

## Recommended Positions on Bills of Importance to the City February 10, 2017

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### **HB 1786 In utero exposure to a controlled substance; departments of social services to collect information.**

*Patrons:* Stolle, Bell, John J., Bell, Richard P., Cole, Fariss, Garrett, Helsel, Herring, Levine, Lindsey, Minchew and Mullin

*Summary as passed House:*

**In utero exposure to a controlled substance.** Provides that if a local department of social service responds to a report of suspected abuse or neglect of a child, the local department shall complete a report and enter it into the statewide automated system maintained by the Department. The bill also requires that, in cases in which a report or complaint of suspected child abuse or neglect is based on suspected substance abuse by the mother, that the local department shall conduct a family assessment unless an investigation is required, collect information about whether the mother of a child who was exposed in utero to a controlled substance sought substance abuse counseling or treatment prior to the child's birth as part of a family assessment, and develop a plan of safe care for the child in accordance with federal law, regardless of whether the local department determines that abuse or neglect occurred. The bill also requires mandated reporters of suspected child abuse or neglect to make a report upon a finding within six weeks of the child's birth that the child was born affected by substance abuse or experiencing withdrawal symptoms resulting from in utero drug exposure, a diagnosis within four years of the child's birth that the child has an illness, disease, or condition that may be attributed, with a reasonable degree of medical certainty, to maternal abuse of controlled substances during pregnancy, or a diagnosis within four years of the child's birth that the child has fetal alcohol spectrum disorder attributable to in utero exposure to alcohol.

02/07/17 House: Read third time and passed House BLOCK VOTE (97-Y 0-N)

02/08/17 Senate: Referred to Committee on Rehabilitation and Social Services

02/10/17 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N)

**Notes:** City Position: support

### **HB 2076 State Water Control Board; stormwater management programs, regulations, professional license.**

*Patron:* Wilt

*Summary as passed House:*

**State Water Control Board; stormwater management programs; regulations; professional license.** Directs the State Water Control Board to adopt regulations requiring that all final plan elements, specifications, or calculations whose preparation requires a license in engineering, architecture, soil science, or a related profession be signed and sealed by a licensed professional. The bill requires the regulations to be effective no later than July 1, 2018, and exempts them from certain provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

02/09/17 House: Enrolled Bill communicated to Governor on 2/9/17

02/09/17 Governor: Governor's Action Deadline Midnight, February 16, 2017

**Notes:** City Position: support

**HB 2127 Victims of sexual assault; rights of victims, physical evidence recovery kits.**

*Patrons:* Levine and Filler-Corn; Senator: Favola

*Summary as passed House:*

**Rights of victims of sexual assault; physical evidence recovery kits.** Requires that victims of sexual assault be advised by the investigating law-enforcement agency of their rights regarding physical evidence recovery kits. The bill requires the Division of Consolidated Laboratory Services of the Virginia Department of General Services and law-enforcement agencies to store a physical evidence recovery kit for an additional 10 years following a written objection to its destruction from the victim. The bill requires the law-enforcement agency to notify the victim at least 60 days prior to the intended date of destruction of the kit and provides that no victim of sexual assault shall be charged for the cost of collecting or storing a kit.

02/07/17 House: Read third time and passed House BLOCK VOTE (97-Y 0-N)

02/08/17 Senate: Referred to Committee for Courts of Justice

**Notes:** City Position: support

**HB 2215 Adoption assistance; children with special needs.**

*Patrons:* Toscano, Bell, John J. and Landes

*Summary as introduced:*

**Adoption assistance for children with special needs.** Moves the requirement that a child be a citizen or legal resident of the United States from the definition of "child with special needs" to the eligibility criteria for the adoptive parents of such child to receive adoption assistance. The bill modifies the exception to the eligibility requirement that efforts be made to place the child in an adoptive home without the provision of adoption assistance to include consideration of the child's best interest due to factors such as the child's development of significant emotional ties with his foster parents while in their care, provided that the foster parents wish to adopt the child. Under current law, the exception is limited to situations in which the child has developed emotional ties with his foster parents and the foster parents wish to adopt the child. The bill modifies other requirements for a child with special needs to receive certain types of adoption assistance and for a child who is between the ages of 18 and 21 to receive adoption assistance. The bill also provides that a representative of the Department of Social Services shall negotiate all adoption assistance agreements with both existing and prospective adoptive parents on behalf of local departments of social services.

02/07/17 House: Read third time and passed House BLOCK VOTE (97-Y 0-N)

02/10/17 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N)

**Notes:** City Position: support

**HB 2251 Virginia Retirement System; establishes an optional defined contribution retirement plan.**

*Patron:* Jones

*Summary as passed House:*

**Virginia Retirement System; optional defined contribution retirement plan.** Requires VRS to establish an optional defined contribution retirement plan for state and local employees. Participation in the plan is in lieu of other retirement plans offered by VRS. Employees hired on or after July 1, 2019, shall make an irrevocable election whether to participate in the plan. A person who is employed on June 30, 2019, shall make an irrevocable election by October 31, 2019, to participate in the new retirement plan beginning January 1, 2020, in lieu of his

retirement plan at the time. If such employee elects to participate in the new plan, his retirement plan at the time of election will be "frozen" and not increase because of compensation earned or years of service earned while participating in the new plan. Under the plan, the employer makes a mandatory contribution in the amount of 8.5 percent of the employee's compensation, and the employee contributes five percent of his compensation. The employer's contribution becomes fully vested upon the employee's completion of 5 years of continuous participation.

02/07/17 House: Read third time and passed House (92-Y 4-N)

02/08/17 Senate: Referred to Committee on Finance

**Notes:** City Position: oppose

**HB 2279 Child-protective services; complaints involving members of the United States Armed Forces.**

*Patrons:* Hester, Aird, Albo, Anderson, Boysko, Carr, Davis, Filler-Corn, Hayes, Heretick, Herring, Holcomb, Hope, James, Keam, Kory, Krizek, Levine, Lindsey, Lopez, Mullin, Murphy, Plum, Price, Simon, Stolle, Torian, Villanueva, Ward and Watts

*Summary as introduced:*

**Child-protective services; complaints involving members of the United States Armed Forces.** Requires local departments of social services to transmit information regarding reports, complaints, family assessments, and investigations involving children of active duty members of the armed forces or members of their household to family advocacy representatives of the armed forces. Currently, local departments of social services may transmit such information, but are only required to transmit information regarding founded complaints or family assessments.

02/06/17 House: Read third time and passed House BLOCK VOTE (97-Y 0-N)

02/10/17 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N)

**Notes:** City Position: support

**HB 2462 Inpatient psychiatric hospital admission; defendant found incompetent.**

*Patrons:* Bell, Robert B. and Heretick

*Summary as introduced:*

**Inpatient psychiatric hospital admission; defendant found incompetent.** Removes the prohibition on inpatient psychiatric hospital admission for defendants who have already been ordered to receive treatment to restore their competency to stand trial.

02/07/17 House: Read third time and passed House BLOCK VOTE (97-Y 0-N)

02/08/17 Senate: Referred to Committee for Courts of Justice

**Notes:** City Position: support

**SB 932 Conveyance of utility easements; transportation.**

*Patrons:* Favola and Black

*Summary as passed Senate:*

**Conveyance of utility easements; transportation.** Exempts from the public hearing requirement prior to disposal of real property by a locality the conveyance of utility easements related to transportation projects. This bill incorporates HB 1259.

02/03/17 Senate: Passed Senate (40-Y 0-N)

02/08/17 House: Referred to Committee on Counties, Cities and Towns

02/08/17 House: Assigned CC & T sub: Subcommittee #2

**Notes:** City Position: oppose

**SB 940 Mental health screening of prisoners at local correctional facilities.**

*Patrons:* Cosgrove, Favola, Dance, Deeds, Ebbin, Mason and McClellan; *Delegate:* Toscano

*Summary as passed Senate:*

**Mental health screening of inmates at local correctional facilities.** Requires that the staff of a local correctional facility screen persons admitted to the facility for mental illness using a scientifically validated instrument designated by the Commissioner of Behavioral Health and Developmental Services. The bill provides that if the screening indicates that a person may have a mental illness, an assessment of his need for mental services shall be conducted within 72 hours of the time of the screening by a qualified mental health professional, which is defined in the bill. The bill requires the Department of Criminal Justice Services, in consultation with the State Board of Corrections and the Department of Behavioral Health and Developmental Services, to (i) ensure that local and regional correctional facilities are aware of the aforementioned requirements and (ii) develop and deliver a training program for employees of such facilities regarding the administration of such instrument. This bill incorporates SB 933.

02/08/17 House: Subcommittee recommends reporting (6-Y 0-N)

02/08/17 House: Subcommittee recommends referring to Committee on Appropriations

**Notes:** City Position: support if funded

**SB 1154 Providing material support or resources to a designated terrorist organization; exemptions; penalty.**

*Patrons:* Reeves, Howell, Carrico, Ruff and Sturtevant; *Delegates:* Cole, Edmunds, Freitas, Landes, Minchew and Stolle

*Summary as passed Senate:*

**Providing material support or resources to a designated terrorist organization; exemptions; penalty.** Provides that any person who provides material support or resources to an organization that has been designated by the Secretary of State as a foreign terrorist organization is guilty of a Class 3 felony. If such material support results in the death of any person, the penalty is increased to a Class 2 felony. The bill provides an exemption to those persons who provide such material support with the approval of the Secretary of State and Attorney General. The bill provides that its provisions do not preclude prosecution under any other statute.

02/08/17 House: Referred to Committee on Appropriations

02/09/17 House: Assigned App. sub: Public Safety

**SB 1164 Child-protective services; complaints involving members of the United States Armed Forces.**

*Patrons:* Reeves and Mason

*Summary as introduced:*

**Child-protective services; complaints involving members of the U.S. Armed Forces.**

Requires local departments of social services to transmit information regarding reports, complaints, family assessments, and investigations involving children of active duty members of the armed forces or members of their household to family advocacy representatives of the United armed forces. Under current law, local departments may transmit such information, but are only required to transmit information regarding founded complaints or family assessments.

02/09/17 House: Reported from Health, Welfare and Institutions (22-Y 0-N)

**Notes:** City Position: support

**SB 1492 Water utilities; retail rates of affiliated utilities, definitions, etc.**

*Patron:* Stuart

*Summary as passed Senate:*

**Water utilities; consolidated ratemaking.** Requires that in any ratemaking proceeding for certain investor-owned water utilities that are part of a water utility network the State Corporation Commission shall ensure that equal fixed and volumetric rates are charged for each customer class of every water utility that is in the water utility network. In such proceeding, the Commission is authorized to aggregate the revenues and costs of the water utilities that are members of the applicable water utility network.

02/07/17 Senate: Passed Senate (40-Y 0-N)

02/09/17 House: Referred to Committee on Commerce and Labor

**Notes:** City Position: oppose

**SB 1501 Physical evidence recovery kit; victim's right to notification of information.**

*Patrons:* Favola and Black; *Delegate:* Levine

*Summary as passed Senate:*

**Victim's right to notification of scientific analysis information.** Provides that for any physical evidence recovery kit that was received by a law-enforcement agency prior to July 1, 2016, and submitted for analysis, the victim, a parent or guardian of a minor victim, or the next of kin of a deceased victim shall be notified of the completion of the analysis and shall, upon request, receive information regarding the results of any analysis from the law-enforcement agency. The bill provides that law enforcement shall not be required to disclose the results of any analysis to an alleged perpetrator.

02/08/17 House: Referred to Committee for Courts of Justice

02/08/17 House: Assigned Courts sub: Criminal Law

**Notes:** City Position: support

**SB 1532 Motor vehicle license fees; exemption of antique vehicles.**

*Patron:* Lewis

*Summary as introduced:*

**Motor vehicle license fees; exemption of antique vehicles.** Exempts a motor vehicle, trailer, or semitrailer that is licensed as an antique vehicle from the imposition of local license fees.

02/09/17 House: Referred to Committee on Transportation

02/09/17 House: Assigned Transportation sub: Subcommittee #4

02/09/17 House: Subcommittee recommends reporting (6-Y 0-N)

**Notes:** City Position: oppose

**SB 1533 Antique firearms; possession by nonviolent felons.**

*Patron:* Obenshain

*Summary as introduced:*

**Possession of antique firearms; nonviolent felons.** Permits nonviolent felons to possess, transport, and carry antique firearms and black powder in a quantity not exceeding five pounds if it is intended to be used solely for sporting, recreational, or cultural purposes in antique firearms.

02/10/17 House: Reported from Militia, Police and Public Safety with substitute (20-Y 1-N)

**Notes:** City Position: oppose

**SB 1559 Zoning appeals, board of; recipient to receive notice of zoning violation.**

*Patron:* Petersen

*Summary as passed Senate:*

**Board of zoning appeals.** Requires that the recipient of certain notices from the board of zoning appeals receive notice via certified mail, last known address, or usual abode prior to the commencement of the 30-day appeal period.

02/03/17 Senate: Passed Senate (40-Y 0-N)

02/08/17 House: Referred to Committee on Counties, Cities and Towns

02/08/17 House: Assigned CC & T sub: Subcommittee #2

**Notes:** City Position: oppose

**SB 1578 Short-term rental of property; registration of persons offering property for rental.**

*Patrons:* Norment and Stanley

*Summary as introduced:*

**Short-term rental of property.** Authorizes a locality to adopt an ordinance requiring the registration of persons offering property for short-term rental. The bill defines "short-term rental" as the provision of a room or space suitable for sleeping or lodging for less than 30 consecutive days. Persons and entities already licensed related to the rental or management of property by the Board of Health, the Real Estate Board, or a locality would not be required to register. The bill authorizes localities to impose fees and penalties on persons who violate the registry ordinance or who offer short-term rentals that have multiple violations of state or federal laws or ordinances, including those related to alcoholic beverage control. The bill amends the Alcoholic Beverage Control (ABC) Act to clarify that certain property rented on a short-term basis is considered a bed and breakfast establishment for purposes of ABC licensing and that the exception from ABC licensing for serving alcoholic beverages to guests in a residence does not apply if the guest is a short-term lessee of the residence.

02/07/17 Senate: Read third time and passed Senate (36-Y 4-N)

02/09/17 House: Referred to Committee on General Laws

02/10/17 House: Assigned GL sub: Subcommittee #1

**Notes:** City Position: support