, with certain exceptions, that an individual who knowingly possesses any firearm while such person is within 1,000 feet from a school, is guilty of a Class 1 misdemeanor. An individual is permitted to possess a firearm in a school zone if (i) he is on private property, (ii) he possesses a valid concealed handgun permit, (iii) the firearm is unloaded and is in a closed container or a locked firearm rack in or upon a motor vehicle, (iv) he possesses a firearm as part of a school-sponsored or school-authorized program, (v) he possesses such firearm in accordance with a contract with the school, or (vi) he is a law-enforcement officer or armed security officer hired by a private or religious school.

01/07/16 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: support

HB 424 Firearms; possession in school zone, regulation by locality.

Patrons: Simon, Murphy, Sullivan and Kory; Senators: Favola and Howell

Summary as introduced:

Possession of firearms in school zone; regulation by locality. Authorizes a locality to adopt an ordinance prohibiting an individual from knowingly possessing any firearm while such person is within 1,000 feet of a school. The ordinance would not apply to (i) an individual who is on private property, (ii) an individual who possesses a valid concealed handgun permit, (iii) a firearm that is unloaded and is either in a closed contained or a locked firearms rack in or upon a motor vehicle, (iv) an individual who possesses a firearm as part of a school-sponsored or authorized program, (v) an individual who possesses such firearm in accordance with a contract with the school, or (vi) a law-enforcement officer or armed security officer hired by a private or religious school.

01/07/16 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: support

HB 426 Battery; punishment when against public transportation operators, penalty.

Patrons: Villanueva, Davis, Helsel, Hester and Spruill

Summary as introduced:

Battery; public transportation operators. Provides that the punishment for battery of a person who is the operator of a vehicle operated by a public transportation service who is engaged in the performance of his duties is a Class 1 misdemeanor, including a term of confinement of 15 days in jail, two days of which shall be a mandatory minimum term of confinement.

01/07/16 House: Referred to Committee for Courts of Justice

01/18/16 House: Subcommittee on Criminal Law recommends laying on the table

Notes: City Position: support

HB 428 Prisoner's spouse or children; support payments by county or city.

Patron: Hope

Summary as introduced:

Support payments by county or city. Designates the Department of Social Services as the entity to which a locality within the boundaries of which a prisoner is put to work on a work squad shall pay funds for the support of the prisoner's spouse or children. The bill increases the minimum amount that the locality shall pay from \$5 to \$20 dollars and increases the maximum amount that the locality shall pay from \$25 to \$40 dollars for each week in the discretion of the court during any part of which any work is performed by the prisoner.

01/07/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Assigned to sub: Subcommittee Civil Law

Notes: City Position: support

HB 429 Virginia Human Rights Act; public employment, prohibited discrimination.

Patrons: Villanueva, Keam, Heretick, Lopez, Rasoul, Sickles and Simon

Summary as introduced:

Virginia Human Rights Act; public employment; prohibited discrimination; sexual orientation. Prohibits discrimination in employment on the basis of sexual orientation, which is defined 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. The bill also codifies existing prohibited discrimination in public 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 veteran.

01/07/16 House: Referred to Committee on General Laws

Notes: City Position: support

HB 432 Virginia Freedom of Information Act; public access to certain criminal investigative files.

Patron: Villanueva

Summary as introduced:

Virginia Freedom of Information Act; public access to certain criminal investigative files. Limits the application of the exemption for criminal investigative files to active criminal investigative files. As a result, closed or inactive criminal investigative files would be subject to mandatory disclosure, if requested.

01/07/16 House: Referred to Committee on General Laws

01/18/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: oppose

HB 433 Concealed handguns; revocation of permit.

Patron: Villanueva

Summary as introduced:

Revocation of concealed handgun permit; alcohol or illegal drugs. Makes optional, and conditioned on a determination that the violation demonstrates a reckless disregard for safety, the court's revocation of a person's concealed handgun permit upon conviction of carrying a handgun in a public place while under the influence of alcohol or illegal drugs. Under current law, revocation of such convicted person's permit is mandatory. The bill provides that only if such convicted person's permit is revoked by the court is the convicted person ineligible to apply for a concealed handgun permit for five years.

01/07/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Assigned to sub: Subcommittee Criminal Law

Notes: City Position: oppose

HB 438 Sediment reduction credits; use by Municipal Separate Storm Sewer Systems (MS4) permittees.

Patrons: Bulova and Lingamfelter

Summary as introduced:

Sediment reduction credits. Authorizes Municipal Separate Storm Sewer Systems MS4) permittees to acquire and use sediment reduction credits as part of a compliance strategy for implementing the Chesapeake Bay TMDL. Currently, MS4s have similar authority for nitrogen and phosphorous; the bill adds a third pollutant, sediment.

01/07/16 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/13/16 House: Assigned to sub: Subcommittee Chesapeake

01/21/16 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N)

Notes: City Position: support

HB 443 Carrying a concealed handgun; permit not required.

Patron: Campbell

Summary as introduced:

Carrying a concealed handgun; exception. Allows any person who regardless of having met the demonstration of competence requirement is otherwise qualified to obtain a concealed handgun permit to carry a handgun concealed in any place where such person could openly carry a handgun.

01/07/16 House: Referred to Committee for Courts of Justice

Notes: City Position: oppose

HB 448 Nutrient offset credits; allows new and expanding wastewater discharge facilities to acquire.

Patrons: Cox and Ingram

Summary as introduced:

Acquisition of nutrient offset credits. Allows a new or expanding facility registered under the Watershed General Permit to acquire nutrient offset credits, on land located in the same tributary as the facility, on which best management practices have been implemented that would achieve reductions greater than those currently required by federal or state law or the Chesapeake Bay TMDL Watershed Implementation Plan. The bill provides that any such acquisition is subject to approval by the State Water Control Board. The bill also enables an applicant under the Watershed General Permit to join the Virginia Nutrient Credit Exchange Association.

01/07/16 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

Notes: City Position: support

HB 458 Protective orders; assault and battery against protected person, penalty.

Patrons: Murphy and Simon

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.

01/08/16 House: Referred to Committee for Courts of Justice

Notes: City Position: support

HB 485 Assault; against family or household member, Class 1 misdemeanor.

Patron: McClellan

Summary as introduced:

Assault; family or household member. Makes assault against a family or household member a Class 1 misdemeanor. Under current law simple assault falls under the general assault and battery statute but not under the family or household member assault and battery statute.

01/08/16 House: Referred to Committee for Courts of Justice

Notes: City Position: support

HB 500 Child care providers; criminal history background checks.

Patrons: Filler-Corn and Anderson

Summary as introduced:

Child care providers; criminal history background checks. Requires all applicants for licensure as a family day system, registration as a family day home, and approval as a family day home by a family day system, all child day centers that are exempt from licensure by the Department of Social Services, and all child day centers and family day homes that enter into a contract with the 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, as well as all applicants for employment, employees, applicants to volunteer, and volunteers at such child day centers, family day homes, and family day systems, to undergo fingerprint-based national criminal history background checks beginning July 1, 2017. The bill also requires individuals currently employed by or serving as volunteers at a licensed child day center, family day home,

or family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, family day home approved by a family day system, or child day center or family day home that enters into a contract with the 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 to undergo a national background check to be completed by July 1, 2017. In addition, every (i) person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system; (ii) agent of a person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system or who will be involved in the day-to-day operations of the child day center, family day home, or family day system or who is or will be alone with, in control of, or supervising one or more children in a child day center, family day home, or family day system; and (iii) adult living in a licensed child day center or family day home, registered family day home, or family day home approved by a family day system, shall undergo a national background check to be completed by July 1, 2017.

01/08/16 House: Referred to Committee on Health, Welfare and Institutions

01/14/16 House: Assigned to sub: Subcommittee Subcommittee #3

Notes: City Position: support

HB 560 Brandishing a firearm; intent to induce fear, etc., penalty.

Patron: Lingamfelter

Summary as introduced:

Brandishing a firearm; intent; penalty. Requires that a person pointing, holding, or brandishing a firearm or similar weapons must have the intent to induce fear in the mind of another or know or reasonably should know that his conduct would induce such fear in order to be convicted of the crime of brandishing. Currently, the perpetrator's intent is not an element of the offense.

01/11/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Assigned to sub: Subcommittee Criminal Law

01/20/16 House: Subcommittee recommends reporting (8-Y 3-N)

Notes: City Position: oppose

HB 563 Firearms; disposition by locality, licensed dealer right of action.

Patron: Lingamfelter

Summary as introduced:

Disposition of firearms; licensed dealer right of action. Provides a right of action to licensed dealers against a locality that fails to offer a firearm for sale prior to destroying the firearm. The bill provides that such a dealer may be entitled to reasonable costs and attorney fees.

01/11/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Assigned to sub: Subcommittee Civil Law

Notes: City Position: oppose

HB 571 School calendar; local school boards responsible for setting opening day of school.

Patron: Robinson

Summary as introduced:

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening date of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill requires local school boards that set the school calendar with a pre-Labor Day opening date, except those schools that were granted a "good cause" waiver for the 2015-2016 school year, to close all schools in the division (i) from the Thursday immediately preceding Labor Day through Labor Day or (ii) from the Friday immediately preceding Labor Day through the Tuesday immediately succeeding Labor Day.

01/11/16 House: Referred to Committee on Education

01/15/16 House: Assigned to sub: Subcommittee Education Innovation

Notes: City Position: support

HB 594 Traffic or motor vehicle laws; enforcement by marked law-enforcement vehicles.

Patron: Marshall, R.G.

Summary as introduced:

Enforcement of traffic or motor vehicle laws; marked law-enforcement vehicles. Requires that any law-enforcement vehicle used by an officer for enforcing traffic or motor vehicle laws be (i) marked in some distinctive manner that identifies the law-enforcement agency employing such officer and (ii) equipped with warning lights. The bill provides exceptions for an officer who (a) stops at the scene of an accident or to assist a disabled motor vehicle, (b) has probable cause to believe the operator of a motor vehicle has committed a felony or is driving under the influence, or (iii) stops the operator of a motor vehicle who the officer reasonably believes constitutes a risk of causing imminent and serious bodily injury to any person.

01/19/16 House: Referred to Committee on Militia, Police and Public Safety

01/19/16 House: Assigned to sub: #3

Notes: City Position: oppose

HB 609 Protective orders; assault and battery; penalty.

Patron: Bell, Robert B.

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.

01/11/16 House: Referred to Committee for Courts of Justice

Notes: City Position: support

HB 610 Violations of Protective orders; penalty.

Patrons: Bell, Robert B.; Senator: Garrett

Summary as introduced:

Violations of protective orders; penalty. Provides that any person who commits any assault or bodily wounding upon or stalks any party protected by a protective order is guilty of a Class 6

felony. Currently, the Class 6 felony is only applicable if the person commits an assault and battery that results in serious bodily injury to the protected party.

01/11/16 House: Referred to Committee for Courts of Justice

Notes: City Position: support

HB 658 Protective orders; possession of firearms; penalty.

Patron: Filler-Corn

Summary as introduced:

Protective orders; possession of firearms; penalty. Prohibits a person who is subject to a protective order from possessing a firearm, punishable as a Class 1 misdemeanor for a first or second offense and a Class 6 felony for a third or subsequent offense. Currently, such person is prohibited only from purchasing or transporting a firearm.

01/11/16 House: Referred to Committee on Militia, Police and Public Safety

Notes: City Position: support

HB 698 Virginia Freedom of Information Act; right to speak at open meetings.

Patron: Kory

Summary as introduced:

Virginia Freedom of Information Act; right to speak at open meetings. Requires that every public body afford an opportunity for public comment during any open meeting. A public body may adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner.

01/11/16 House: Referred to Committee on General Laws

01/18/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: oppose

HB 717 Transportation projects; evaluation of in Northern Virginia.

Patron: LeMunyon

Summary as introduced:

Evaluation of significant transportation projects in Northern Virginia. Directs the Department of Transportation to complete evaluations of certain significant transportation projects in the Northern Virginia Transportation District by December 31, 2016.

01/11/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee Subcommittee #2

Notes: City Position: oppose

HB 720 Transportation projects in Planning District 8; public hearings.

Patron: LeMunyon

Summary as introduced:

Department of Transportation; transportation projects in Planning District 8. Requires the Department of Transportation (VDOT) or the Department of Rail and Public Transportation to hold a public hearing regarding any transportation project valued in excess of \$10 million in Planning District 8 at the conclusion of the project's preliminary design phase but before the detailed design phase begins and requires VDOT to evaluate such projects and make public the results of such evaluations not less than 14 days prior to such hearing.

01/11/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: support

HB 723 NOVA; transfer of powers and duties to NOVA Authority.

Patron: LeMunyon

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.

01/11/16 House: Referred to Committee on Transportation

Notes: City Position: oppose

HB 724 Northern Virginia Transportation Commission; quorum and voting procedures.

Patron: LeMunyon

Summary as introduced:

Quorum and action by the Northern Virginia Transportation Commission. Provides quorum and voting procedures for the Northern Virginia Transportation Commission that are analogous to those followed by the Northern Virginia Transportation Authority.

01/11/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee Subcommittee #3

01/21/16 House: Subcommittee recommends reporting with amendment(s) (7-Y 1-N)

Notes: City Position: oppose

HB 726 Northern Virginia Excess Toll Revenue Fund; created.

Patron: LeMunyon

Summary as introduced:

Northern Virginia Excess Toll Revenue Fund. Establishes the Northern Virginia Excess Toll Revenue Fund into which all moneys collected by a toll facility in Planning District 8 that exceed amounts necessary for the design, development, operation, maintenance, or financing of the highway where the toll is collected will be deposited. Moneys in the Northern Virginia Excess Toll Revenue Fund will be distributed to the Northern Virginia Transportation Authority and used for alleviating highway congestion.

01/11/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee #3

Notes: City Position: oppose unless amended to apply only to I-66 outside the Beltway, as recommended by NVT A

HB 727 Northern Virginia Transportation Authority; decision-making procedure.

Patron: LeMunyon

Summary as introduced:

Northern Virginia Transportation Authority; decision-making procedure. Requires the Northern Virginia Transportation Authority to make certain information concerning projects in its regional transportation plan publicly available at least 30 days prior to any decision for the expenditure of funds to create or improve a transportation facility.

01/11/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee #3

01/21/16 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N)

Notes: City Position: support if timeframe is changed to 20 days

HB 728 State and local transportation planning; reviews related to homeland security.

Patron: LeMunyon

Summary as introduced:

State and local transportation planning; homeland security. Requires that the results of Department of Transportation reviews of proposed local comprehensive plan amendments for issues related to homeland security be provided concurrently to the submitting locality and the Northern Virginia Transportation Authority.

01/11/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: support

HB 732 State & local transportation planning; review of proposed rezoning, impact on roads.

Patron: LeMunyon

Summary as introduced:

State and local transportation planning. Provides that in Northern Virginia, the Department of Transportation's review of a proposed rezoning shall consider the transportation impact of the proposed rezoning on all interstate, primary, and secondary roads within a five-mile radius of the proposed rezoning.

01/11/16 House: Referred to Committee on Transportation

01/15/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: oppose

HB 753 School calendar.

Patron: Greason

Summary as introduced:

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

01/15/16 House: Assigned to sub: Subcommittee Education Innovation

01/21/16 House: Impact statement from DOE/COO (HB753)

Notes: City Position: support

HB 757 Local or regional public bodies; public comment.

Patron: Bell, Robert B.

Summary as introduced:

Meetings of local or regional public bodies; public comment. Requires a local or regional public body to disseminate to the public an agenda for a public meeting at least seven days prior to the meeting or 24 hours prior to an emergency meeting. The bill also requires such body to provide at least five minutes for public comment on each agenda item at the public meeting.

01/12/16 House: Referred to Committee on Counties, Cities and Towns

01/18/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: oppose

HB 763 Law enforcement, local, and State Police; enforcement of federal regulations.

Patron: Freitas

Summary as introduced:

State & Local law enforcement; enforcement of federal regulations. Prohibits local law enforcement or the State Police from cooperating with a federal agency by furnishing police services to enforce a federal regulation that has not been made law by an act of Congress if the locality or the Department is conducting an active investigation of a violent crime.

01/12/16 House: Referred to Committee on Appropriations

Notes: City Position: oppose

HB 770 Conditional zoning; provisions applicable to all proffers.

Patron: Gilbert

Summary as introduced:

Conditional zoning. Provides that no locality shall (i) request or accept any unreasonable proffer in connection with a rezoning or a proffer condition amendment as a condition of approval of a new residential development or new residential use or (ii) deny any rezoning application, including an application for amendment to an existing proffer, for a new residential development or new residential use where such denial is based on an applicant's failure or refusal to submit, or remain subject to, an unreasonable proffer. A proffer shall be deemed unreasonable unless it addresses an impact that is specifically and uniquely attributable to a proposed new residential development or other new residential use applied for. An off-site proffer shall be deemed unreasonable pursuant to the above unless it addresses an impact to an off-site public facility, such that, (a) the new residential development or new residential use creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment, and (b) each such new residential development or new residential use applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. In any action in which a locality has denied a rezoning or an amendment to an existing proffer and the aggrieved applicant proves by a preponderance of the evidence that it refused or failed to submit, or remain subject to, an unreasonable proffer that it has proven was suggested, requested, or required, formally or informally, by the locality, the court shall presume, absent clear and convincing evidence to the contrary, that such refusal or failure was the controlling basis for the denial. The bill also provides that certain conditional rezoning proffers related to building materials, finishes, methods of construction, or design features on a new residential development are prohibited.

01/12/16 House: Referred to Committee on Counties, Cities and Towns

01/21/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: oppose

HB 788 School calendar.

Patron: Adams

Summary as introduced:

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

01/12/16 House: Referred to Committee on Education

01/19/16 House: Assigned to sub: Education Innovation

Notes: City Position: support

HB 853 Traffic lights; use of photo-monitoring systems.

Patrons: Cline and Krizek

Summary as introduced:

Use of photo-monitoring systems for traffic lights; repeal. Repeals the authority for a locality to operate a red light camera program.

01/12/16 House: Referred to Committee on Militia, Police and Public Safety

01/19/16 House: Assigned to sub: #3

Notes: City Position: oppose

HB 901 Northern Virginia Transportation Authority; use of certain revenues.

Patron: Marshall, R.G.

Summary as introduced:

Use of certain revenues by the Northern Virginia Transportation Authority. Requires that 50% of the funds the Northern Virginia Transportation Authority has remaining after distribution to localities be used for bus rapid transit on Interstate 66 or expansion of Virginia Railway Express that benefit the Interstate 66 corridor from Haymarket to Interstate 495, or Interstate 66 construction outside the Capital Beltway until July 1, 2031.

01/12/16 House: Referred to Committee on Transportation

01/21/16 House: Assigned to sub: Subcommittee #3

Notes: City Position: oppose

HB 1121 Absentee voting; verification of signatures by officers of elections.

Patron: Anderson

Summary as introduced:

Absentee voting; signature requirement; verification of signatures by officers of elections. Requires the officers of elections to compare the signature on an absentee ballot envelope with the signature on that voter's voter registration application. Three officers, including one representative of each political party, are required to agree that the signatures match in order for the absentee ballot to be accepted. If less than three agree, the ballot is given provisional status and the electoral board makes the final determination of its validity. Notice by certified mail is required to be given to the voter. The bill also requires absentee ballot applications to be signed by the applicant's own handwriting or by electronic means, if such electronic signature is created by using a cursor, stylus, or similar device moved by the applicant to capture his signature. Any application signed by any other means shall be rejected.

01/13/16 House: Referred to Committee on Privileges and Elections

01/19/16 House: Assigned to sub: Elections

Notes: City Position: oppose

HB 1164 Local stormwater utility; waiver of charges for church or religious body.

Patron: Morris

Summary as introduced:

Local stormwater utility; waiver of charges; religious body. Requires any locality establishing a stormwater management utility to waive charges for real estate exclusively occupied or used by a church or religious body for worship or for the residence of its minister.

01/14/16 House: Referred to Committee on Counties, Cities and Towns

01/21/16 House: Assigned to sub: Subcommittee #2

Notes: City Position: oppose

SB 5 Virginia Retirement System; health insurance credits for certain retired employees.

Patron: Stanley

Summary as introduced:

Virginia Retirement System; health insurance credit. Increases the monthly health insurance credit for retired local government employees, local officers, general registrars, employees of a general registrar, and employees of local social services boards from \$1.50 per year of creditable service with a cap of \$45, to \$4 per year of creditable service, with no cap.

11/22/15 Senate: Referred to Committee on Finance

Notes: City Position: oppose

SB 8 Payday loan offices and motor vehicle title loan offices; distance from casino facility.

Patrons: Ebbin and Surovell; *Delegates:* Kory and Krizek

Summary as introduced:

Payday loan offices and motor vehicle title loan offices; distance from casino facility. Prohibits the State Corporation Commission from issuing a license for the operation of a payday lending office or motor vehicle title lending office if such office is within 20 miles of a casino facility located in any state.

11/24/15 Senate: Referred to Committee on Commerce and Labor

Notes: City Position: support

SB 10 Same-sex marriages; civil unions.

Patrons: Ebbin, Howell and Surovell; *Delegates:* Kory, Levine, Sickles and Simon

Summary as introduced:

Same-sex marriages; civil unions. Repeals the statutory prohibitions on same-sex marriages and civil unions or other arrangements between persons of the same sex purporting to bestow the privileges and obligations of marriage. The prohibition on these relationships contained in Article I, Section 15-A of the Constitution of Virginia is unaffected by this bill.

12/01/15 Senate: Referred to Committee for Courts of Justice

Notes: City Position: support

SB 12 Virginia Human Rights Act; nondiscrimination in public employment.

Patrons: Ebbin, McEachin and Surovell; *Delegates:* Kory, Rasoul and Simon

Summary as introduced:

Nondiscrimination in public employment. Prohibits discrimination in public employment 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.

12/02/15 Senate: Referred to Committee on General Laws and Technology

Notes: City Position: support

SB 49 Protective orders; prohibits person who is subject to order from possessing firearms.

Patrons: Howell; *Delegates:* Kory, Simon and Watts

Summary as introduced:

Protective orders; possession of firearms. 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.

12/16/15 Senate: Referred to Committee for Courts of Justice

Notes: City Position: support

SB 50 Courthouse and courtroom security; assessment.

Patron: Howell

Summary as introduced:

Courthouse and courtroom 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 and courtroom security.

01/18/16 Senate: Reported from Courts of Justice (10-Y 5-N)

01/18/16 Senate: Rereferred to Finance

Notes: City Position: support

SB 108 Forfeiture of property used in connection with the commission of crimes; finding of guilt required.

Patrons: Petersen, Garrett and Marsden; *Delegates:* Cole and Marshall, R.G.

Summary as introduced:

Forfeiture of property used in connection with the commission of crimes; finding of guilt 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 found guilty of the crime authorizing the forfeiture, regardless of whether he has been sentenced. The bill provides that property may be forfeited even though no finding of guilt is made 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.

12/28/15 Senate: Referred to Committee for Courts of Justice

Notes: City Position: oppose

SB 112 NVTA; use of certain funds for sidewalk projects.

Patron: Petersen

Summary as introduced:

Use of certain revenues by NVTA. Allows new sidewalk projects to be funded by NVTA.

01/20/16 Senate: Failed to report (defeated) in Transportation (5-Y 7-N)

Notes: City Position: support

SB 138 Firearms retailers; local regulation, proximity to schools.

Patrons: Favola; *Delegates:* Kory and Sullivan

Summary as introduced:

Firearms retailers; local regulation; proximity to schools. Authorizes any locality to adopt an ordinance regulating or prohibiting anyone from engaging in the business of selling firearms within 1,000 feet of a school.

12/29/15 Senate: Referred to Committee for Courts of Justice

Notes: City Position: support

SB 158 Sexual assault investigations; collection and storage of evidence.

Patrons: Favola, Locke and Saslaw; *Delegates:* Kory and Krizek

Summary as introduced:

Physical evidence recovery kit. Requires the Department of State Police, all police and sheriff's departments, and every campus police department to submit all physical evidence recovery kits that are in their custody on July 1, 2016, and all physical evidence recovery kits that come into their custody after July 1, 2016, to the Department of Forensic Science for analysis. Forensic evidence that does not meet the standards for retention in a state or national data bank shall be returned to the law-enforcement agency that submitted the physical evidence recovery kit, which shall store such kit whether or not the victim has reported the sexual assault to law enforcement.

12/29/15 Senate: Referred to Committee for Courts of Justice

Notes: City Position: support

SB 218 Business license taxes; limitation on gross receipts for staffing firms.

Patron: Marsden

Summary as introduced:

Limitation on gross receipts for staffing firms; business license taxes. Provides that gross receipts for a staffing firm shall not include employee benefits for an independent contractor by including both employees who receive a Form W-2 and independent contractors who receive a Form 1099 in the definition of "contract employee."

01/05/16 Senate: Referred to Committee on Finance

Notes: City Position: oppose

SB 221 Discrimination between employees on the basis of sex; payment of wages.

Patrons: McEachin, Dance, Deeds, Ebbin, Favola, Howell, Locke, Saslaw and Wexton;

Delegates: Bagby, Bell, John J., Boysko, Carr, Heretick, Hope, Kory, Krizek, Lindsey, McClellan, McQuinn, Murphy, Plum, Rasoul, Simon, Spruill and Tyler

Summary as introduced:

Equal pay irrespective of sex. Amends existing law requiring equal pay for equal work irrespective of sex to (i) increase the penalty for a violation from double unpaid wages to triple

unpaid wages plus reasonable attorney fees; (ii) prohibit employers from punishing employees for sharing salary information with their coworkers; and (iii) prohibit unequal provision of benefits and privileges. The measure also deletes the exemption for employers covered by the federal Fair Labor Standards Act from the Commonwealth's prohibition on discrimination in the payment of wages on the basis of sex.

01/05/16 Senate: Referred to Committee on Commerce and Labor

Notes: City Position: support

SB 236 Government Data Collection & Dissemination Practices Act; collection & use of personal information.

Patron: Petersen

Summary as introduced:

Government Data Collection and Dissemination Practices Act; collection and use of personal information by law-enforcement agencies. Provides that, unless a criminal or administrative warrant has been issued, law-enforcement and regulatory agencies shall not use surveillance technology to collect or maintain personal information where such data is of unknown relevance and is not intended for prompt evaluation and potential use regarding suspected criminal activity or terrorism by any individual or organization. The bill authorizes law-enforcement agencies to collect information from license plate readers, provided that such information is held for no more than seven days and is not subject to any outside inquiries or internal usage, except in the investigation of a crime or a missing persons report. After seven days, such collected information must be purged from the system unless it is being utilized in an ongoing investigation. The bill also adds to the definition of "personal information," for the purposes of government data collection and dissemination practices, vehicle license plate numbers and information that affords a basis for inferring an individual's presence at any place.

01/06/16 Senate: Referred to Committee on General Laws and Technology

Notes: City Position: oppose unless retention period is changed to 60 days or more

SB 278 Child welfare agencies; background checks for volunteers and employees.

Patron: Wexton

Summary as introduced:

Child welfare agencies; background checks. Requires that background checks for employees and volunteers of child welfare agencies 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 bill also prohibits child welfare agencies from continuing to employ or allowing to serve as a volunteer persons convicted of certain offenses.

01/07/16 Senate: Referred to Committee on Rehabilitation and Social Services

Notes: City Position: support

SB 303 Elections, State Board of; meetings to hear complaints.

Patron: Ebbin

Summary as introduced:

State Board of Elections; meetings to hear complaints. Requires the State Board of Elections to meet on the Tuesday immediately preceding any election to hear and consider action on any complaints received by the Department of Elections. The bill also authorizes the State Board to conduct a subsequent meeting, upon the call of the chair or the call of two members, to hear any

new complaints. Such meeting shall be held no later than the Friday immediately preceding the election and notice shall be posted on the official website of the Department of Elections no later than 24 hours prior to the meeting. The State Board may refer any complaint to the Attorney General for investigation and prosecution.

01/08/16 Senate: Referred to Committee on Privileges and Elections

Notes: City Position: support

SB 339 Stalking; penalty.

Patron: Reeves

Summary as introduced:

Stalking; penalty. Provides that contacting or following or attempting to contact or follow the person at whom stalking conduct is directed after being given actual notice that the person does not want to be contacted or followed, is prima facie evidence that the person intended to place the other person, or reasonably should have known that the other person was placed, in reasonable fear of death, criminal sexual assault, or bodily injury to himself or a family or household member. This bill is a recommendation of the Virginia State Crime Commission.

01/11/16 Senate: Referred to Committee for Courts of Justice

01/18/16 Senate: Reported from Courts of Justice with amendments (14-Y 0-N 1-A)

01/18/16 Senate: Rereferred to Finance

Notes: City Position: support

SB 340 School calendar.

Patrons: Garrett and Petersen

Summary as introduced:

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

01/11/16 Senate: Referred to Committee on Education and Health

Notes: City Position: support

SB 481 Vacant building; registration with cities and towns.

Patron: Ebbin

Summary as introduced:

Vacant building registration. Requires either that a vacant building be vacant for 12 months or that it meet the Code definition of "derelict building" before cities and certain towns may require the building's owner to register it and pay an annual registration fee. Current law requires that such a building comply with both the vacancy period and the definition of "derelict building."

01/12/16 Senate: Referred to Committee on Local Government

Notes: City Position: support

SB 601 Child care providers; criminal history background checks.

Patron: Wexton

Summary as introduced:

Child care providers; criminal history background checks. Requires all applicants for licensure as a family day system, registration as a family day home, and approval as a family day home by a family day system, all child day centers that are exempt from licensure by the Department of Social Services, and all child day centers and family day homes that enter into a

contract with the 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, as well as all applicants for employment, employees, applicants to volunteer, and volunteers at such child day centers, family day homes, and family day systems, to undergo fingerprint-based national criminal history background checks beginning July 1, 2017. The bill also requires individuals currently employed by or serving as volunteers at a licensed child day center, family day home, or family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, family day home approved by a family day system, or child day center or family day home that enters into a contract with the 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 to undergo a national background check to be completed by July 1, 2017. In addition, every (i) person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system; (ii) agent of a person who is licensed as a child day center, family day home, or family day system, registered as a family day home, or approved as a family day home by a family day system or who will be involved in the day-to-day operations of the child day center, family day home, or family day system or who is or will be alone with, in control of, or supervising one or more children in a child day center, family day home, or family day system; and (iii) adult living in a licensed child day center or family day home, registered family day home, or family day home approved by a family day system, shall undergo a national background check to be completed by July 1, 2017.

01/13/16 Senate: Referred to Committee on Rehabilitation and Social Services

Notes: City Position: support

SJ 7 Constitutional amendment; real property tax exemption for certain primary residences.

Patron: Alexander

Summary as introduced:

Constitutional amendment; real property tax exemption. Allows the General Assembly to provide a local option for the real property tax exemption for the primary residence of any law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel who has been determined to have a 100 percent service-connected, permanent, and total disability or the surviving spouse of a law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel who was killed in the line of duty. Such tax exemption may not be claimed by a surviving spouse who has remarried.

12/16/15 Senate: Referred to Committee on Privileges and Elections

01/19/16 Senate: Continued to 2017 in Privileges and Elections (12-Y 0-N)

Notes: City Position: oppose

SJ 9 Constitutional amendment; marriage.

Patrons: Locke, Ebbin, Favola, Howell and Lucas; *Delegates:* Hope, Kory, Levine, Lopez and Price

Summary as introduced:

Constitutional amendment; marriage. Proposes the repeal of the constitutional amendment dealing with marriage that was approved by referendum at the November 2006 election. That amendment to the Bill of Rights (i) defines marriage as "only a union between one man and one

woman"; (ii) prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage"; and (iii) prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." The provisions of this section of the Constitution of Virginia are no longer valid as a result of the United States Supreme Court decision.

12/16/15 Senate: Referred to Committee on Privileges and Elections

01/19/16 Senate: Continued to 2017 in Privileges and Elections (12-Y 0-N)

Notes: City Position: support

SJ 32 Constitutional amendment; marriage.

Patron: McEachin

Summary as introduced:

Constitutional amendment; marriage. Proposes the repeal of the constitutional amendment dealing with marriage that was approved by referendum at the November 2006 election. That amendment to the Bill of Rights (i) defines marriage as "only a union between one man and one woman"; (ii) prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage"; and (iii) prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." The provisions of this section of the Constitution of Virginia are no longer valid as a result of the United States Supreme Court.

01/04/16 Senate: Referred to Committee on Privileges and Elections

01/19/16 Senate: Continued to 2017 in Privileges and Elections (12-Y 0-N)