

Status Report on Bills on Which the City Has Taken a Position March 4, 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, Lindsey, 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.

02/16/16 House: Left in Courts of Justice

Notes: City Position: support

HB 9 Voter registration; required information on application form.

Patrons: Cole, Morris and Ransone

Summary as passed:

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. Requires registrars to deny any application that fails to provide the applicant's first and last name or his date of birth; his social security number (or indicates that he does not have one); his citizenship status (or provides that he is not a U.S. citizen); his residence address (or indicates a rural residence location or homelessness); previous voter registration information (or indicates the lack thereof); or fails to indicate that he will be, or indicates that he will not be, at least 18 on or before the date of the next general election.

03/02/16 House: Bill text as passed House and Senate (HB9ER)

Notes: City Position: oppose

HB 25 Firefighting equipment or emergency medical services vehicle; penalty for tampering with, etc.

Patron: Habeeb

Summary as passed House:

Tampering, etc., with firefighting equipment; penalty. Provides that a person who injures, destroys, removes, or otherwise interferes with the operation of (i) any firefighting equipment or apparatus or (ii) any emergency medical services vehicle is guilty of a Class 1 misdemeanor.

03/02/16 Senate: Passed Senate with amendment (40-Y 0-N)

03/04/16 House: Senate amendment rejected by House (2-Y 97-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.

02/11/16 House: Continued to 2017 in Commerce and Labor

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 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.

02/16/16 House: Left in Commerce and Labor

Notes: City Position: support

HB 48 Forfeiture of property used in connection with the commission of crimes.

Patrons: Cole, Marshall, R.G., Landes, LaRock and LeMunyon

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.

02/16/16 House: VOTE: DEFEATED (47-Y 50-N)

Notes: City Position: oppose

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

Patron: Morris

Summary as introduced:

FOIA; 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.

02/16/16 House: Left in General Laws

Notes: City Position: oppose

HB 76 Concealed handguns; authorization to carry on school property.

Patrons: Marshall, R.G. and Cole

Summary as introduced:

Authorization 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 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. Anyone so designated 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.

02/16/16 House: Left in 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.
02/16/16 House: Left in 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.

02/26/16 Governor: Approved by Governor-Chapter 35 (effective 7/1/16)

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 preserve 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.

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. Prohibits agencies and political subdivisions of the Commonwealth, and employees thereof, from knowingly aiding 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.

02/18/16 House: Left in 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. Requires the Department to provide an interim report on the pilot program by December 1, 2016, and a final report by December 1, 2017.

02/16/16 House: Left in Health, Welfare and Institutions

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.

02/17/16 House: Left in Finance

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 opening day of the school year.

02/16/16 House: Left in Education

Notes: City Position: support

HB 99 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.

02/16/16 House: Left in Transportation

Notes: City Position: Oppose

HB 117 Boats or other watercraft; excess width permits for transporting vehicles.

Patrons: Knight; Senator: DeSteph

Summary as passed House:

Permits for excessive size. Authorizes the Commissioner of the Department of Motor Vehicles to issue permits for vehicles transporting boats or other watercraft that exceed an outside width of 102 inches but do not exceed an outside width of 108 inches; under current law, no such vehicle shall exceed an outside width of 102 inches. This bill is identical to SB 719.

03/01/16 Governor: Approved by Governor-Chapter 115 (effective 7/1/16)

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.

01/26/16 House: Stricken from docket by Transportation

Notes: City Position: oppose

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

Patron: Cole (by request)

Summary as introduced:

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

02/16/16 House: Left in Transportation

Notes: City Position: oppose

HB 141 Government Data Collection; license plate readers.

Patron: Marshall, R.G.

Summary as introduced:

License plate readers. Limits 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. Information collected by a license plate reader can be retained for seven days and used only for the investigation of a crime or a report of a missing person. Also prohibits an agency from acquiring personal information collected from license plate readers from a third-party vendor if the agency would not have been permitted to collect or retain the information on its own.

02/16/16 House: Left in 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; 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.

02/16/16 House: Left in Agriculture, Chesapeake and Natural Resources

Notes: City Position: support

HB 162 Incapacitated persons; expands class of victims of crime of financial exploitation.

Patron: Kory

Summary as introduced:

Financial exploitation of incapacitated persons. Expands the class of victims of the crime of financial exploitation of incapacitated persons to include persons incapacitated due to physical illness or disability, advanced age, or other causes.

02/16/16 House: Left in Courts of Justice

Notes: City Position: support

HB 167 School board employees; possession of firearms by certain employees.

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 elementary or secondary 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.

02/16/16 House: Left in Education

Notes: City Position: oppose

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

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

Summary as introduced:

Virginia Human Rights Act; prohibited discrimination in employment. Prohibits discrimination in employment based on sexual orientation or status as a veteran.

02/16/16 House: Left in General Laws

Notes: City Position: support

HB 195 Workers' compensation; presumption of compensability for certain diseases.

Patrons: Lingamfelter, Anderson and Fariss

Summary as introduced:

Workers' compensation; presumption of compensability for certain diseases. Adds colorectal cancer and testicular cancer to, and removes rectal cancer from, the list of cancers that are presumed to be an occupational disease compensable under the Virginia Workers' Compensation Act if contracted by certain firefighters and certain other employees who have had contact with a toxic substance in the line of duty.

02/16/16 House: Left in Commerce and Labor

Notes: City Position: oppose

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

Patron: Lingamfelter

Summary as passed House:

Application for special conservator of the peace by locality. Provides that no official or employee of a school board or county, city, or town may submit an application to a circuit court judge for the appointment of a special conservator of the peace without a written assessment of the need for such appointment from the chief law-enforcement officer of the locality.

03/02/16 Passed House and Senate

Notes: City Position: oppose

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

Patrons: Lingamfelter, Peace and Toscano

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 those age 18 to 21 who were in the custody of a local board of social services.

02/18/16 House: Left in Appropriations

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 tax on food purchased for human consumption. The bill dedicates state sales and use tax revenue to hold harmless localities and the Transportation Trust Fund.

02/17/16 House: Left in 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 business machinery and tools tax, merchants' capital tax, and local license (BPOL) fees and taxes above the locality's rates in effect as of January 1, 2016.

02/17/16 House: Left in Finance

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.

03/01/16 Governor: Approved by Governor-Chapter 75 (effective 7/1/16)

Notes: City Position: support

HB 223 Courthouse and courtroom security; assessment.

Patrons: Stolle, Kory 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.

02/18/16 House: Left in Appropriations

Notes: City Position: support

HB 248 Financial exploitation of adults; documentation referred to local law-enforcement.

Patrons: Minchew, Herring, Murphy, Anderson, Campbell, Carr, Collins, Filler-Corn, Hope, Keam, Kory, Krizek, Mason, Peace, Rasoul, Stolle and Watts

Summary as passed House:

Financial exploitation of adults. Provides that upon receipt of a report or during an adult protective services investigation of suspected financial exploitation of an adult who is 60 or older

or incapacitated in which financial losses to such adult resulting from the exploitation are suspected to be greater than \$50,000, the local department of social services or adult protective services hotline shall refer the matter to the local law-enforcement agency for investigation.

03/02/16 Passed House and Senate

Notes: City Position: support concept but will ask for clarity

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 a 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.

01/29/16 House: Stricken from docket by Militia, Police and Public Safety

Notes: City Position: oppose

HB 283 Electrical transmission line siting; hearing requested by locality.

Patrons: Minchew, Bell, John J., Mason, Anderson, Collins, Greason, Hugo, Murphy and Webert; *Senators:* Black, Surovell, Vogel and Wexton

Summary as introduced:

Electrical transmission line siting; hearing requested by locality. Requires the State Corporation Commission (SCC) to hold at least one hearing in the area that would be affected by construction of an electrical transmission line of 138 kV or more, upon the request of the governing body of any locality through which the line is proposed to be built.

3/04/16 Governor: Governor's Action Deadline Midnight, March 11, 2016

Notes: City Position: support

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 television stations or publishing on the locality's website instead of publishing in a newspaper.

01/29/16 House: Continued to 2017 in Counties, Cities and Towns

Notes: City Position: support

HB 296 Eluding police; penalty.

Patron: O'Quinn

Summary as introduced:

Eluding police; penalty. Provides that if a law-enforcement officer pursues a person who has disregarded a law-enforcement officer's signal to stop his vehicle and the person drives in willful 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 direct and proximate result of the pursuit, the person is guilty of a Class 4 felony.

02/16/16 House: Left in Courts of Justice

Notes: City Position: support

HB 300 Virginia Fair Housing Law; unlawful discrimination, definition of sexual orientation, etc.

Patrons: Simon, Taylor, Bagby, Bell, John J., Boysko, Carr, Heretick, Herring, Hope, Keam, Kory, Krizek, Levine, Lindsey, Mason, McClellan, McQuinn, Murphy, Plum, Rasoul, Sickles, Toscano, 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."

02/16/16 House: Left in General Laws

Notes: City Position: support

HB 301 Officer-involved shootings; VSP shall include in annual Crime in Virginia report.

Patrons: Herring and Lingamfelter

Summary as passed:

Officer-involved shootings; reporting requirement. Requires the Department of State Police to include any officer-involved shooting and whether such shooting was determined to be justified in the annual Crime in Virginia report. Also requires that any officer required to make such report receive training concerning such reporting requirement.

03/04/16 Governor: Governor's Action Deadline Midnight, March 11, 2016

Notes: City Position: support

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

Patron: Pogge

Summary as passed:

Recordation tax; exemption. Provides an exemption from the grantor's tax if the grantor is a locality at a judicial sale of tax-delinquent property. The bill also 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 percent 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.

03/03/16 Passed House and Senate (HB339ER)

Notes: City Position: oppose

HB 366 Disposition of unclaimed property; intangible property held by locality.

Patrons: Davis and Taylor; *Senator:* Wagner

Summary as introduced:

Disposition of unclaimed property held by locality. Limits the duty of a county, city, or town to report and remit abandoned intangible property by providing that intangible property that is held by a locality for the owner and that has remained unclaimed by the owner for more than one year after it became payable is presumed abandoned only if its value exceeds \$25.

02/11/16 House: Stricken from docket by General Laws

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.

02/16/16 House: Left in Courts of Justice

Notes: City Position: support

HB 379 Electric utility; customer account information, warrant required.

Patron: Marshall, R.G.

Summary as introduced:

Electric utility customer account information; warrant required. Provides that an electric utility shall not disclose any customer account information absent a search warrant or the customer's consent. The electric utility may still release customer account information in statistical or aggregate form, provided that no particular customer can be identified.

02/11/16 House: Continued to 2017 in Commerce and Labor

Notes: City Position: oppose

HB 385 Discrimination; ordinances or regulations prohibiting.

Patron: Marshall, R.G.

Summary as introduced:

Discrimination; ordinances or regulations prohibiting. Prohibits any political subdivision of the Commonwealth 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.

02/09/16 House: Failed to report (defeated) in General Laws (10-Y 11-N)

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.

02/16/16 House: Left in 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., Marshall, R.G. and Poindexter; 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 and acts of the General Assembly 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. Also provides that no local ordinance prohibiting discrimination on the basis of sex shall consider the mere separation of individuals by sex to be discrimination. Permits 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 no such policy considers the mere separation of individuals by sex to be discrimination.

02/16/16 House: Left in General Laws

Notes: City Position: oppose

HB 408 Virginia Retirement System; benefits.

Patron: Ingram

Summary as introduced:

Virginia Retirement System benefits. Provides for an increase, beginning July 1, 2016, of the monthly retirement allowance payable to any person who retired with at least 15 years of creditable service before January 1, 1990, under the Virginia Retirement System or the State Police Officers' Retirement System (or predecessor retirement systems).

02/18/16 House: Left in Appropriations

Notes: City Position: oppose

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

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

Summary as introduced:

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

02/16/16 House: Left in 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, Levine, Lindsey, McQuinn, Plum, Sullivan, Toscano and Watts

Summary as introduced:

Possession of firearms in school zone. Provides, with certain exceptions, that an individual who knowingly possesses any firearm while such person is in a school zone, defined by the bill as the

area within a distance of 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 either a closed container or a locked firearms rack in or upon a motor vehicle, (iv) he possesses a firearm as part of the school's curriculum or activities or 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 security officer hired by a private school.

02/16/16 House: Left in 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 in a school zone, which is defined as the area within a distance of 1,000 feet of a school. Such ordinance shall 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 container or a locked firearms rack in or upon a motor vehicle, (iv) an individual who possesses a firearm as part of the school's curriculum or activities or as part of a school-sponsored or school-authorized program, (v) an individual who possesses such firearm in accordance with a contract with the school, or (vi) a law-enforcement officer or security officer hired by a private school.

02/16/16 House: Left in 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; penalty. 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 mandatory confinement.

02/16/16 House: Left in Courts of Justice

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 county or city within the boundaries of which a prisoner is put to work on a workhouse, city farm, or 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 and increases the maximum amount that the locality shall pay from \$25 to \$40 for each week in the discretion of the court during any part of which any work is performed by the prisoner.

02/29/16 Governor: Governor's Action Deadline Midnight, March 7, 2016

Notes: City Position: support

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

Patrons: Villanueva, Keam, Heretick, Kory, Levine, Lopez, Mason, Rasoul, Sickles, Simon and Yost

Summary as introduced:

Virginia Human Rights Act. Prohibits discrimination in employment on the basis of 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.

02/16/16 House: Left in General Laws

Notes: City Position: support

HB 432 Virginia Freedom of Information Act; 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.

02/16/16 House: Left in General Laws

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.

02/16/16 House: Left in Courts of Justice

Notes: City Position: oppose

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

Patrons: Bulova and Lingamfelter

Summary as passed House:

Sediment reduction credits. Authorizes MS4 permittees to acquire and use sediment reduction credits as part of a compliance strategy for implementing the Chesapeake Bay TMDL.

03/01/16 Governor: Approved by Governor-Chapter 126 (effective 7/1/16)

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 the person could openly carry.

02/10/16 House: Stricken from docket by Courts of Justice

Notes: City Position: oppose

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

Patrons: Cox and Ingram

Summary as passed House:

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 also allows the acquisition of credits or the allocation of credits under the general permit for a period longer than the current five-year restriction, subject to the approval of the State Water Control Board.

03/04/16 Passed House and Senate

Notes: City Position: support

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

Patrons: Murphy and Simon; *Senator:* Favola

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.

02/16/16 House: Left in Courts of Justice

Notes: City Position: support

HB 485 Assault; person charged with simple assault against family or household member.

Patron: McClellan

Summary as passed House:

Assault; family or household member. Provides that a first offense of simple assault against a family or household member may be subject to deferral and dismissal. Under current law, first offender status is only available to a person who commits assault and battery against a family or household member.

03/04/16 Senate: Passed House and Senate

Notes: City Position: support

HB 493 Virginia Energy Efficiency Revolving Fund; created.

Patrons: Sullivan, Plum and Simon; *Senator:* Howell

Summary as introduced:

Virginia Energy Efficiency Revolving Fund. Creates the Virginia Energy Efficiency Revolving Fund to provide no-interest loans to any locality, school division, or public institution

of higher education funded by 40 percent of annual revenue over \$325 million of certain state recordation taxes and other funds given to the Fund.

02/18/16 House: Left in Appropriations

Notes: City Position: support

HB 495 Synthetic turf; three-year moratorium on installation at schools and parks.

Patrons: Simon, Murphy and Plum; Senator: Howell

Summary as introduced:

Moratorium on installation of synthetic turf that contains recycled crumb rubber. Places a three-year moratorium on the installation of synthetic turf that contains recycled crumb rubber from waste tires within the boundaries of a public or private elementary or secondary school, public or private preschool, or recreational park by any (i) public or private elementary or secondary school, (ii) public or private preschool, or (iii) local governing body. Also requires the Virginia Department of Health, in coordination with the Virginia Department of Conservation and Recreation and the Virginia Department of Education, to analyze the potential adverse health effects of synthetic turf that contains recycled crumb rubber from waste tires.

02/16/16 House: Left in Education

Notes: City Position: oppose

HB 500 Child care providers; criminal history background checks.

Patrons: Filler-Corn, Anderson and Mason

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, 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.

02/09/16 House: Continued to 2017 in Health, Welfare and Institutions

Notes: City Position: support

HB 501 Request for Proposal; design-build transportation projects.

Patron: Villanueva

Summary as passed House:

Request for Proposal of design-build projects. Allows for the submission and consideration of alternative technical concepts, defined in the bill, during the Request for Proposal process of a design-build transportation project.

03/02/16 Passed House and Senate

Notes: City Position: support

HB 526 Living shorelines; tax exemption from local property taxes.

Patron: Hodges

Summary as introduced:

Living shorelines; tax exemption. Provides that any living shoreline project approved by the Virginia Marine Resources Commission or the applicable local wetlands board and not prohibited by local ordinance shall qualify for full exemption from local property taxes.

02/26/16 Passed House and Senate

Notes: City Position: oppose

HB 533 Electrical transmission line siting; hearing requested by locality.

Patrons: Bell, John J. and Murphy

Summary as introduced:

Electrical transmission line siting; hearing requested by locality. Requires the State Corporation Commission (SCC) to hold at least one hearing in the area that would be affected by construction of an electrical transmission line of 138 kV or more, upon the request of the governing body of any county or municipality through which the line is proposed to be built. Currently the SCC is required to conduct a hearing in the affected area if requested by 20 or more interested parties. The measure also provides that the affected localities are given the same protections whenever a significantly different route is deemed desirable by the SCC.

02/16/16 House: Left in Commerce and Labor

Notes: City Position: support

HB 536 Sponsored residential and shared living services; background checks for providers.

Patrons: Hope and Kory

Summary as introduced:

Sponsored residential and shared living services; background checks. Establishes a requirement for a national fingerprint-based background check for providers of sponsored residential and shared living services.

02/29/16 Passed House and Senate

Notes: City Position: support

HB 543 Involuntary psychiatric treatment of an inmate; petition filed by sheriff.

Patron: Watts

Summary as passed House:

Involuntary psychiatric admission from local correctional facility. Clarifies that for the purposes of petitioning for the involuntary psychiatric treatment of an inmate in a local correctional facility, the petition shall be filed by the sheriff or other person in charge of the local correctional facility where the inmate is incarcerated.

03/02/16 Passed House and Senate

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 in the statute.

03/02/16 Passed House and Senate

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.

02/16/16 House: Left in Courts of Justice

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 opening date of the school year. 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.

02/18/16 Senate: Passed by indefinitely in Education and Health (9-Y 6-N)

Notes: City Position: support

HB 576 Electric and natural gas utilities; energy efficiency goals established, report.

Patrons: Sullivan and Murphy

Summary as introduced:

Electric and natural gas utilities; energy efficiency goals. Requires investor-owned electric utilities, cooperative electric utilities, and investor-owned natural gas distribution utilities to meet incremental annual energy efficiency goals. Electric utilities are required to implement cost-effective energy efficiency measures to achieve the goal of two percent savings by 2031 and thereafter, with interim goals that start at 0.25 percent for 2017-2018 and increase in biennial increments of 0.25 percent until 2031. Gas utilities are required to achieve the goal of one percent savings by 2031 and thereafter, with interim goals that start at 0.125 percent for 2017-2018 and increase in biennial increments of 0.125 percent until 2031.

02/11/16 House: Continued to 2017 in Commerce and Labor

Notes: City Position: support

HB 578 Virginia Public Procurement Act; architectural and engineering services, etc.

Patron: Albo

Summary as passed House:

Virginia Public Procurement Act; process for competitive negotiation; architects and engineers. Provides that for architectural or engineering services, the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions, unless such terms and conditions are required by law, regulation, ordinance, or standards developed pursuant to § 2.2-1132 until after the qualified offerors are ranked for negotiations.

03/01/16 Passed House and Senate

Notes: City Position: oppose

HB 594 Traffic or motor vehicle laws; enforcement; 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.

02/05/16 House: Tabled in Militia, Police and Public Safety

Notes: City Position: oppose

HB 598 Income tax, state; low-income taxpayer tax credit.

Patron: Plum

Summary as introduced:

Low-income taxpayer tax credit. Allows low-income individuals and married persons to claim a refundable income tax credit equal to 10 percent of the federal earned income tax credit claimed by the individual or married persons for the year in lieu of the current options available for claiming the credit. Under current law, low-income individuals and married persons may claim (i) a nonrefundable income tax credit equal to \$300 for each of the individual, his spouse,

and any dependents or (ii) a nonrefundable income tax credit equal to 20 percent of the federal earned income tax credit claimed by the individual or married persons for the year.

02/17/16 House: Left in Finance

Notes: City Position: support

HB 606 Temporary detention order; voluntary admission.

Patron: Bell, Robert B.

Summary as introduced:

Temporary detention order; voluntary admission. Provides that a magistrate shall issue a temporary detention order if a person (i) has a mental illness and there exists a substantial likelihood in the near future that he will cause serious harm to himself or others or suffer serious harm due to his lack of capacity to protect himself or provide for his basic needs and (ii) is in need of hospitalization or treatment, regardless of whether the person is willing and capable of volunteering for hospitalization or treatment. Currently, a temporary detention order cannot be issued if a person volunteers for hospitalization or treatment. If the person accepts voluntary admission, the bill provides that the temporary detention order will be deemed to have expired at that time and no commitment hearing need be held.

02/16/16 House: Left in Courts of Justice

Notes: City Position: oppose

HB 609 Protective orders; assault and battery; penalty.

Patrons: Bell, Robert B., Fowler, Miyares, Murphy, Simon and Stolle

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.

02/16/16 House: Left in Courts of Justice

Notes: City Position: support

HB 610 Protective orders; penalty.

Patrons: Bell, Robert B., Fowler, Miyares and Stolle; Senator: Garrett

Summary as passed House:

Violations of protective orders; penalty. Provides that any person who commits any assault and battery or any felony offense set forth in Article 4 (Assaults and Bodily Woundings) of Chapter 4 of Title 18.2 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.

03/03/16 Senate: Passed Senate with substitute (40-Y 0-N)

03/04/16 House: Placed on Calendar

Notes: City Position: support

HB 611 Water and sewer utilities; regulation.

Patrons: Bell, Robert B. and Rasoul

Summary as passed House:

Regulation of water and sewer utilities. Makes water and sewer companies subject to the rules of the State Corporation Commission (SCC) regarding meetings and communications between SCC commissioners and any party, or between commissioners and staff, concerning any fact or issue arising out of a proceeding involving the regulation of rates, charges, services, or facilities of a utility. The bill requires a public utility to send notice of a proposed rate increase electronically to customers who receive bills electronically. Water or sewer utilities are required to publish notice of changes in rates, tolls, charges, rules, and regulations at least once in one or more newspapers in circulation in its franchise area. The measure bars the SCC from dispensing with notice requirements applicable to water and sewer companies.

03/04/16 Governor: Governor's Action Deadline Midnight, March 11, 2016

Notes: City Position: support

HB 634 Payday loan and car title loan offices; distance from military installation.

Patrons: Bell, John J. and Simon

Summary as introduced:

Payday loan offices and car title loan offices; distance from military installation. Prohibits the State Corporation Commission from issuing a license for the operation of a payday lending office or car title lending office if such office is within five miles of a military installation.

02/16/16 House: Left in Commerce and Labor

Notes: City Position: support

HB 650 Local government; mandatory provisions of a subdivision ordinance.

Patron: Marshall, R.G.

Summary as introduced:

Local government; mandatory provisions of a subdivision ordinance; notice to homeowner associations. Requires a locality to include in its subdivision ordinance a provision requiring a developer of property to give written notice to incorporated property owners' associations within a planned unit development at such time as prescribed in the ordinance under certain circumstances.

02/16/16 House: Left in Counties, Cities and Towns

Notes: City Position: oppose

HB 655 Sexual assault; physical evidence recovery kits collection by Department of State Police, etc.

Patrons: Filler-Corn, Murphy, Spruill and Watts

Summary as introduced:

Sexual assault evidence collection and storage. Requires the Department of State Police, local law-enforcement agencies, and campus police departments to collect evidence obtained in sexual assault investigations, including physical evidence recovery kits from sexual assault investigations where the victim elects at the time of examination not to report the assault to law enforcement. The bill provides that if the victim elects at the time of examination not to report the assault to law enforcement, the law-enforcement agency shall send the kit to the Division of Consolidated Laboratory Services, which shall retain the kit for a minimum of five years from the date of receipt or the date the victim reaches the age of majority, whichever is longer. If the

victim elects at the time of examination to report the sexual assault to law enforcement, the kit shall be submitted by the law-enforcement agency to the Department of Forensic Science for analysis, then returned to the law-enforcement agency for storage for the same time frame.

02/16/16 House: Left in Courts of Justice

Notes: City Position: support

HB 658 Protective orders; possession of firearms; penalty.

Patrons: Filler-Corn, Murphy, Plum 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, 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.

02/16/16 House: Left in Militia, Police and Public Safety

Notes: City Position: support

HB 675 Auxiliary grants; supportive housing providers.

Patron: Peace

Summary as passed House:

Auxiliary grants; supportive housing. Extends eligibility for auxiliary grants to include individuals residing in supportive housing, provided that the supportive housing provider has entered into an agreement for the provision of supportive housing with the Department of Behavioral Health and Developmental Services.

03/03/16 Passed House and Senate

Notes: City Position: support

HB 692 Cities and towns; payments for maintenance of certain highways.

Patron: Carr

Summary as introduced:

Payments to cities and towns for maintenance of certain highways. Provides that maintenance payments made to eligible cities and towns shall be for total pavement width based on an 11-foot lane.

02/16/16 House: Left in Transportation

Notes: City Position: support

HB 694 State funding; ratio of teachers to students with limited English.

Patron: Kory

Summary as introduced:

State funding; ratio of full-time equivalent instructional positions to students identified as having limited English proficiency. Requires state funding to be provided to each local school division to support one full-time equivalent instructional position for every 22 students identified as having limited English proficiency. Under current law, such ratio is 17 full-time equivalent instructional positions for every 1,000 students identified as having limited English proficiency.

02/16/16 House: Left in Education

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.

02/16/16 House: Left in General Laws

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.

02/16/16 House: Left in Transportation

Notes: City Position: oppose

HB 718 Commonwealth Transportation Board; project proposals to regional organizations.

Patron: LeMunyon

Summary as introduced:

Commonwealth Transportation Board; project proposals to regional organizations. Requires the Commonwealth Transportation Board (CTB) to annually solicit input from localities, metropolitan planning organizations, transit authorities, transportation authorities, and other stakeholders in its development of the prioritization process. The bill requires the CTB to annually propose transportation projects to metropolitan planning organizations and the Northern Virginia Transportation Authority.

02/16/16 House: Left in Transportation

Notes: City Position: oppose

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

Patron: LeMunyon

Summary as introduced:

VDOT; transportation projects in Planning District 8. Requires 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

02/16/16 House: Left in Transportation

Notes: City Position: support

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

Patron: LeMunyon

Summary as introduced:

NVTC; NVTA. Transfers the powers and duties of the NVTC to the NVTA.

02/16/16 House: Left in Transportation

Notes: City Position: oppose

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

Patron: LeMunyon

Summary as passed House:

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

03/02/16 Senate: Passed by indefinitely in Transportation with letter (12-Y 0-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 NVTA and used for alleviating highway congestion.

02/16/16 House: Left in Transportation

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

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

Patron: LeMunyon

Summary as passed House:

NVTA; decision-making procedure. Requires the NVTA to make certain information concerning projects in its regional transportation plan publicly available at least 15 days prior to any decision for the expenditure of funds to create or improve a transportation facility.

02/29/16 Governor: Governor's Action Deadline Midnight, March 7, 2016

Notes: City Position: support as amended

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

Patrons: LeMunyon and Hugo

Summary as introduced:

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

03/02/16 Passed House and Senate

Notes: City Position: support

HB 732 State and local transportation planning; review of proposed rezoning.

Patron: LeMunyon

Summary as introduced:

State and local transportation planning. Provides that in Planning District 8, VDOT'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.

02/16/16 House: Left in Transportation

Notes: City Position: oppose

HB 752 Stalking; penalty.

Patrons: Bell, Robert B., McClellan, Miyares and Ransone

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.

03/02/16 In Conference

Notes: City Position: support

HB 753 School calendar.

Patrons: Greason, Adams, Kory, LeMunyon, Albo and Morris

Summary as introduced:

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

02/18/16 Senate: Passed by indefinitely in Education and Health (9-Y 6-N)

Notes: City Position: support

HB 754 Domestic violence-related misdemeanors; enhanced penalty.

Patrons: Bell, Robert B., Fowler, Miyares and Stolle

Summary as introduced:

Domestic violence-related misdemeanors; enhanced penalty. Punishes a misdemeanor offense of violating a protective order, assault and battery against a family or household member, or stalking as a Class 6 felony if the person charged had been previously convicted of any of these offenses, however punished, or assault or bodily wounding within the preceding 20 years if the victim of the prior and the instant offenses was the same.

03/02/16 Senate: Continued to 2017 in Finance (15-Y 0-N)

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.

02/16/16 House: Left in Counties, Cities and Towns

Notes: City Position: oppose

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

Patron: Freitas

Summary as introduced:

Local law enforcement and State Police; enforcement of federal regulations. Prohibits local law enforcement or the Department of State Police from cooperating with a federal agency through the furnishing of police services for the purpose of enforcing 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.

02/18/16 House: Left in Appropriations

Notes: City Position: oppose

HB 765 Assault and battery against a family or household member; first offense.

Patrons: Gilbert, Fowler, Miyares and Murphy

Summary as introduced:

First offense assault and battery against a family or household member; enhanced penalties. Provides that the deferral and dismissal of a first offense of assault and battery against a family or household member will be treated as a prior conviction for the purpose of determining whether a person is eligible for the enhanced penalties for stalking or assault and battery against a family or household member that apply based on a person's prior convictions.

03/02/16 Senate: Continued to 2017 in Finance (15-Y 0-N)

Notes: City Position: support

HB 770 Conditional zoning; provisions applicable to all rezoning proffers, definitions.

Patron: Gilbert

Summary as passed House:

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 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.

03/01/16 Senate: Stricken from docket by Local Government (12-Y 0-N)

Notes: City Position: oppose

HB 773 Government Nondiscrimination Act; created.

Patrons: Gilbert, Adams, Cole, Edmunds, Hugo, Ransone and Wright

Summary as introduced:

Government Nondiscrimination Act; creation. Creates the Government Nondiscrimination Act (the Act), which prohibits a government entity from taking any discriminatory action against a person on the basis that such person believes, speaks, or acts in accordance with a sincerely held religious belief that marriage is or should be recognized as the union of one man and one woman and that the terms "man" and "woman" refer to an individual's immutable biological sex as objectively determined by anatomy and genetics of the individual at the time of birth. For purposes of the Act, discriminatory actions include actions that adversely affect the tax treatment of a person or that withhold or otherwise make unavailable any (i) grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license, certification, accreditation, or employment; (ii) entitlement or benefit under a benefit program; or (iii) entitlement to utilize state property. The Act also provides that a person shall be considered to be validly accredited, licensed, or certified for any purpose under state law if such person would otherwise have been accredited, licensed, or certified but for a determination based upon such person's sincerely held religious belief or moral conviction.

03/03/16 House: Passed by until Monday, March 7, 2016

Notes: City Position: oppose

HB 783; Brandishing Firearms in presence of a law-enforcement officer.

Patron: Adams

Summary as passed House:

Brandishing a firearm; law-enforcement officer; penalty. Provides a six-month mandatory sentence upon conviction of a person for pointing, holding, or brandishing a firearm or similar weapon at someone who the person knows or has reason to know is a law-enforcement officer in such manner as to reasonably induce fear in the mind of another.

02/24/16 Senate: Passed by indefinitely in Courts of Justice (9-Y 0-N)

Notes: City Position: support

HB 787 Construction activities; acquisition of nutrient credits.

Patron: Adams

Summary as introduced:

Acquisition of nutrient credits for construction activities. Allows persons applying for a stormwater permit to acquire nutrient credits for construction activities from credit providers located outside the tributary where the construction activity is occurring.

02/16/16 House: Left in Agriculture, Chesapeake and Natural Resources

Notes: City Position: oppose

HB 788 School calendar.

Patron: Adams

Summary as introduced:

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

02/16/16 House: Left in Education

Notes: City Position: support

HB 812 Limited Residential Lodging Act; established, penalty.

Patrons: Peace, Farrell, Fowler, Helsel, Hodges, Hope, Keam, LeMunyon and Lopez

Summary as passed House:

Limited Residential Lodging Act; penalty. Establishes the Limited Residential Lodging Act (the Act), which allows property owners to rent out their homes or portions thereof for charge for periods of less than 30 consecutive days or do so through a hosting platform, under certain circumstances. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill also requires the Housing Commission to convene a work group to explore issues related to expansion of the framework set forth in the bill related to the registration, land use, tax, and other issues of public interest associated with the short-term rental of dwelling and other units that are not a person's principal residence.

02/29/16 Senate: Left on the table in Finance

Notes: City Position: oppose

HB 819 Virginia Freedom of Information Act; access to certain audio and video recordings.

Patron: LeMunyon

Summary as introduced:

Virginia Freedom of Information Act; public access to certain audio and video recordings.

Requires the release of any audio or video recording made by a correctional officer of an individual imprisoned in a penal institution being subdued by the correctional officer in a manner that results in the death of the individual being subdued or rendering him unconscious. The requirement applies to any audio or video recording that exists on or after July 1, 2016.

02/16/16 House: Left in General Laws

Notes: City Position: oppose

HB 834 Virginia Growth and Opportunity Board and Fund; established, report.

Patrons: Cox, Torian, Yancey, Aird, Albo, Austin, Bagby, Bell, John J., Bulova, Carr, Collins, Filler-Corn, Fowler, Garrett, Greason, Heretick, Hester, Hope, Howell, Hugo, James, Jones, Keam, Kilgore, Knight, Landes, LaRock, Marshall, D.W., Mason, Massie, McClellan, McQuinn, Miller, Minchew, Murphy, O'Bannon, O'Quinn, Orrock, Peace, Pillion, Plum, Pogge, Poindexter, Rasoul, Rush, Sickles, Simon, Spruill, Stolle, Sullivan, Toscano, Tyler, Villanueva, Ward and Watts; Senator: Sturtevant

Summary as passed House:

Virginia Growth and Opportunity Act; report. Establishes the Virginia Growth and Opportunity Board to administer grants from the Virginia Growth and Opportunity Fund for regional economic and workforce development projects. The bill provides that regional councils will be established, consisting of representatives of government and the business and education communities, and councils may submit applications for collaborative projects in their region that

enhance private-sector growth, competitiveness, and workforce development. A portion of the grant funds will be awarded on a population basis and a portion on a competitive basis.

03/03/16 Senate: Passed Senate with substitute (35-Y 5-N)

03/04/16 House: Placed on Calendar

Notes: City Position: support

HB 846 Virginia Collaborative Economic Development Act; established, sunset provision.

Patrons: Hugo, James, Minchew, Albo, Austin, Carr, Collins, Cox, Garrett, Greason, Heretick, Hester, Jones, Keam, Kilgore, Knight, Landes, McClellan, Miyares, O'Bannon, O'Quinn, Orrock, Peace, Pillion, Poindexter, Rasoul, Sickles, Spruill, Stolle, Torian, Toscano, Ward and Yancey;
Senator: Sturtevant

Summary as passed House:

Virginia Collaborative Economic Development Act. Creates the Virginia Collaborative Economic Development Performance Grant Fund. Two or more localities that collaborate and adopt a collaborative economic development plan will be eligible for grants from the fund over a period of six years if the collaboration results in the location or expansion of a company in the Commonwealth that (i) creates at least 200 new jobs with average salaries at least 25 percent higher than the average wage and (ii) makes a capital investment of at least \$25 million. The company must maintain the job creation and investment for a period of three years before being eligible for the first grant payment. The total amount of the grant applied for shall not exceed the total investment of the localities in executing the collaborative economic development plan, and each annual installment of the grant may not exceed 50 percent of the total annual amount of personal income tax withheld by the certified company from the newly created jobs. 02/10/16 Senate: Left in Committee on Finance

Notes: City Position: support

HB 852 Refugees, certain; assisting federal government with resettling.

Patron: Hugo

Summary as introduced:

Assisting federal government with resettling of certain refugees. Prohibits State and local departments or employees from aiding or otherwise provide any assistance to any federal agency, or any employee thereof, with the resettlement in the Commonwealth of any refugee from any country that has been designated a state sponsor of terrorism by the U.S. State Department or any such refugee who has been resettled in the Commonwealth on or after January 1, 2016.

02/11/16 House: Incorporated by General Laws into HB494, which died

Notes: City Position: oppose

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 localities to operate a photo-monitoring system for traffic light enforcement.

01/29/16 House: Passed by indefinitely in Militia, Police and Public Safety (12-Y 9-N)

Notes: City Position: oppose

HB 886 Stalking; second offense, Class 6 felony.

Patrons: Albo, Fowler, McClellan, Miyares and Ransone

Summary as passed House:

Stalking; penalty. Provides that a second offense of stalking committed within five years of a prior stalking conviction is punishable as a Class 6 felony. Under current law, a second offense of stalking only qualifies for the Class 6 penalty if the person convicted had also been convicted of certain offenses involving assault or bodily wounding or of violating a protective order.

03/03/16 Senate: Passed Senate (40-Y 0-N)

Notes: City Position: support

HB 887 Virginia Public Procurement Act; requirements for use of construction management.

Patrons: Albo, Fowler, Peace and Stolle

Summary as introduced:

Virginia Public Procurement Act; requirements for use of construction management.

Restricts the use of construction management procurements by public bodies unless (i) the total project cost is \$50 million or more, (ii) a written determination is provided stating that competitive sealed bidding is not practicable or fiscally advantageous, (iii) the contract is entered into prior to the schematic phase of design, (iv) construction management experience is not required or considered as part of the award, (v) price is the primary determining factor for award of the contract, and (vi) proposers provide for the participation of small, women-owned, and minority-owned businesses in the project. The bill provides that for projects where the total project cost is not expected to exceed \$50 million, a public body may use competitive negotiation to procure construction on a construction management basis if (i) the above requirements are met; (ii) the project is (a) of substantial historical value or interest or (b) significantly unique or extremely complex in nature; (iii) prior to any solicitation for such project, the public body notifies in writing the local governing body in the case of a local public body, of its intent to procure construction on a construction management basis; and (iv) the local governing body, makes a finding that the public body is in compliance with the requirements of this subsection, which finding shall be on a per project basis and shall be in writing..

02/09/16 House: Continued to 2017 in General Laws

Notes: City Position: oppose

HB 888 Virginia Public Procurement Act; requirements for certain construction projects.

Patron: Albo

Summary as introduced:

Public procurement; requirements for certain construction projects; use of construction management. Restricts the use of construction management procurements by public bodies to contracts of \$50 million or more, provided that such contracts involve projects that, among other requirements, are (i) of substantial historical value or interest or (ii) significantly unique or extremely complex in nature. In the case of procurement by localities, a waiver may be granted by the local governing body.

02/09/16 House: Stricken from docket by General Laws

Notes: City Position: oppose

HB 896 Private school employees, certain; requirement of background checks.

Patron: Greason

Summary as passed House:

Background checks; certain private school employees. Requires the governing board or administrator of a private elementary or secondary school that is accredited pursuant to §22.1-19 that operates a child welfare agency regulated by the Department of Social Services to accept evidence of a background check conducted by the Department of Social Services in lieu of a background check in accordance with the requirements governing private schools, beginning on July 1, 2016. The bill also requires governing boards or administrators of private schools accredited pursuant to §22.1-19 to require, as a condition of employment, that any applicant who is offered or who accepts employment requiring direct contact with students provide written consent and personal information necessary to obtain a search of the central registry of founded complaints of child abuse and neglect maintained by the Department of Social Services beginning on July 1, 2016.

03/02/16 House: Bill text as passed House and Senate (HB896ER)

Notes: City Position: support if amended with a timeframe for background check

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.

02/16/16 House: Left in Transportation

Notes: City Position: oppose

HB 908 Electrical transmission lines; SCC to consider impact on historic resources.

Patrons: Minchew, Villanueva, Bell, John J., Boysko, Carr, Mason, Murphy, Peace, Sullivan and Webert

Summary as introduced:

Electrical transmission lines; effect on historic resources. Requires the SCC, prior to approving the construction of any electrical transmission lines of 138 kV or more, to determine that the route chosen for the line will avoid any adverse impact on the scenic assets, historic resources, and environment of the area concerned. If the SCC determines that no route exists that can avoid any such adverse impact, the SCC is directed to choose the route that minimizes such adverse impacts to the greatest extent reasonably practicable..

02/11/16 House: Continued to 2017 in Commerce and Labor

Notes: City Position: support

HB 935 Extended Foster Care Services and Support Program; created.

Patrons: Toscano and Plum

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.

02/16/16 House: Left in Health, Welfare and Institutions

Notes: City Position: support

HB 941 Clean energy programs; expands scope by including certain residential properties.

Patrons: Toscano and Plum

Summary as introduced:

Financing of clean energy programs. Expands the scope of clean energy programs by including certain residential properties that are currently excluded from the voluntary special lien assessment provisions.

02/16/16 House: Left in Counties, Cities and Towns

Notes: City Position: support

HB 944 Statewide Fire Prevention Code; installation or use of landscape cover materials.

Patron: Wilt

Summary as passed House:

Statewide Fire Prevention Code; installation or use of landscape cover materials. Provides that notwithstanding any provision of law, general or special, any ordinance in effect and any ordinance adopted by the governing body of the City of Harrisonburg shall not include in any local fire prevention regulations a requirement that an owner of real property who has an occupancy permit issued by the City use specific landscape cover materials or retrofit existing landscape cover materials at such property.

03/02/16 Senate: Stricken from Senate calendar (38-Y 1-N)

Notes: City Position: oppose

HB 1005 VA Human Rights Act; public employment, public accommodation, & housing, prohibited discrimination.

Patrons: Levine, Boysko, Lindsey, Lopez, Sickles and Sullivan

Summary as introduced:

Virginia Human Rights Act; public employment, public accommodation, and housing; prohibited discrimination; sexual orientation. Prohibits discrimination in employment and public accommodation on the basis of 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. The bill also adds discrimination based on sexual orientation or gender identity as an unlawful discriminatory housing practice.

02/16/16 House: Left in General Laws

Notes: City Position: support

HB 1032 Vehicle registration; penalty may be imposed annually as long as vehicle unregistered.

Patron: Sickles

Summary as introduced:

Vehicle registration. Clarifies that a locality may impose a penalty of up to \$250 upon the resident owner of a motor vehicle annually for as long as the motor vehicle remains unregistered in Virginia.

03/01/16 Governor: Approved by Governor-Chapter 131 (effective 7/1/16)

Notes: City Position: support

HB 1072 Virginia Retirement System; modifies hybrid retirement program.

Patrons: Jones and Hester

Summary as introduced:

Virginia Retirement System; hybrid retirement program. Modifies the hybrid retirement program by (i) increasing the mandatory employer contribution to the defined contribution component from 1% to 2% of creditable compensation, (ii) decreasing the employer's maximum matching contribution to the defined contribution component from 2.5% to 1.5% of creditable compensation, (iii) increasing the employee's mandatory contribution to the defined contribution component from 1% to 2% of creditable compensation, (iv) decreasing the employee's maximum contribution to the voluntary defined contribution component from 4% to 3% of creditable compensation, (v) decreasing from 3 to 2 years the period in which a new member of the hybrid retirement program is required to make the maximum voluntary contribution to the defined contribution component, and (vi) decreasing the employee's contribution to the defined benefit component from 4% to 3% of creditable compensation. Also sets a new employee's voluntary contribution rate to the defined contribution component at 0.5% unless the employee opts out.

02/12/16 House: Continued to 2017 in Appropriations

Notes: City Position: oppose

HB 1085 Stormwater Local Assistance Fund; established.

Patron: Bulova

Summary as introduced:

Stormwater Local Assistance Fund. Establishes the Stormwater Local Assistance Fund to provide matching grants to local governments for the planning, design, and implementation of stormwater best management practices that address cost efficiency and commitments related to reducing water quality pollutant loads.

02/16/16 House: Left in Agriculture, Chesapeake and Natural Resources

Notes: City Position: support

HB 1087 Protective order; violation of order, possession of a firearm or other deadly weapon, penalty.

Patrons: Gilbert, Fowler, McClellan, Miyares, Murphy, Stolle and Ward

Summary as passed House:

Violation of protective order; firearm or other deadly weapon; penalty. Makes that anyone who violates any provision of certain protective orders while armed with a firearm or other deadly weapon guilty of a Class 6 felony.

03/03/16 Senate: Passed Senate with substitute (40-Y 0-N)

Notes: City Position: support

HB 1104 Firefighters employed by localities; entitlement to continued compensation.

Patrons: Murphy and Boysko

Summary as introduced:

Firefighters employed by localities; entitlement to continued compensation during period of quarantine or isolation. Entitles a firefighter to the continued payment of compensation from his local employer if he is the subject of an order of quarantine or isolation as a result of potential exposure that occurred in the line of duty.

02/12/16 House: Continued to 2017 in Counties, Cities and Towns

Notes: City Position: support

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.

02/12/16 House: Continued to 2017 in Privileges and Elections

Notes: City Position: oppose

HB 1143 Body-worn cameras; required policies.

Patron: Lindsey

Summary as introduced:

Law-enforcement agencies; body-worn cameras; required policies. Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services prior to purchasing or deploying a body-worn camera system. Such policy must provide that (i) recorded individuals have a right to review any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 30 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias.

02/16/16 House: Left in Courts of Justice

Notes: City Position: Oppose as written

HB 1158 Physical evidence; procedure for collection, etc., of recovery kits.

Patrons: Watts, Filler-Corn and McClellan

Summary as introduced:

Physical evidence recovery kits. Establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency.

02/10/16 House: Incorporated by Courts of Justice into HB1160, which passed

Notes: City Position: support

HB 1160 Physical evidence recovery kits.

Patrons: Bell, Robert B., Hugo, Miyares, Filler-Corn, McClellan, Peace and Watts

Summary as passed House:

Physical evidence recovery kits. Establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency. Kits from victims who elect not to report are known as "anonymous physical evidence recovery kits" and will be stored at the Division of Consolidated Laboratory Services (the Division) for two years, although the Division, the victim, or the law-enforcement agency may elect for the kits to be retained for a longer period of time. If the victim later elects to report the sexual assault, the victim's kit will be released to law enforcement. Health care providers are required to explain these procedures and time frames to victims. Where the victim elects to report the offense to law enforcement at the time of the exam, law enforcement is required to take possession of the victim's kit forthwith upon notification from the health care provider that the kit has been collected and, with limited exceptions, to submit the kit to the Department of Forensic Science for analysis within 60 days. The bill outlines the exceptions to mandatory submission for analysis, time frames, and storage requirements for retention of analyzed samples; expungement of DNA samples obtained but not connected to a crime; and victims' notification rights.

03/04/16 House: Senate amendment agreed to by House (98-Y 1-N)

Notes: City Position: support

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 local stormwater management utility to waive charges for real estate exclusively occupied or used by a church or religious body for religious worship or for the residence of its minister.

02/16/16 House: Left in Counties, Cities and Towns

Notes: City Position: oppose

HB 1173 Careless driving; cause of injury to vulnerable road user, penalty.

Patrons: Sullivan and Kory

Summary as introduced:

Careless driving; cause of injury to vulnerable road user. Provides that a person is guilty of a Class 1 misdemeanor and shall have his license suspended who operates a motor vehicle in a careless or distracted manner and is the proximate cause of serious physical injury to a vulnerable road user, defined in the bill as a pedestrian or person riding a bicycle, electric wheelchair, electric bicycle, wheelchair, skateboard, skates, foot-scooter, etc.

02/16/16 House: Left in Transportation

Notes: City Position: support

HB 1184 Social Services, Department of; increase of TANF benefits.

Patron: Krizek

Summary as introduced:

TANF benefits. Increases TANF payments by 10 percent a year in 2016, 2017, and 2018.

02/16/16 House: Left in Health, Welfare and Institutions

Notes: City Position: support

HB 1197 Law-enforcement officers; Internet publication of personal information, penalty.

Patrons: Stolle and Hugo

Summary as passed House:

Internet publication of personal information of law-enforcement officers; penalty. Makes it a Class 1 misdemeanor to knowingly publish, sell, solicit, or trade on the Internet the personal information of any law-enforcement officer or his immediate family member with the intent to cause imminent bodily harm or the threat of imminent bodily harm to such individual.

02/17/16 Senate: Referred to Committee for Courts of Justice

Notes: City Position: support

HB 1200 Assault and battery; certain students.

Patrons: Collins, LaRock, Aird and McClellan

Summary as introduced:

Assault and battery; certain students. Provides that a student who is the subject of an individualized education program required by the federal law cannot be found guilty of assault or assault and battery against public safety officers or school employees if the crime occurred on school property or a school bus or at a school-sponsored event.

02/12/16 House: Incorporated by Courts of Justice into HB1213

Notes: City Position: oppose

HB 1217 Law enforcement, local and State; enforcement of executive actions or orders.

Patron: Taylor

Summary as introduced:

Local law enforcement and State Police; enforcement of executive actions or orders.

Prohibits local law enforcement or the State Police from cooperating with a federal agency by furnishing police services to enforce an executive action or order related to firearms, ammunition, etc., that has not been made law by an act of Congress.

02/18/16 House: Left in Appropriations

Notes: City Position: oppose

HB 1234 School security officers; carrying a firearm.

Patrons: Lingamfelter, Cole and Landes

Summary as passed:

School security officers; carrying a firearm. Authorizes a school security officer to carry a firearm in the performance of his duties if he is a retired law-enforcement officer who meets the firearms training standards for active law-enforcement officers, the local school board grants him the authority to carry a firearm in the performance of his duties, and he is not otherwise prohibited by state or federal law from possessing a firearm.

03/02/16 House: Senate amendments agreed to by House (66-Y 32-N)

Notes: City Position: oppose

HB 1250 Virginia Erosion and Stormwater Management Act; consolidation of programs, opt-out for locations.

Patrons: Wilt and Bulova

Summary as passed House:

Virginia Erosion and Stormwater Management Act; consolidation of programs; opt-out for certain localities; penalties. Combines existing statutory programs relating to soil erosion and stormwater management, directing the State Water Control Board (the Board) to permit, regulate, and control both erosion and stormwater runoff. The bill requires any locality that operates a municipal separate storm sewer system (MS4) or a Virginia Stormwater Management Program (VSMP) to adopt a Virginia Erosion and Stormwater Management Program (VESMP) that regulates any land-disturbing activity that disturbs an area of 10,000 square feet or more, or 2,500 square feet or more if in a Chesapeake Bay Preservation Area. A locality that lacks an MS4 and for which the Department of Environmental Quality (DEQ) is currently administering a VSMP is required to (i) adopt such a VESMP, (ii) adopt such a VESMP with DEQ conducting plan review and making recommendations on the compliance of each plan with technical criteria, or (iii) continue to operate a separate Virginia Erosion and Sediment Control Program (VESCP) that regulates any disturbance of 10,000 square feet or more and, in a Preservation Area, regulates a disturbance of 2,500 square feet or more and meets certain other requirements. Any eligible locality that chooses the third option is to have a VSMP administered on its behalf by the Board for any land-disturbing activity that disturbs one acre or more of land, including an activity that disturbs a smaller area but is part of a larger development that results in a disturbance of one acre or more. The bill directs certain charges or penalties to the Stormwater Local Assistance Fund, which provides matching grants to local governments for stormwater best management practices.

03/02/16 House: Bill text as passed House and Senate (HB1250ER)

Notes: City Position: support

HB 1286 Distributed and renewable generation of electric energy; net energy metering.

Patrons: Minchew, Sullivan and Villanueva

Summary as introduced:

Distributed and renewable generation of electric energy; net energy metering and third party purchase agreements. Exempts generators that are not organized as a public service company and that provide electric energy from renewable energy to retail customers under certain power purchase agreements from being defined as a public utility or a supplier. The measure authorizes retail customers to purchase electric energy from such generators provided that the renewable energy electricity generation source is located on property owned, leased, or otherwise controlled by the retail customer or any affiliated person. The net energy metering programs are amended to remove the one percent cap relative to total utility sales for net metered facilities. The State Corporation Commission is directed to establish separate net energy metering programs for eligible multi-meter customer-generators, who are customers that own or operate, or contracts with another person to own or operate, or both, a renewable energy generating facility that uses as its sole energy source solar power, wind power, or aerobic or anaerobic digester gas, does not have an aggregate generation capacity of more than one megawatt, and is used primarily to provide energy to metered accounts of the customer. The measure amends the Commonwealth's energy policy by adding the goals of encouraging private sector distributed renewable energy, increasing security of the electricity grid by supporting

distributed renewable energy projects, and augmenting the exercise of private property rights by landowners desiring to generate their own energy from renewable energy sources on their lands.

02/11/16 House: Continued to 2017 in Commerce and Labor

Notes: City Position: support

HB 1327 Local law-enforcement agencies; body-worn cameras.

Patrons: Davis and Levine

Summary as introduced:

Local law-enforcement agencies; body-worn cameras. Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to view and make copies of any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 60 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias. The bill provides that the Commonwealth shall reimburse each locality up to one-half of the costs of any body-worn camera system, provided that the locality has adopted and established a written policy that has been approved by the Department.

02/16/16 House: Left in Courts of Justice

Notes: City Position: oppose as written

HB 1347 Wireless communications; infrastructure established.

Patron: Heretick

Summary as introduced:

Wireless communications infrastructure. Prohibits a locality from charging an application fee, consulting fee, or other fee associated with the submission, review, processing and approval of an application to construct a new wireless support structure, for the substantial modification of a wireless support structure, or for collocation of a wireless facility or replacement of a wireless facility on an existing structure or utility pole that is not required for similar types of commercial development within the locality's jurisdiction. The measure permits a locality to charge fees for the costs directly incurred by it relating to the granting or processing of an application. Such fees are capped at the lesser of the amount charged by the locality for a building permit for any other type of commercial development or land use development, or \$500 for a collocation application, small cell facility or distributed antenna system or \$1,000 for a new wireless support structure or for a substantial modification of a wireless support structure. Localities are prohibited from (i) requiring an applicant to submit information about, or evaluate an applicant's business decisions with respect to its designed service, customer demand for service, or quality of its service to or from a particular area or site, or information that concerns the specific need for the wireless support structure; (ii) evaluating an application based on the availability of other potential locations for the placement of wireless support structures or wireless facilities; (iii) dictating the type of wireless facilities, infrastructure or technology to be used by the applicant; and (iv) requiring the removal of existing wireless support structures or wireless facilities, as a condition for approval of an application. The measure allows any telecommunications or broadband provider to construct, and operate conduit, poles, cable, switches and related appurtenances and facilities along, across, upon and under any public highway or rights-of-way in the Commonwealth. Localities are barred from (a) imposing certain environmental testing, sampling,

or monitoring requirements or (b) instituting any moratorium on the permitting, construction or issuance of approvals of new wireless support structures, substantial modifications of wireless support structures, or collocations.

02/11/16 House: Continued to 2017 in Commerce and Labor

Notes: City Position: oppose

HB 1359 Transit Capital Project Revenue Advisory Board; established.

Patron: Peace

Summary as introduced:

Transit Capital Project Revenue Advisory Board. Establishes the Transit Capital Project Revenue Advisory Board within the Department of Rail and Public Transit to examine the effects of the loss of state transit capital funds and identify additional sources of revenue.

03/04/16 House: Senate substitute agreed to by House

Notes: City Position: support

HB 1371 Local government; prohibition on certain mandates upon employers.

Patrons: Miller and Morris

Summary as introduced:

Prohibition on certain local government mandates upon employers. Provides that a locality shall not enact any policy that requires an employer within the locality to provide an employee with a wage or employment benefit that exceeds the requirements of state or federal law.

03/01/16 House: Bill text as passed House and Senate (HB1371ER)

Notes: City Position: oppose

HB 1373 Public Procurement Act; design-build contracts, purchase of intellectual property.

Patron: Davis

Summary as introduced:

Virginia Public Procurement Act; purchase of intellectual property. Allows localities to purchase the intellectual property or other work product of a proposer, provided that i) the locality makes a determination in advance and in writing that it will be advantageous to purchase the intellectual property of an unsuccessful proposer, (ii) prequalification is limited to five contractors, and (iii) the RFP includes a notice that the locality may acquire such property rights.

02/16/16 House: Left in General Laws

Notes: City Position: support

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 from \$1.50 per year to \$4 per year with no cap.

02/02/16 Senate: Passed by indefinitely in Finance (15-Y 0-N)

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 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.

01/25/16 Senate: Passed by indefinitely in Commerce and Labor (13-Y 0-N)

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.

01/27/16 Senate: Continued to 2017 in Courts of Justice (13-Y 1-N)

Notes: City Position: support

SB 12 Public employment; discrimination based on sexual orientation or gender identity.

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

Summary as introduced:

Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity.

02/18/16 House: Subcommittee recommends laying on the table

Notes: City Position: support

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

Patrons: Howell, Marsden, Ebbin and Favola; *Delegates:* Kory, Simon and Watts

Summary as passed:

Protective orders; possession of firearms; penalty. Makes it a Class 6 felony for a person who is subject to a permanent protective order for family abuse to possess a firearm while the order is in effect. Such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person.

02/26/16 Governor: Approved by Governor-Chapter 49 (effective 7/1/16)

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.

03/02/16 House: Left in Committee on Appropriations

Notes: City Position: support

SB 96 Protective orders; possession of firearms; penalty.

Patrons: Marsden; *Delegate:* Simon

Summary as introduced:

Protective orders; possession of firearms; penalty. Prohibits a person who is subject to a protective order from possessing a firearm.

01/27/16 Senate: Incorporated by Courts of Justice into SB49, which passed

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.

02/17/16 Senate: Left in Finance

Notes: City Position: oppose

SB 112 NVT A; use of certain funds for sidewalk projects.

Patron: Petersen

Summary as introduced:

Use of certain revenues by NVT A. Allows new sidewalk projects to be funded by the NVT A.

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

Notes: City Position: support

SB 136 Electrical transmission line siting; SCC to hold hearing when requested by locality.

Patrons: Favola; *Delegate:* Kory

Summary as introduced:

Electrical transmission line siting; hearing requested by locality. Requires the SCC to hold at least one hearing in the area that would be affected by construction of an electrical transmission line of 138 kV or more, upon the request of the governing body of any locality through which the line is proposed to be built.

03/01/16 Governor: Approved by Governor-Chapter 192 (effective 7/1/16)

Notes: City Position: support

SB 138 Firearms dealer; 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 at retail within 1,000 feet of a school.

01/27/16 Senate: Passed by indefinitely in Courts of Justice (10-Y 5-N)

Notes: City Position: support

SB 150 Public Procurement Act; procurement of information technology goods & service.

Patron: Reeves

Summary as introduced:

Virginia Public Procurement Act; procurement of information technology goods and services. Prohibits a public body from requiring that an offeror state any exception to any liability provisions in responding to a Request for Proposal for information technology goods and services. If selected for negotiation after the proposal is submitted, the offeror must state any exception to the liability provisions in writing at the beginning of the negotiation.

03/01/16 Governor: Approved by Governor-Chapter 174 (effective 7/1/16)

Notes: City Position: oppose

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

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

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.

02/01/16 Senate: Incorporated by Courts of Justice into SB291, which passed

Notes: City Position: support

SB 169 Public Procurement Act; RFquest for Proposals for architectural or engineering services.

Patron: Ruff

Summary as passed Senate:

Virginia Public Procurement Act; RFP for architectural or engineering services. Provides that in the case of the selection process for a RFP for architectural or engineering services, the public body shall not request or require offerors to list any exceptions to proposed contractual terms and conditions, unless such terms and conditions are required by statute, regulation, ordinance, or applicable capital outlay standards, until after the qualified offerors are ranked.

03/01/16 Governor: Approved by Governor-Chapter 175 (effective 7/1/16)

Notes: City Position: oppose

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."

01/26/16 Senate: Passed by indefinitely in Finance (11-Y 1-N)

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, Surovell and Wexton; *Delegates:* Bagby, Bell, John J., Boysko, Carr, Heretick, Hope, Kory, Krizek, Levine, 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.

02/01/16 Senate: Failed to report (defeated) in Commerce and Labor (4-Y 11-N)

Notes: City Position: support

SB 233 Recognition of EMS Personnel Licensure Interstate Compact.

Patrons: Reeves, DeSteph, Dunnavant and Marsden; *Delegates:* Cole and Orrock

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..

03/01/16 Governor: Approved by Governor-Chapter 107 (effective 7/1/16)

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. 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.

02/08/16 Senate: Continued to 2017 in General Laws and Technology (15-Y 0-N)

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

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

Patron: Wexton

Summary as passed:

Criminal history background checks; continued employment of individuals convicted of an offense. Prohibits assisted living facilities, adult day care centers, licensed and registered child welfare agencies, and family day homes approved by family day systems from continuing to employ individuals who have been convicted of an offense as defined in § 63.2-1719.

03/02/16 Senate: House substitute agreed to by Senate (40-Y 0-N)

03/04/16 Senate: Enrolled

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.

02/09/16 Senate: Passed by indefinitely in Privileges and Elections (8-Y 5-N)

Notes: City Position: support

SB 311 Virginia Public Procurement Act; use of best value contracting, construction & professional service.

Patrons: McEachin, Favola, Locke, Miller and Saslaw; *Delegates:* Bagby, Carr, Cole, Heretick, Herring, Kory, Lindsey, McQuinn, Simon and Watts

Summary as introduced:

Virginia Public Procurement Act; use of best value contracting; construction and professional services. Authorizes any public body to procure construction on a best value procurement basis. Under the bill, if proceeding on a best value procurement basis, the Request for Proposal must contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis and describe (i) the criteria that will be considered in evaluating the proposals and (ii) the rating or weighting system that will be used in evaluating the proposals, including a disclosure that price will be weighted at least 51 percent as a factor.

02/15/16 Senate: Stricken at request of Patron in General Laws and Technology (9-Y 0-N)

Notes: City Position: support

SB 339 Stalking; penalty.

Patron: Reeves

Summary as passed:

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.

03/01/16 Senate: House amendments agreed to by Senate (39-Y 0-N)

03/02/16 Senate: Enrolled

Notes: City Position: support

SB 340 School calendar.

Patrons: Garrett, Petersen and Suetterlein

Summary as introduced:

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

02/04/16 Senate: Passed by indefinitely in Education and Health (9-Y 6-N)

Notes: City Position: support

SB 345 Workers' compensation; employer's duty when employee incapable of work.

Patron: Lewis

Summary as introduced:

Workers' comp; cost of automobile. Authorizes the Workers' Compensation Commission, in awards entered for incapacity for work and upon determination by the treating physician and the Commission that it is medically necessary, to require an employer to provide up to \$42,000 for the purchase by the employee of a suitably equipped automobile. Such payment may be required if modifications to or equipment for the employee's automobile are not appropriate.

02/01/16 Senate: Failed to report (defeated) in Commerce and Labor (5-Y 10-N)

Notes: City Position: oppose

SB 362 Virginia Public Procurement Act; small purchase procedures; transportation-related construction.

Patron: Chafin

Summary as introduced:

Virginia Public Procurement Act; small purchase procedures; transportation-related construction. Provides that a public body may establish purchase procedures not requiring competitive sealed bids or competitive negotiation for single or term contracts for transportation-related construction if the aggregate or sum of all phases is not expected to exceed \$25,000.

02/29/16 Senate: Enrolled Bill Communicated to Governor on 2/29/16

02/29/16 Governor: Governor's Action Deadline Midnight, March 7, 2016

Notes: City Position: oppose

SB 390 Temporary visitor's driver's licenses; DMV may issue.

Patrons: Surovell and Ebbin; *Delegate:* Hester

Summary as introduced:

Temporary visitor's driver's licenses. Allows DMV to issue a temporary visitor's driver's license to an applicant who is unable to present valid documentary evidence of legal permanent residency in the United States or conditional resident alien status, if certain requirements are met. 02/03/16 Senate: Passed by indefinitely in Transportation (7-Y 6-N)

Notes: City Position: support

SB 416 Limited Residential Lodging Act; established, penalty.

Patrons: Vogel and Ebbin; *Delegate:* Peace

Summary as passed:

Limited Residential Lodging Act; penalty. Establishes the Limited Residential Lodging Act (the Act), which allows persons to rent out their primary residences or portions thereof for charge for periods of less than 30 consecutive days or do so through a hosting platform. Localities are preempted from adopting ordinances or zoning restriction prohibiting such short-term rentals, but authorized to adopt ordinances requiring persons renting their primary residences to have a minimum of \$500,000 of liability insurance, prohibiting persons from renting their primary residences if they fail to pay applicable taxes, and requiring persons renting their primary residences to register with the locality. A hosting platform must register with the Department of Taxation to collect and remit all applicable taxes on behalf of the property owner using the hosting platform. The bill contains a reenactment clause, and directs the Housing Commission to convene a workgroup to study the issues presented in the bill and make recommendations for consideration by the 2017 Session.

03/02/16 Senate: House substitute agreed to by Senate (32-Y 7-N)

Notes: City Position: oppose unless language is amended (which it was)

SB 417 Social Services, Department of; unauthorized practice of law.

Patron: Vogel

Summary as introduced:

Department of Social Services; unauthorized practice of law. Allows designated nonattorney employees of a local department of social services to (i) initiate a case on behalf of the local department by appearing before an intake officer and (ii) complete, sign, and file with the clerk of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, petitions for foster care review, petitions for permanency planning hearings, petitions to establish paternity, motions to establish or modify support, motions to amend or review an order, and motions for a rule to show cause. The bill also directs directors of local departments of social services to designate nonattorney employees who are authorized to perform such tasks.

03/02/16 House: Reported from Courts of Justice (18-Y 4-N)

03/04/16 House: Read second time

Notes: City Position: support

SB 418 Virginia Public Procurement Act; installation of artificial turf, etc.

Patron: Vogel

Summary as introduced:

Virginia Public Procurement Act; cooperative procurement; installation of artificial turf or other athletic surfaces. Excludes the purchase of installation of artificial turf or other athletic surfaces and all associated and necessary construction from the prohibition on using cooperative procurement to purchase construction.

03/04/16 House: Passed House with amendment BLOCK VOTE (98-Y 0-N)

Notes: City Position: support

SB 436 Fostering Futures program; established.

Patrons: Favola, Ebbin and McPike; *Delegate:* Kory

Summary as introduced:

Fostering Futures program. Establishes the Foster Futures program to provide services and support to individuals between the ages of 18 and 21 who were formerly in foster care as a minor and are transitioning to full adulthood and self-sufficiency.

03/01/16 House: Subcommittee recommends laying on the table

Notes: City Position: support

SB 457 Asset forfeiture; changes burden of proof.

Patrons: Carrico and Marsden

Summary as introduced:

Asset forfeiture; burden of proof. Changes the Commonwealth's burden of proof to clear and convincing evidence from preponderance of the evidence in proving that the property is subject to forfeiture in civil asset forfeiture cases.

02/17/16 House: Referred to Courts of Justice subcommittee on Criminal Law

02/22/16 House: Subcommittee recommends reporting (5-Y 4-N)

Notes: City Position: oppose

SB 465 Request for Proposal of design-build projects.

Patron: Carrico

Summary as passed Senate:

Request for Proposal of design-build projects. Allows for the submission and consideration of alternative technical concepts, defined in the bill, during the Request for Proposal process of a design-build transportation project.

03/01/16 Governor: Approved by Governor-Chapter 139 (effective 7/1/16)

Notes: City Position: support

SB 468 Local stormwater utility; waiver of charges where stormwater retained on site.

Patron: Wagner

Summary as passed Senate:

Local stormwater utility; public-private partnership; waiver of charges to railroad right-of-way. Authorizes the creation of public-private stormwater management programs and adds contracting for the construction and operation of stormwater management facilities to the list of activities for which a local stormwater utility is authorized to recover charges.

03/03/16 Senate: House amendments rejected by Senate (11-Y 29-N)

03/04/16 House: House requested conference committee

Notes: City Position: oppose

SB 469 Local stormwater utility; payment to BMP operator accepting runoff.

Patron: Wagner

Summary as introduced:

Local stormwater utility; payment to BMP operator accepting runoff. Requires any locality that operates a local stormwater management program to pay the private operator of a nutrient-reducing best management practice (BMP) if it requires such operator to accept stormwater runoff from an upstream property.

02/09/16 Senate: Stricken at request of Patron in Local Government (13-Y 0-N)

Notes: City Position: oppose

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 definition of "derelict building" under § 15.2-907.1 before localities 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."

02/09/16 Senate: Passed by indefinitely in Local Government (9-Y 3-N)

Notes: City Position: support

SB 484 Stormwater management regulations; water quality and quantity design criteria.

Patron: DeSteph

Summary as introduced:

Stormwater management regulations; water quality and quantity design criteria; unenforceable unless amended. Prohibits the enforcement of any design criterion concerning water quality or quantity contained in Part II B of the stormwater management regulations until the State Water Control Board amends the design criteria to bring them up to date, correct the errors they contain, and coordinate them with the rest of the stormwater management regulations. Until the regulations are reissued, the design criteria contained in Part II C shall apply instead.

02/04/16 Senate: Passed by indefinitely in Agriculture, Conservation and Natural Resources

Notes: City Position: oppose

SB 500 Register of funds expended; required posting by state agencies, localities, and school divisions.

Patron: Sturtevant

Summary as introduced:

Register of funds expended; required posting by state agencies, localities, and school divisions. Requires every locality and school division located within the locality to post on the public government website of the locality a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information.

02/01/16 Senate: Passed by indefinitely in General Laws and Technology (11-Y 4-N)

Notes: City Position: oppose

SB 524 Workers' compensation; presumption of compensability for certain diseases.

Patrons: McPike and McEachin

Summary as introduced:

Workers' compensation; presumption of compensability for certain diseases. Substitutes colorectal cancer, which is cancer that starts in the colon or rectum, for rectal cancer on the list of cancers that are presumed to be an occupational disease covered by the Virginia Workers' Compensation Act when certain employees develop the cancer after contact with a known or suspected carcinogen that causes, or is suspected to cause, the specific type of cancer.

02/01/16 Senate: Failed to report (defeated) in Commerce and Labor (5-Y 10-N)

Notes: City Position: oppose

SB 558 Dredging; TMDL credits, assignment of credits equivalent to street sweeping.

Patron: DeSteph

Summary as introduced:

Dredging; TMDL credits. Requests the Chesapeake Bay Program to approve certain dredging as a creditable practice for pollutant removal and to assign to it a number of total maximum daily load credits equivalent to those assigned to the removal of pollutants by street sweeping.

02/04/16 Senate: Continued to 2017 in Agriculture, Conservation and Natural Resources

Notes: City Position: support

SB 565 Workers' compensation; presumption of compensability for certain diseases.

Patron: DeSteph

Summary as introduced:

Workers' compensation; presumption of compensability for certain diseases. Expands the current list of diseases presumed to be an occupational disease compensable under the Virginia Workers' Compensation Act if contracted by firefighters and certain officers to include any malignancy or chronic medical condition. The claimant is required to have had an exposure to a toxic substance encountered in the line of duty.

02/01/16 Senate: Stricken at request of Patron in Commerce and Labor (12-Y 0-N)

Notes: City Position: oppose

SB 566 Involuntary psychiatric treatment of an inmate; petition filed by sheriff.

Patron: Barker

Summary as passed Senate:

Involuntary psychiatric admission from local correctional facility. Clarifies that for the purposes of petitioning for the involuntary psychiatric treatment of an inmate in a local correctional facility, the petition shall be filed by the sheriff or other person in charge of the local correctional facility where the inmate is incarcerated.

03/04/16 Senate: Enrolled Bill Communicated to Governor on 3/4/16

03/04/16 Governor: Governor's Action Deadline Midnight, March 11, 2016

Notes: City Position: support

SB 586 Public Procurement Act; requirements for use of construction management.

Patron: Ruff

Summary as introduced:

Virginia Public Procurement Act; requirements for use of construction management.

Restricts the use of construction management procurements by public bodies unless (i) the total project cost is \$50 million or more, (ii) a written determination is provided stating that competitive sealed bidding is not practicable or fiscally advantageous, (iii) the contract is entered into prior to the schematic phase of design, (iv) construction management experience is not required or considered as part of the award, (v) price is the primary determining factor for award of the contract, and (vi) proposers provide for the participation of small, women-owned, and minority-owned businesses in the project. The bill provides that for projects where the total project cost is not expected to exceed \$50 million, a public body may use competitive negotiation to procure construction on a construction management basis if (i) the above requirements are met; (ii) the project is (a) of substantial historical value or interest or (b) significantly unique or extremely complex in nature; (iii) prior to any solicitation for such project, the public body notifies in writing the Director of the Department of General Services in the case of state public bodies, or the local governing body in the case of a local public body, of its intent to procure construction on a construction management basis; and (iv) the Director of the Department of General Services or the local governing body, as the case may be, makes a finding that the public body is in compliance with the requirements of this subsection, which finding shall be on a per project basis and shall be in writing.

02/15/16 Senate: Continued to 2017 in General Laws and Technology (15-Y 0-N)

Notes: City Position: oppose

SB 599 Virginia Electronic Communications Privacy Act; established, report.

Patron: Petersen

Summary as introduced:

Virginia Electronic Communications Privacy Act; report. Prohibits a state or local government agency from taking certain actions relating to access to electronic communication information from a service provider, access to electronic device information from any person other than the authorized possessor of the device, or access to electronic device information by means of physical interaction or electronic communication with the electronic device. Exceptions allow access to electronic communication information or access to electronic device information pursuant to a warrant or wiretap order or with the consent of the authorized possessor of the device. The measure establishes requirements for a warrant for electronic information. An agency that receives voluntarily-provided electronic communication information is required to destroy the information within 90 days unless, subject to certain exceptions. If an agency obtains electronic information pursuant to an emergency involving danger of death or serious physical injury to a person, that requires access to the electronic information without delay, it is required within three days to file an application for a warrant or order authorizing obtaining the electronic information or a motion seeking approval of the emergency disclosures. An agency that obtains electronic communication information is required to make an annual report to the Attorney General. The Attorney General's office is required to publish on its website the individual reports

from each agency that requests or compels the production of contents or records pertaining to an electronic communication or location information and a summary of such information.

02/08/16 Senate: Continued to 2017 in Courts of Justice (15-Y 0-N)

Notes: City Position: oppose

SB 601 Child care providers; criminal history background checks.

Patron: Wexton

Summary as passed Senate:

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 September 30, 2017, or by the date specified on any federal waiver obtained by the Commonwealth. 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 September 30, 2017, or by the date specified on any federal waiver obtained by the Commonwealth.

02/25/16 House: Continued to 2017 in Health, Welfare and Institutions

Notes: City Position: support

SB 611 Tort claim; notice of claim against the State, transportation district, or locality.

Patron: Stanley

Summary as introduced:

Notice of tort claim against the Commonwealth, transportation district, or locality. Provides that the bar to a tort claim against the Commonwealth, a transportation district, or a locality for failure to file a written statement of the nature of the claim within one year after the cause of action accrues does not apply where there was actual knowledge of the claim within one year by the Commonwealth, its agency alleged to be liable, the Division of Risk Management, or any

insurer or entity providing coverage or indemnification of the claim, the Attorney General, the transportation district, or the locality, as applicable.

03/02/16 House: Reported from Courts of Justice with substitute (22-Y 0-N)

Notes: City Position: oppose

SB 645 FOIA; exempt records concerning critical infrastructure.

Patron: McPike

Summary as introduced:

Virginia Freedom of Information Act (FOIA); exempt records concerning critical infrastructure, government infrastructure, or security information. Defines the terms "critical infrastructure," "government infrastructure," "interdependency," and "security information" for purposes of FOIA and revises the related FOIA public safety record exemption to incorporate those terms. The bill also sets out conditions precedent in cases where a custodian of any public safety records elects to exercise his discretion to release such records.

03/04/16 House: Passed House with substitute BLOCK VOTE (98-Y 0-N)

Notes: City Position: support

SB 673 Virginia Erosion and Stormwater Management Act; consolidation of programs, opt-out for locations.

Patron: Hanger

Summary as passed Senate:

Virginia Erosion and Stormwater Management Act; consolidation of programs; opt-out for certain localities; penalties. Combines existing statutory programs relating to soil erosion and stormwater management, directing the State Water Control Board (the Board) to permit, regulate, and control both erosion and stormwater runoff. The bill requires any locality that operates a municipal separate storm sewer system (MS4) or a Virginia Stormwater Management Program (VSMP) to adopt a Virginia Erosion and Stormwater Management Program (VESMP) that regulates any land-disturbing activity that disturbs an area of 10,000 square feet or more, or 2,500 square feet or more if in a Chesapeake Bay Preservation Area. A locality that lacks an MS4 and for which the Department of Environmental Quality (DEQ) is currently administering a VSMP is required to (i) adopt such a VESMP, (ii) adopt such a VESMP with DEQ conducting plan review and making recommendations on the compliance of each plan with technical criteria, or (iii) continue to operate a separate Virginia Erosion and Sediment Control Program (VESCP) that regulates any disturbance of 10,000 square feet or more and, in a Preservation Area, regulates a disturbance of 2,500 square feet or more and meets certain other requirements. Any eligible locality that chooses the third option is to have a VSMP administered on its behalf by the Board for any land-disturbing activity that disturbs one acre or more of land, including an activity that disturbs a smaller area but is part of a larger development that results in a disturbance of one acre or more. The bill directs certain charges or penalties to the Stormwater Local Assistance Fund, which provides matching grants to local governments for stormwater best management practices.

02/29/16 Governor: Approved by Governor-Chapter 68 (effective - see bill)

Notes: City Position: support

SB 746 Governmental entities; liability for certain inspections.

Patron: Wagner

Summary as passed Senate:

Liability of governmental entity for certain inspections. Provides that a governmental entity employing a person who exceeds the scope of his authority when performing an inspection of a private entity to determine compliance with any law, regulation, or ordinance shall be liable for any damages arising from any enforcement action taken against the entity on the basis of the employee's inspection. The bill does not apply to law-enforcement officers or fire marshals.

03/02/16 House: Reported from Courts of Justice with substitute (22-Y 0-N)

Notes: City Position: oppose

SB 751 Limited Residential Lodging and Short-term Rental Lodging Act; penalty.

Patron: DeSteph

Summary as introduced:

Limited Residential Lodging and Short-term Rental Lodging Act; penalty. Establishes the Limited Residential Lodging and Short-term Rental Lodging Act (the Act), which allows (i) property owners to rent out their homes or portions thereof for a charge for periods of less than 30 consecutive days or (ii) short-term rentals of residential or commercial units; both of which may be transacted through a hosting platform, under certain circumstances. The bill requires an operator of either limited residential lodging or short-term rental lodging to register with the Department of Taxation. The hosting platform may register with the Department of Taxation, in which case the hosting platform is responsible for the collection and remittance of all applicable taxes on behalf of the property owner. The bill provides for the amount of license tax on such operators. The bill provides that any local ordinance requiring the use of the special exception, special use, or conditional use permit for short-term rental lodging contain specific provisions relating to noise, trash or recycling collection, and the posting of emergency information.

02/17/16 Senate: Left in Finance

Notes: City Position: oppose unless language is amended

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

Patron: Alexander

Summary as introduced:

Constitutional amendment; real property tax exemption. Provides that the General Assembly may 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.

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, McClellan and Price

Summary as introduced:

Constitutional amendment; marriage. Proposes the repeal of the constitutional amendment dealing with marriage that was approved at the November 2006 election.

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 at the November 2006 election.

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

Notes: City Position: support