

## Bills on Which the City Has Taken a Position Status Update

February 11, 2018

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### **HB 9 Safety restraints; all occupants of motor vehicles required to utilize.**

*Patron:* Krizek

*Summary as introduced:*

**Safety restraint use in motor vehicles.** Requires all occupants of motor vehicles to utilize safety restraints. Current law requires safety belt use only by occupants under the age of 18, drivers, and passengers 18 years of age or older occupying the front seat.

02/13/18 House: Left in Transportation

**City Position: Support**

### **HB 10 Hate crimes; criminal acts against persons because of gender, etc.**

*Patrons:* Kory, Adams, D.M., Bell, John J., Carter, Convors-Fowler, Guzman, Herring, Hope, Hurst, Levine and Roem; *Senators:* Favola and Surovell

*Summary as introduced:*

**Hate crimes; gender, sexual orientation, gender identity, or disability; penalty.** Adds disability, gender, gender identity, and sexual orientation to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also adds disability, gender, gender identity, and sexual orientation status to the categories of hate crimes that are to be reported to the central repository of information regarding hate crimes maintained by the Virginia State Police. The bill also provides that a person who is subjected to acts of vandalism to his real or personal property, where such vandalism is motivated by disability, gender, gender identity, and sexual orientation, may bring a civil action to recover his damages. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of disability, gender, gender identity, sexual orientation.

02/12/18 House: Left in Courts of Justice

**City Position: Support**

### **HB 13 Instructional positions; students identified as having limited English proficiency.**

*Patrons:* Kory, Delaney, Hope, Levine, Plum, Roem and Ward; *Senators:* Marsden and Surovell

*Summary as introduced:*

**Instructional positions; students identified as having limited English proficiency.** Requires state funding to be provided pursuant to the general appropriation act to support 20 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency. Current law requires state funding to support 17 such positions for each 1,000 such students.

02/13/18 House: Left in Appropriations

**City Position: Support**

**HB 14 Dogs or cats; public animal shelters required to notify intent to euthanize.**

*Patron: Kory*

*Summary as introduced:*

**Public animal shelters; dogs and cats; euthanasia notice.** Requires a public animal shelter to wait three days before euthanizing a dog or cat when a person has notified the shelter of his intent to adopt or take custody of the particular animal. The shelter must make reasonable efforts to accomplish the release of the dog or cat but is not required to hold the animal if it has reason to believe that the animal has seriously injured a human or the animal meets certain other specified conditions for euthanasia.

02/13/18 House: Left in Agriculture, Chesapeake and Natural Resources

**City Position: Support**

**HB 31 Profane swearing or cursing in public; eliminates crime.**

*Patron: Webert*

*Summary as introduced:*

**Profane swearing in public.** Eliminates the crime of profanely swearing or cursing in public, which is currently punishable as a Class 4 misdemeanor.

02/12/18 House: Left in Courts of Justice

**City Position: Support**

**HB 32 Hate crimes; reporting to State Police.**

*Patrons: Sullivan and Hurst; Senator: Locke*

*Summary as introduced:*

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

02/12/18 House: Left in Courts of Justice

**City Position: Support**

**HB 41 Firearms; mechanical devices designed to increase rate of fire, penalty.**

*Patrons:* Levine, Adams, D.M., Boysko, Carr, Convirs-Fowler, Delaney, Guzman, Hope, Jones, J.C., Kory, Lopez, Murphy, Plum, Price, Rasoul, Roem, Simon, Sullivan and Watts

*Summary as introduced:*

**Mechanical devices designed to increase the rate of fire of firearms; penalty.** Prohibits the manufacture, import, sale or offer to sell, possession, transfer, or transportation of any device used to increase the rate of fire of any semi-automatic firearm beyond the capability of an unaided person to operate the trigger mechanism of that firearm.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 43 Firearms; reporting when lost or stolen.**

*Patrons:* Bourne, Adams, D.M., Bagby, Boysko, Carr, Convirs-Fowler, Delaney, Hope, Jones, J.C., Levine, Lindsey, Lopez, Murphy, Plum, Price and Turpin; *Senators:* Dance, Ebbin and McClellan

*Summary as introduced:*

**Reporting lost or stolen firearms; civil penalty.** Requires a person who lawfully possesses a firearm to report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 24 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. The bill requires the relevant law-enforcement agency to enter the report information into the National Crime Information Center (NCIC). A violation is punishable by a civil penalty of \$50 for a first offense and not less than \$100 or more than \$250 for any subsequent offense. The bill provides that a person who, in good faith, reports the loss or theft is immune from criminal or civil liability for acts or omissions that result from the loss or theft; the immunity does not apply to a person who knowingly gives a false report. The bill does not apply to the loss or theft of an antique firearm.

02/12/18 House: Left in Courts of Justice

**City Position: Support**

**HB 64 Local regulation; making of fires.**

*Patrons:* McQuinn, Lindsey, Plum, Rasoul and Simon; *Senator:* Lucas

*Summary as introduced:*

**Local regulation; making of fires.** Defines "making of fires," which under current law a locality can regulate or prohibit, as any use of a flame, including bonfires, cooking stoves, torches, and candles.

02/13/18 House: Left in Counties, Cities and Towns

**City Position: Support**

**HB 72 Statewide prioritization process project selection; cost of project to be considered.**

*Patrons:* Thomas, Carroll Foy, Cole and Hurst; Senator: Stuart

*Summary as introduced:*

**Statewide prioritization process project selection.** Requires the total cost of a transportation project to be considered in evaluating projects under the statewide prioritization process. The bill requires the Commonwealth Transportation Board to evaluate congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays. The bill imposes restrictions on projects receiving funding from the High Priority Projects Program that are evaluated under the statewide prioritization process.

02/13/18 House: Left in Transportation

**City Position: Oppose**

**HB 97 Virginia Public Procurement Act; methods of procurement, single or term contracts.**

*Patrons:* Bell, John J., Peace and Lopez

*Summary as introduced:*

**Virginia Public Procurement Act; methods of procurement; single or term contracts for professional services.** Increases the maximum permissible aggregate or sum of all phases of single or term contracts for professional services that may be procured without requiring competitive negotiation from \$60,000 to \$100,000.

02/14/18 Senate: Referred to Committee on General Laws and Technology

**City Position: Support**

**HB 98 Virginia Public Procurement Act; competitive negotiation for professional services.**

*Patron:* Bell, John J.

*Summary as introduced:*

**Virginia Public Procurement Act; competitive negotiation for professional services.** Provides that for competitive negotiation for professional services, a public body may conduct negotiations simultaneously with the top two ranked offerors if the public body does not request or discuss nonbinding estimates of total project costs at the discussion stage and as long as such process is set forth in the Request for Proposal.

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 105 Criminal Justice Services, Department of; training standards, community engaged policing.**

*Patron:* Herring

*Summary as introduced:*

**Department of Criminal Justice Services training standards; community engaged policing.** Expands the responsibilities of the Department of Criminal Justice Services regarding community policing by requiring the compulsory training standards for basic training and recertification of law-enforcement officers to include fair and impartial policing, verbal de-escalation, and needs of special populations. The bill changes the term "community policing" to "community engaged policing."

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 106 Kinship Guardianship Assistance program; established.**

*Patrons:* Delaney, Adams, D.M., Ayala, Boysko, Guzman, Hurst, Levine, Murphy, Plum, Rasoul, Rodman and Roem

*Summary as introduced:*

**Kinship Guardianship Assistance program.** Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program.

02/13/18 House: Left in Health, Welfare and Institutions

**City Position: Support**

**HB 115 Reckless driving; penalty.**

*Patron:* Webert

*Summary as introduced:*

**Reckless driving; penalty.** Expands the conduct that constitutes reckless driving to include driving a vehicle without giving proper time and attention to driving.

02/12/18 House: Left in Courts of Justice

**City Position: Support**

**HB 134 Value engineering; raises minimum project cost.**

*Patrons:* Bell, John J. and Peace

*Summary as introduced:*

**Value engineering.** Raises the minimum project cost requiring the use of value engineering from \$5 million to \$15 million. The bill exempts projects that are designed utilizing (i) a design-build contract or (ii) the Public-Private Transportation Act of 1995 from the value engineering requirements.

02/23/18 Senate: Constitutional reading dispensed (38-Y 0-N)

**City Position: Support**

**HB 135 Dissemination of juvenile record information; emergency medical services agency applicants.**

*Patrons:* Bell, John J., Adams, D.M. and Murphy

*Summary as passed House:*

**Dissemination of juvenile record information; emergency medical services agency applicants.** Provides that juvenile record information maintained in the Central Criminal Records Exchange may be disseminated (i) to the State Health Commissioner or his designee for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency and (ii) the chief law-enforcement officer or his designee who is a public safety official of a locality that has adopted an ordinance to conduct investigations of employment applicants for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency.

02/21/18 House: Bill text as passed House and Senate

**City Position: Oppose**

**HB 150 Child abuse and neglect; founded reports regarding former school employees.**

*Patrons:* Bulova, Bell, Robert B., Delaney, Filler-Corn, Keam, Murphy, Peace and Reid

*Summary as introduced:*

**Child abuse and neglect; founded reports regarding former school employees.** Requires local departments of social services to notify the appropriate school board without delay if the subject of a founded complaint of child abuse or neglect was, at the time of the investigation or the conduct that led to the report, an employee of a school division located within the Commonwealth. Currently, such reporting is only required if the subject of the complaint is an employee of a school division at the time the complaint is determined to be founded.

02/19/18 Governor: Approved by Governor-Chapter 3 (effective 7/1/18)

**City Position: Support**

**HB 160 Building code; mutual assistance.**

*Patrons:* Cole, Boysko, Carter, Delaney, Gooditis, LaRock, Levine and Lindsey; Senators: McPike and Vogel

*Summary as introduced:*

**Building code; mutual assistance.** Provides that the governing body of any locality to enter into an agreement with another locality for the purpose of providing assistance on building code inspections, plan review, and permitting to a local building department in such locality.

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 161 Service districts; general government facilities may be constructed pursuant to power of districts.**

*Patrons:* Cole and Thomas

*Summary as introduced:*

**Powers of service districts.** Adds general government facilities to those types of facilities that may be constructed pursuant to the power granted to service districts.

02/02/18 Senate: Referred to Committee on Local Government

**City Position: Support**

**HB 187 Sex offenders in emergency shelters; notification registration.**

*Patron:* Hayes

*Summary as introduced:*

**Sex offenders in emergency shelters; notification registration.** Provides that a registered sex offender who enters an emergency shelter designated by the Commonwealth or any political subdivision thereof and operated in response to a declared state or local emergency shall, as soon as practicable after entry, notify a member of the shelter's staff who is responsible for providing security of such person's status as a registered sex offender. The bill provides that the shelter's staff may access the publicly available information on the Sex Offender and Crimes Against Minors Registry regarding such person and use such information in making reasonable accommodations to ensure the safety of all persons in the shelter; however, no person shall be denied entry solely on the basis of his status as a sex offender unless such entry is otherwise prohibited by law. The bill also requires that such person register with the local law-enforcement agency where the shelter is located within three days of entering the shelter if such person continues to reside in the shelter at that time.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 189 Firearms; use or display during commission of a felony, killing or injuring police animals.**

*Patrons:* Fowler, McGuire, Ayala, Bell, John J., Bloxom, Boysko, Brewer, Campbell, Collins, Convirs-Fowler, Davis, Edmunds, Fariss, Freitas, Gooditis, Helsel, Herring, Hodges, Hugo, Hurst, Ingram, Kilgore, Kory, Krizek, Leftwich, Miyares, Morefield, Mullin, Orrock, Peace, Ransone, Reid, Robinson, Roem, Rush, Stolle, Thomas, VanValkenburg, Watts, Webert, Wilt and Wright;  
*Senators:* Reeves and Vogel

*Summary as introduced:*

**Use or display of firearm during commission of a felony; killing or injuring police animals; penalty.** Adds maliciously shooting, stabbing, wounding, or otherwise causing bodily injury to or administering poison to any animal used or trained by a law-enforcement agency, regional jail, or the Department of Corrections to the list of felonies for which a separate penalty is prescribed if a firearm is used during the commission of the offense.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 193 Virginia Public Procurement Act; bid match preference for Virginia businesses.**

*Patron:* Bell, Richard P.

*Summary as introduced:*

**Virginia Public Procurement Act; bid match preference for Virginia businesses.** Provides a bid match preference for Virginia businesses. Under the bill, for contracts of \$5,000 or more, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent of the lowest bid of an out-of-state bidder.

02/13/18 House: Left in General Laws

**City Position: Oppose**

**HB 196 Child abuse or neglect; extension of hearings to review findings by local depts. of social services.**

*Patrons:* Bulova, Bell, Robert B. and Fariss

*Summary as passed House:*

**Extensions of hearings to review findings by local departments of social services related to child abuse or neglect.** Provides that a person who appeals a determination by a local department of social services related to child abuse or neglect to a hearing officer designated by the Commissioner of Social Services may request extensions of the hearing but that no extension causing the hearing to be delayed more than 90 days after the date on which the



hearing was first scheduled to be held shall be granted absent a showing of compelling reasons to justify such extension.

02/07/18 Senate: Referred to Committee on Rehabilitation and Social Services

**City Position: Support**

**HB 198 Firearms; removal from persons posing substantial risk, penalties.**

*Patrons:* Sullivan and Hurst

*Summary as introduced:*

**Firearms; removal from persons posing substantial risk; penalties.** Creates a procedure by which an attorney for the Commonwealth or law-enforcement officer may apply to a circuit court judge for a warrant to remove firearms from a person who poses a substantial risk of injury to himself or others. If firearms are seized pursuant to such warrant, the bill requires a court hearing within 14 days from execution of the warrant to determine whether the firearms should be returned or retained by law enforcement. Seized firearms may be retained by court order for up to 180 days or, with court approval, may be transferred to a third party chosen by the person from whom they were seized. Persons who have been served with a warrant to remove firearms until such warrant has been dissolved by a court or who are the subject of an order to retain firearms are guilty of a Class 1 misdemeanor for purchasing, possessing, or transporting a firearm; are disqualified from having a concealed handgun permit; and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of an order is guilty of a Class 6 felony.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 204 Energy benchmarking; access to data on energy usage in covered buildings.**

*Patron:* Sullivan

*Summary as introduced:*

**Energy benchmarking; access to data on energy usage in covered buildings.** Authorizes a locality to adopt an ordinance requiring utilities, upon request by the owner of a building with a gross floor area of not less than 50,000 square feet (covered building), to provide its owner with combined measured energy usage data for multiple utility accounts of customers receiving service in the covered building. Such benchmarking is mandatory for a covered building with three or more active utility accounts in which no single utility account is greater than or equal to 85 percent of the aggregated energy usage, and it is optional for other covered buildings. The measure provides that the building owner shall only provide aggregated data that is

provided to it to the Energy Star Portfolio Manager subject to guidelines established by the Department of Mines, Minerals and Energy (DMME). Violations of the ordinance are punishable by a fine of not more than \$250. The measure requires DMME to develop uniform guidelines for benchmarking by December 1, 2018.

02/13/18 House: Left in Counties, Cities and Towns

**City Position: Support**

**HB 206 Pawnbrokers; digital image of forms of identification.**

*Patron:* Bell, Richard P.

*Summary as passed House:*

**Pawnbrokers; digital image of forms of identification.** Eliminates the requirement that pawnbrokers create a digital image of the form of identification used if the form of identification is a United States military issued identification or other form of identification included under 18 U.S.C. § 701. The bill requires the person involved in the transaction to present an alternate government-issued identification card bearing the photograph of such person or the pawnbroker shall take a photograph of such person.

02/22/18 Senate: Passed Senate (40-Y 0-N)

**City Position: Oppose**

**HB 216 Guardians, licensed physician, etc.; annual reports.**

*Patron:* Krizek

*Summary as introduced:*

**Annual reports by guardians; report by licensed physician, licensed psychologist, or other licensed professional.** Provides that the annual report that is required to be filed by a guardian with the local department of social services must also include a report by a licensed physician, licensed psychologist, or other licensed professional who has examined the incapacitated person no more than 90 days prior to the end of the applicable reporting period. The bill further provides that a court may issue a summons or motion to show cause why the guardian has not filed a timely annual report upon notification from the local department of social services that such report has not been filed.

02/13/18 House: Left in Health, Welfare and Institutions

**City Position: Oppose**

**HB 219 Passing a stopped school bus; penalty.**

*Patron:* Morefield

*Summary as introduced:*

**Passing a stopped school bus; penalty.** Requires that any person who fails to stop his vehicle

and remain stopped when approaching, from any direction, a school bus that is stopped on any highway, private road, or school driveway for the purpose of taking on or discharging passengers, and as the sole and proximate result of his reckless driving causes the serious injury or death of another, is guilty of a Class 5 felony.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 223 Virginia Human Rights Act; limitations on causes of action.**

*Patron: Krizek*

*Summary as introduced:*

**Virginia Human Rights Act; limitations on causes of action.** Allows courts to award front pay in addition to back pay as damages for discharging an employee in violation of the Virginia Human Rights Act (§ 2.2-3900 et seq.). The bill also removes the time period limitation on the amount of back pay awarded, allows courts to increase or diminish the award if the court finds that either party engaged in delay tactics, and increases the cap on attorney fees awarded from 25 percent of the back pay awarded to 40 percent of the back pay and front pay awarded.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 236 Parked vehicles; registration, licensing, and titling requirements, improper use.**

*Patron: Collins*

*Summary as introduced:*

**Parked vehicles; registration, licensing, and titling requirements.** Expands from vehicles operated on a highway to vehicles operated or parked on a highway the class of vehicles subject to registration, licensing, and titling requirements. The bill contains technical amendments.

02/13/18 Senate: Referred to Committee on Transportation

**City Position: Support**

**HB 240 Wage or salary history; inquiries prohibited, civil penalty.**

*Patron: Rasoul*

*Summary as introduced:*

**Wage or salary history inquiries prohibited; civil penalty.** Prohibits a prospective employer from (i) requiring as a condition of employment that a prospective employee provide or disclose the prospective employee's wage or salary history or (ii) attempting to obtain the wage or salary history of a prospective employee from the prospective employee's current or former employers. Violations are subject to a civil penalty not to exceed \$100 per violation.

02/13/18 House: Left in Commerce and Labor

**City Position: Support**

**HB 241 Adoption; lowers amount of time child must reside with close relative.**

*Patron:* Brewer

*Summary as introduced:*

**Close relative adoption.** Lowers from three years to two years the amount of time a child must have continuously resided with or been under the physical custody of the prospective close relative adoptive parent in order for the adoption proceeding to commence in circuit court and be exempt from the parental placement provisions.

02/19/18 Governor: Approved by Governor-Chapter 4 (effective 7/1/18)

**City Position: Support**

**HB 242 Professional sports teams; prohibition of public funding.**

*Patrons:* Webert, Collins, Freitas, Krizek and VanValkenburg; Senators: Surovell and Wexton

*Summary as introduced:*

**Prohibition of public funding of professional sports teams.** Prohibits the Commonwealth and any of its political subdivisions from spending public funds to provide incentives for professional sports teams, beginning January 1, 2019. The bill prohibits expenditures including appropriations, grants, loans, or tax incentives used to fund facilities or infrastructure improvements for professional sports teams.

02/13/18 House: Left in Appropriations

**City Position: Oppose**

**HB 243 Jury duty; employees summoned to report.**

*Patrons:* Jones, J.C. and Delaney; Senator: McClellan

*Summary as introduced:*

**Employees; jury duty.** Requires employers, including the Commonwealth and localities, to provide to employees summoned to serve on jury duty the protections set forth in Title 18.2, Crimes and Offenses Generally. With certain exceptions, the employee is entitled to his usual compensation for periods he is excused, though the employer may deduct from such compensation any payments the employee receives for the jury service. The measure creates a private cause of action for an employee who is discharged, demoted, or suspended in violation of these provisions.

02/13/18 House: Left in Commerce and Labor

**City Position: Oppose**

**HB 244 Public utilities; cell phones, bill notice.**

*Patron:* Austin

*Summary as introduced:*

**Public utilities; cell phones; bill notice.** Requires any public utility providing commercial mobile radio service to persons whose billing address is within the Commonwealth to include with each bill a notice stating: "It is unlawful for any person to text or use a handheld personal communications device while operating a motor vehicle in a highway work zone when workers are present." The measure also provides that, for purposes of the provision imposing such requirement, a provider of commercial mobile radio service is a public utility.

02/13/18 House: Left in Commerce and Labor

**City Position: Support**

**HB 256 Income tax, state, and property tax; exemption for substantial-capacity solar equipment.**

*Patron:* Guzman

*Summary as introduced:*

**Individual income tax credit and property tax exemption for substantial-capacity solar equipment.** Provides an individual income tax credit and a mandatory property tax exemption for substantial-capacity solar equipment. The bill defines "substantial-capacity solar equipment" and requires a taxpayer to obtain certification from his local building department that such equipment is eligible for exemption. Current law provides an exemption for a broader category of solar energy equipment, facilities, or devices; however, such exemption is permissive for localities and may be partial or full. The bill provides that a person may claim an income tax credit for his costs associated with substantial-capacity solar equipment if he includes his certification with his tax return. The amount of the credit is the least of \$10,000, 10 percent of the equipment's installed cost, or the person's tax liability. The bill provides that the Department of Taxation shall issue no more than \$500,000 in credits per taxable year, and it does not allow taxpayers to carry unused credit forward. The credit sunsets after taxable year 2022.

02/13/18 House: Left in Finance

**City Position: Support**, if amended to allow the locality to decide whether to exempt such property from local taxation.

**HB 257 Virginia Public Procurement Act; clarifies definitions of responsible bidder or offeror.**

*Patron:* Hope

*Summary as introduced:*

**Virginia Public Procurement Act; definitions; responsible bidder or offeror.** Clarifies the definition of "responsible bidder" or "offeror" in the procurement act to provide that a determination of whether a bidder or offeror is responsible shall include a consideration of the bidder's or offeror's previous experience.

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 260 Virginia Critically Missing Adult Alert Program; created.**

*Patrons:* Jones, J.C., Miyares, Filler-Corn, Ayala, Bloxom, Boysko, Brewer, Davis, Delaney, Hurst, James, Jones, S.C., Knight, Krizek, Leftwich, Lindsey, McQuinn, Mullin, O'Quinn, Plum, Price, Rodman, Rush and Webert; *Senators:* McClellan, Lewis, Lucas and Spruill

*Summary as introduced:*

**Virginia Critically Missing Adult Alert Program.** Creates a program for local, regional, or statewide notification of a critically missing adult, defined as an adult whose whereabouts are unknown, who is believed to have been abducted, and whose disappearance poses a credible threat to his health and safety.

02/14/18 Senate: Referred to Committee for Courts of Justice

**City Position: Support**

**HB 261 Localities; regulation of firearms in government buildings.**

*Patrons:* Price, Adams, D.M., Bagby, Boysko, Carr, Herring, Hope, Jones, J.C., Krizek, Levine, Lopez, Plum, Roem, Simon and Watts; *Senator:* Locke

*Summary as introduced:*

**Localities; regulation of firearms in government buildings.** Allows localities to regulate the possession of firearms, ammunition, or components or combination thereof in, or the carrying of firearms, ammunition, or components or combination thereof into, any building owned or used by such locality for governmental purposes. Current law prohibits localities from adopting or enforcing any ordinance, resolution, or motion regarding firearms, ammunition, or components or combination thereof unless expressly authorized by statute.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 266 Hate crimes; gender, gender identity, or sexual orientation, penalty.**

*Patrons:* Turpin, Adams, D.M., Boysko, Carr, Hope, Kory, Krizek, Levine, McQuinn, Plum, Rodman and Simon; *Senators:* Ebbin and Howell

*Summary as introduced:*

**Hate crimes; gender, gender identity, or sexual orientation.** Adds gender, gender identity, and sexual orientation to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. Also adds gender, gender identity, and sexual orientation status to the categories of hate crimes that are to be reported to the central repository of information regarding hate crimes maintained by the Virginia State Police. The bill provides that a person who is subjected to acts of vandalism to his real or personal property, where such vandalism is motivated by gender, gender identity, or sexual orientation, may bring a civil action to recover his damages. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of gender, gender identity, or sexual orientation.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 284 Historical African American cemeteries; owners and localities receiving funds.**

*Patrons:* McQuinn, Adams, D.M., Ayala, Bagby, Bourne, Boysko, Carr, Carter, Delaney, Filler-Corn, Gooditis, Hope, Hurst, Jones, J.C., Keam, Mullin, Murphy, Plum, Ransone, Rodman, Roem, Simon, Toscano, Tyler and Watts; *Senators:* Locke and McClellan

*Summary as introduced:*

**Historical African American cemeteries; owners and localities receiving funds.** Adds any locality or person that owns an historical African American cemetery to the list of qualified organizations able to receive funds for the preservation of historical African American cemeteries and graves. The bill also allows any locality to receive and hold such funds on behalf of any qualified charitable organization until such time as the organization is able to receive or utilize the funds. The bill requires that the owner of a historical African American cemetery not unreasonably withhold access to such cemetery from an organization qualified to receive funds for care and maintenance of the cemetery.

02/19/18 Senate: Rereferred to Finance

**City Position: Support**

**HB 291 Social Services, Commissioner of; storage and preservation of orders and adoption files.**

*Patron:* Collins

*Summary as passed House:*

**Commissioner of Social Services; storage and preservation of adoption files.** Provides the Commissioner of Social Services with certain powers and duties related to the custody, storage, preservation, duplication, and certification of adoption files.

02/22/18 Governor: Approved by Governor-Chapter 10 (effective 2/22/18)

**City Position: Support**

**HB 300 Assault and battery; hate crime, penalty.**

*Patrons:* Watts and Lopez

*Summary as introduced:*

**Assault and battery; hate crime; penalty.** Makes it a Class 6 felony to commit a simple assault or assault and battery against a victim who was selected because of the victim's race, religious conviction, color, or national origin. Currently, a simple assault or assault and battery not resulting in bodily injury committed against such a victim is a Class 1 misdemeanor and an assault and battery resulting in bodily injury committed against such a victim is a Class 6 felony.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 306 Public Procurement Act; preference for business participating Va. Registered Apprenticeship program.**

*Patron:* Watts

*Summary as introduced:*

**Virginia Public Procurement Act; preference for businesses participating in Virginia Registered Apprenticeship program.** Authorizes a public body to give preference to the lowest responsive and responsible bidder (i) who is a resident of Virginia, (ii) who participates in the Virginia Registered Apprenticeship program administered by the Virginia Department of Labor and Industry, and (iii) whose bid is within three percent of the lowest bid price.

02/13/18 House: Left in General Laws

**City Position: Oppose**

**HB 338 Medicaid; work requirement.**

*Patrons:* Miyares, Fowler, Landes, LaRock and Thomas

*Summary as introduced:*

**Medicaid; work requirement.** Directs the Secretary of Health and Human Resources to apply for a waiver to implement a work requirement for able-bodied adult recipients of medical assistance services.

02/14/18 Senate: Referred to Committee on Education and Health

**City Position: Oppose**



**HB 353 Handguns; limitation on purchases, penalty.**

*Patrons:* Reid and Guzman

*Summary as introduced:*

**Purchase of handguns; limitation on handgun purchases; penalty.** Prohibits any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period and establishes such an offense as a Class 1 misdemeanor. The bill exempts from this provision (i) persons who have been issued a certificate by the Department of State Police under certain circumstances and with an enhanced background check, (ii) law-enforcement agencies and officers, (iii) state and local correctional facilities, (iv) licensed private security companies, (v) persons who hold a valid Virginia concealed handgun permit, (vi) persons whose handgun has been stolen or irretrievably lost or who are trading in a handgun, (vii) purchases of handguns in a private sale, and (viii) purchases of antique firearms.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 359 Rabies; quarantine of dog after possible exposure, police dogs.**

*Patron:* Rush

*Summary as introduced:*

**Rabies; quarantine of dog after possible exposure; police dogs.** Requires a local health director, in determining whether to quarantine a dog that may have exposed a person to rabies through a bite, to weigh any proof that the dog has both a current rabies vaccination and a current certification of special training for police work, military work, or work as a first responder.

02/22/18 House: Bill text as passed House and Senate

**City Position: Support**

**HB 377 Virginia Water Protection Permit; exception for stormwater management facility on dry land.**

*Patron:* Bulova

*Summary as passed House:*

**Virginia Water Protection Permit; exception for stormwater management facility on dry land.** Exempts from the requirement to obtain a Virginia Water Protection Permit any impact to a stormwater management facility on dry land. The bill directs the Department of Environmental Quality to adopt guidance to ensure that any project claiming this exemption creates no more than minimal ecological impact.

02/22/18 House: Bill text as passed House and Senate

**City Position: Support**

**HB 391 Uniform Statewide Building Code; hoarding.**

*Patron:* Keam

*Summary as introduced:*

**Uniform Statewide Building Code; enforcement; inspection warrants; hoarding.** Expands the circumstances in which an inspection warrant may be issued by a magistrate or court of competent jurisdiction to a local building official or his agent to include instances in which a local building department has received a complaint that a violation of the unsafe structures provisions of the Building Code exists due to documented prolonged and extensive hoarding by the owner, tenant, or occupant of any building, and the owner, tenant, or occupant has refused to allow the local building official or his agent access to such building or structure. The bill defines "hoarding" as the acquisition and retention of large quantities of items and materials that produce an extensively cluttered living space, which significantly impairs the performance of essential self-care tasks or otherwise substantially threatens health, life, or safety.

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 401 Discrimination; sexual orientation and gender identity.**

*Patrons:* Levine, Carr, Gooditis, Murphy and Rodman

*Summary as introduced:*

**Prohibited discrimination; sexual orientation and gender identity.** Prohibits discrimination in employment, public accommodation, public contracting, apprenticeship programs, housing, banking, and insurance on the basis of sexual orientation or gender identity. The bill codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran and adds discrimination based on sexual orientation or gender identity to the list of unlawful discriminatory housing practices.

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 405 Firearms; possession and transport following certain convictions, penalty.**

*Patrons:* Levine, Hope, Murphy and Simon

*Summary as introduced:*

**Purchase, possession, or transportation of firearms following convictions for certain misdemeanor crimes; penalty.** Prohibits a person who has been convicted of misdemeanor sexual battery or assault and battery where the victim is a family or household member from

purchasing, possessing, or transporting a firearm. A person who violates this provision is guilty of a Class 1 misdemeanor.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 418 Adoption; circuit court to accept a petition filed by child's foster parent.**

*Patron: Carroll Foy*

*Summary as introduced:*

**Adoption by foster parent.** Directs a circuit court to accept a petition for adoption filed by the child's foster parent and to order a thorough investigation if (i) the child-placing agency holding custody of the child consents to the adoption after the child has resided in the home of such foster parent continuously for at least six months and (ii) the birth parents' rights to the child have been terminated. Current law requires a circuit court to accept such petition in such circumstances only after the child has resided in the home of such foster parent continuously for at least 18 months. The bill provides that after the child has resided in the home of the foster parent continuously for at least 18 months, the consent of the child-placing agency holding custody of the child is no longer needed in order to require the court to accept the petition and order an investigation. The bill contains an emergency clause.

EMERGENCY

02/22/18 House: Bill text as passed House and Senate

**City Position: Support**

**HB 464 Pedestrians; drivers yielding the right-of-way.**

*Patrons: Carter, Hope and Plum*

*Summary as introduced:*

**Yielding the right-of-way to pedestrians; stopping.** Clarifies the duties of vehicle drivers to stop to allow pedestrians to cross highways at (i) clearly marked crosswalks, whether at mid-block or at the end of any block; (ii) any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block; or (iii) any intersection when the driver is approaching on a highway where the maximum speed limit is not more than 35 miles per hour. The bill contains technical amendments.

02/13/18 House: Left in Transportation

**City Position: Support**

**HB 471 Small businesses, new; state and local tax and regulatory exemptions.**

*Patron: Reid*

*Summary as introduced:*

**State and local tax and regulatory exemptions for new small businesses.** Exempts new small businesses from (i) payment of unemployment, sales and use, and local license taxes and (ii) certain registration and reporting requirements with the State Corporation Commission. The bill defines an eligible business as any business that has its principal place of business in the Commonwealth, has not been in existence for more than five years, and has fewer than six employees or has paid less than \$5,000 for the purchase or lease of business personal property, including machinery and tools and merchants' capital, since its inception.

02/13/18 House: Left in Finance

**City Position: Oppose**

**HB 473 Virginia Public Procurement Act; use of best value contracting.**

*Patrons:* Reid and Bell, John J.

*Summary as introduced:*

**Virginia Public Procurement Act; use of best value contracting.** Authorizes the use of best value contracting by all public bodies. The bill sets forth the requirements for any procurement process that uses best value concepts.

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 493 Stormwater Local Assistance Fund; recipient of grants to use portion to pay administrative costs.**

*Patron:* Hodges

*Summary as introduced:*

**Stormwater Local Assistance Fund; grants; administrative costs.** Authorizes the recipient of a grant from the Stormwater Local Assistance Fund to use a portion of the grant funds to pay for reasonable administrative costs. The bill also allows a grant recipient to count the fair market value of administrative services as an in-kind match for as much as half of the amount of any matching funds required.

02/13/18 House: Left in Agriculture, Chesapeake and Natural Resources

**City Position: Support**

**HB 495 Secrecy of tax information; local officials to disclose information to non-governmental entities.**

*Patron:* Hodges

*Summary as passed House:*

**Secrecy of tax information; authorizes localities to disclose information to third party**

**contractors.** Authorizes local commissioners of the revenue, treasurers, directors of finance, or other similar local officials to disclose tax information to nongovernmental entities with which their locality has contracted to provide services that assist it in the administration of refund processing or other non-audit services related to the administration of taxes. The bill prohibits such third party contractors from disclosing the tax information to other parties.

Under current law, only the Department of Taxation is authorized to disclose tax information to nongovernmental entities with which it has contracted to provide services.

02/19/18 House: Bill text as passed House and Senate

**City Position: Support**

**HB 511 Child abuse or neglect; sex offenders, investigations, reports to law enforcement.**

*Patron:* Bell, Robert B.

*Summary as introduced:*

**Child abuse or neglect; sex offenders; investigations; reports to law enforcement.** Adds the complaint that a child has been left alone in the same dwelling with a person to whom the child is not related by blood or marriage and who has been convicted of a sexually violent offense against a minor to the list of complaints of suspected child abuse or neglect upon receipt of which a local department of social services is required to notify the local attorney for the Commonwealth and the local law-enforcement agency. The bill also adds such a complaint to the list of complaints that a local department that has been designated as a child-protective services differential response agency by the Department of Social Services must investigate.

02/21/18 Senate: Passed Senate (34-Y 6-N)

**City Position: Support**

**HB 557 Virginia Public Procurement Act; public works contract requirements, apprenticeship utilization.**

*Patron:* Krizek

*Summary as introduced:*

**Virginia Public Procurement Act; public works contract requirements; apprenticeship utilization.** Creates minimum requirements for the use of apprentices in public works projects paid for in whole or in part by state funds. Provides that the failure of a contractor to comply with the apprentice utilization requirement shall be (i) deemed a breach of contract entitling the contracting agency to all remedies allowed by law and under the contract and (ii) considered as evidence bearing upon a contractor's qualification for the award of future contracts.

02/13/18 House: Left in General Laws

**City Position: Oppose**

**HB 565 Synthetic turf; 3-year moratorium on installation of turf that contains recycled crumb rubber.**

*Patron: Gooditis*

*Summary as introduced:*

**Three-year moratorium on installation of synthetic turf that contains recycled crumb rubber from waste tires at schools and recreational parks.** 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. The bill 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 and report its findings to the General Assembly no later than July 1, 2019.

02/13/18 House: Left in Rules

**City Position: Oppose**

**HB 574 Va. Public Procurement Act; cooperative procurement, stream restoration & stormwater management.**

*Patron: Hodges*

*Summary as introduced:*

**Virginia Public Procurement Act; cooperative procurement; stream restoration and stormwater management.** Excludes the purchase of (i) stream restoration and (ii) stormwater management practices, and all associated and necessary construction and maintenance, from the prohibition on using cooperative procurement to purchase construction.

02/22/18 Senate: Passed Senate (40-Y 0-N)

**City Position: Support**

**HB 596 Firearm magazines; prohibition of sale, transfer, etc., fine.**

*Patron: Carr*

*Summary as introduced:*

**Prohibition of sale, transfer, etc., of certain firearms magazines; fine.** Provides that any person, corporation, or other entity that manufactures, imports, possesses, purchases, sells, or transfers any large capacity magazine shall be subject to a \$500 fine. The bill provides

exceptions to the prohibition. The bill provides that a registrant is limited to three large capacity magazines and must otherwise dispose of all magazines in excess of the limit. The bill requires the Department of State Police to provide a means to register a large capacity magazine and, at the time of registration, to permanently mark such magazine for the purpose of identification and maintain records regarding such identification information. Finally, the bill provides that any large capacity magazine that is possessed in violation of law is subject to forfeiture.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 597 Firearms; mechanical devices designed to increase the rate of fire, penalty.**

*Patron: Carr*

*Summary as introduced:*

**Mechanical devices designed to increase the rate of fire of firearms; penalty.** Prohibits the manufacture, import, sale or offer to sell, possession, transfer, or transportation of any device used to increase the rate of fire of any semi-automatic firearm beyond the capability of an unaided person to operate the trigger mechanism of that firearm.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 605 Motor vehicles; prohibition on leaving unattended vehicles running, local option.**

*Patron: Carr*

*Summary as introduced:*

**Prohibition on leaving unattended vehicles running; local option.** Authorizes any locality to adopt an ordinance prohibiting any person from leaving a motor vehicle unattended while the motor vehicle is running, including a vehicle that remains stationary in the parked or neutral position. Such ordinance shall not apply to any commercial, law-enforcement, fire, or emergency medical services vehicle.

02/13/18 House: Left in Counties, Cities and Towns

**City Position: Support**

**HB 609 Housing; installation and maintenance of smoke and carbon monoxide alarms in rental property.**

*Patrons: Carr and Adams, D.M.*

*Summary as passed House:*

**Housing; installation and maintenance of smoke and carbon monoxide alarms.** Creates a statewide standard for the installation and maintenance of smoke and carbon monoxide alarms

in rental property. The bill requires a landlord (i) to install a smoke alarm but does not permit a locality to require new or additional wiring or the upgrading of smoke alarms under certain conditions and (ii) to certify annually that smoke alarms have been installed and maintained in good working order in a residential dwelling unit pursuant to the Statewide Fire Prevention Code (§ 27-94 et seq.) and the Uniform Statewide Building Code (§ 36-97 et seq.). The landlord is also required to install a carbon monoxide alarm upon request by a tenant; the installation and subsequent maintenance must be in compliance with the Statewide Fire Prevention Code and the Uniform Statewide Building Code. A tenant of a rental dwelling unit with a smoke alarm or both smoke and carbon monoxide alarms shall not tamper or remove such alarms. Under the bill, a reasonable accommodation must be made for persons who are deaf or hearing impaired, upon request. Localities that have enacted a fire and carbon monoxide alarm ordinance must conform such ordinances with these state standards by July 1, 2019. The bill also requires the Department of Housing and Community Development, in consultation with the Department of Fire Programs, to develop a form for landlords for use in certifying inspections that summarizes smoke alarm maintenance requirements for landlords and tenants. The bill, as introduced, is a recommendation of the Virginia Housing Commission.

02/22/18 Governor: Governor's Action Deadline Midnight, March 1, 2018

**City Position: Support**

#### **HB 616 Congressional and legislative districts; certain prohibitions.**

*Patrons:* Price, Bourne, Jones, J.C., Rasoul, Rodman and Simon

*Summary as introduced:*

**Congressional and legislative districts; certain prohibitions.** Prohibits any congressional district or district for the Senate of Virginia or House of Delegates from being drawn (i) for the purpose of favoring or disfavoring any political party, incumbent legislator or member of Congress, or potential candidate or (ii) to restrict or deny the ability of any racial or language minority to participate in the political process and elect a preferred candidate of choice.

02/13/18 House: Left in Privileges and Elections

**City Position: Support**

#### **HB 623 Law enforcement; false reports, penalty.**

*Patron:* Bell, Robert B.

*Summary as introduced:*

**False reports to law enforcement; penalty.** Increases from a Class 1 misdemeanor to a Class 6 felony the punishment for knowingly making a false report to or calling or summoning without just cause any law-enforcement official if such report, call, or summons (i) involves a report of



an act of violence or (ii) results in an immediate emergency response due to the facts of the crime falsely reported. The bill increases the penalty to a Class 5 felony if such emergency response results in serious bodily injury to or the death of any person. The bill also provides that a person convicted of such an offense be ordered to pay restitution for the reasonable expenses incurred in providing an appropriate emergency response.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 626 Wages; limiting employees' sharing of information prohibited, civil penalty.**

*Patrons:* Ayala, Lopez, Boysko, Carter, Delaney, Hurst, Krizek, Levine, Plum, Rodman and Watts

*Summary as introduced:*

**Limiting employees' sharing of wage information prohibited; civil penalty.** Prohibits an employer from requiring, as a condition of employment, that an employee refrain from inquiring about, discussing, or disclosing information about the employee's own wages or about any other employee's wages. The measure also prohibits an employer from taking retaliatory action against an employee for sharing such information.

02/13/18 House: Left in Commerce and Labor

**City Position: Support**

**HB 640 Comprehensive plan, locality's; broadband infrastructure.**

*Patrons:* Boysko, Rodman, Ayala and Kory

*Summary as passed House:*

**Comprehensive plan; broadband infrastructure.** Provides that a locality's comprehensive plan may consider strategies to provide broadband infrastructure that is sufficient to meet the current and future needs of residents and businesses in the locality. In the preparation of a comprehensive plan, broadband infrastructure shall be included among the matters that the local planning commission shall survey and study.

02/09/18 Senate: Referred to Committee on Local Government

**City Position: Support**

**HB 647 Virginia Public Procurement Act; architectural and professional engineering term contracts.**

*Patron:* Bell, John J.

*Summary as introduced:*

**Virginia Public Procurement Act; architectural and professional engineering term contracts.** Increases from \$500,000 to \$750,000 the maximum total amount of all construction

projects that may be performed in a one-year contract term of a contract for architectural or professional engineering services relating to multiple construction projects.

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 649 Firearms, certain; prohibited public carrying, penalty.**

*Patron: Simon*

*Summary as introduced:*

**Prohibited public carrying of certain firearms; penalty.** Prohibits the carrying of a loaded shotgun or rifle in places open to the public in certain cities and counties. Current law prohibits the carrying in such locations of certain loaded firearms with high-capacity magazines, silencers, folding stock, or long ammunition or a loaded shotgun with a magazine that will hold more than seven rounds of the longest ammunition for which it is chambered. The bill adds the City of Roanoke to the list of cities in which the carrying of such firearms is prohibited.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 651 Protective orders; possession of firearms, penalty.**

*Patron: Murphy*

*Summary as introduced:*

**Protective orders; possession of firearms; penalty.** Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) to possess a firearm while the order is in effect. Under current law, only a person subject to a permanent protective order for family abuse is prohibited from possessing a firearm while the order is in effect.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 653 Employers; sexual harassment training, penalty.**

*Patron: Murphy*

*Summary as introduced:*

**Employers; sexual harassment training; penalty.** Requires every employer with 15 or more employees who are located at a workplace within the Commonwealth to conduct a sexual harassment education and training program for all new employees within one year of commencement of employment. The training shall encompass the illegality of sexual harassment; the definition of sexual harassment under state and federal laws and federal regulations; a description of sexual harassment, utilizing examples; the employer's sexual

harassment complaint process available to the employee; legal recourse and complaint processes; and protections against retaliation. Such employers are also required to conduct additional training for all supervisors and managers within one year of assuming their supervisory or managerial positions. The Department of Labor and Industry is required to develop a compliance checklist for employers to use to develop a sexual harassment training program; employers shall keep a record of the training.

02/13/18 House: Left in Commerce and Labor

**City Position: Support**

**HB 664 Virginia Freedom of Information Act; transfer of public records, definition of "custodian."**

*Patron: Kilgore*

*Summary as introduced:*

**Virginia Freedom of Information Act; transfer of public records; definition of**

**"custodian."** Requires a public body initiating a transfer of public records to any entity, including to any other public body, to remain the custodian of those records only if the public body has transferred the entirety of those public records. Current law requires the public body initiating a transfer of public records to remain the custodian if it has transferred possession of any public records. The bill also excludes the transfer of a portion of information contained in one public body's public record to another public body from being considered as a transfer of an entire public record. The bill also prohibits a public body from withholding a public record in its entirety on the grounds that information contained in such public record was provided by another public body. The bill defines "custodian" for purposes of the Virginia Freedom of Information Act.

02/13/18 House: Left in General Laws

**City Position: Oppose**

**HB 683 Uniform Statewide Building Code; security of certain records.**

*Patron: Pogge*

*Summary as introduced:*

**Uniform Statewide Building Code; security of certain records.** Clarifies that while information contained in engineering and construction drawings and plans for any single-family residential dwelling submitted for the purpose of complying with the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) shall not be subject to disclosure to the public under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), such information shall not be deemed confidential.

02/22/18 Governor: Governor's Action Deadline Midnight, March 1, 2018

**City Position: Support**

**HB 689 Human trafficking training standards; DCJS to establish for law-enforcement.**

*Patrons:* McQuinn, Adams, D.M., Boysko, Cole, Hope, Lindsey, Plum, Rasoul, Rodman, Simon, Tyler and Watts

*Summary as introduced:*

**Department of Criminal Justice Services; human trafficking training standards.** Requires the Department of Criminal Justice Services to establish compulsory training standards for law-enforcement personnel involved in criminal investigations or assigned to vehicle or street patrol duties to ensure that law-enforcement personnel are sensitive to and aware of human trafficking offenses and the identification of victims of human trafficking offenses. The bill also requires that such training standards, as well as model policies on human trafficking that the Department is already required to establish, be developed with the assistance of an advisory committee consisting of representatives of state and local law-enforcement officials, attorneys for the Commonwealth, circuit and district courts, social services and human services organizations, and local school districts.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 709 Zoning; violation, penalties.**

*Patron:* Bell, John J.

*Summary as passed House:*

**Zoning violation penalties.** Increases the maximum fine for misdemeanor conviction of a zoning violation from \$1,000 to \$2,000. The bill also increases the maximum fine for failure to remove or abate the zoning violation after conviction from \$1,500 to \$2,000 for succeeding 10-day periods.

02/23/18 Senate: Passed by for the day

**City Position: Support**

**HB 718 Hate crimes; criminal acts against persons because of gender, etc.**

*Patrons:* Plum, Adams, D.M., Boysko, Gooditis, Hope, Krizek, Levine, Rasoul, Simon, Turpin and Watts

*Summary as introduced:*

**Hate crimes; gender, sexual orientation, gender identity, or disability; penalty.** Adds disability, gender, gender identity, and sexual orientation to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of

damaging another's property results in a higher criminal penalty for the offense. The bill also adds disability, gender, gender identity, and sexual orientation status to the categories of hate crimes that are to be reported to the central repository of information regarding hate crimes maintained by the Virginia State Police. The bill also provides that a person who is subjected to acts of vandalism to his real or personal property, where such vandalism is motivated by disability, gender, gender identity, and sexual orientation, may bring a civil action to recover his damages. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of disability, gender, gender identity, sexual orientation.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 720 Firearms; purchase or transport, simple assault hate crime.**

*Patrons:* Plum, Bagby, Boysko, Hope, Kory, Levine, Simon and Tyler

*Summary as introduced:*

**Purchase and transport of firearms; simple assault hate crime.** Prohibits persons convicted of simple assault or assault and battery when the victim was selected because of his race, religious conviction, color, or national origin from purchasing or transporting a firearm for five years following such conviction.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 741 Human Rights, Virginia Division of; informal determinations inadmissible in civil action.**

*Patron:* Leftwich

*Summary as introduced:*

**Virginia Division of Human Rights; informal determinations inadmissible in civil action.** Provides that any informal determination made by the Virginia Division of Human Rights, prior to a public hearing held pursuant to § 2.2-520, as a result of an investigation or conciliation process involving an alleged unlawful discriminatory practice shall not be discoverable or admissible in evidence in any civil action.

02/14/18 Senate: Referred to Committee on General Laws and Technology

**City Position: Oppose**

**HB 757 Sex offenders in emergency shelters; notification registration.**

*Patrons:* Leftwich and Hayes

*Summary as introduced:*

**Sex offenders in emergency shelters; notification registration.** Provides that a registered sex offender who enters an emergency shelter designated by the Commonwealth or any political subdivision thereof and operated in response to a declared state or local emergency shall, as soon as practicable after entry, notify a member of the shelter's staff who is responsible for providing security of such person's status as a registered sex offender. The bill provides that the shelter's staff may access the publicly available information on the Sex Offender and Crimes Against Minors Registry regarding such person and use such information in making reasonable accommodations to ensure the safety of all persons in the shelter; however, no person shall be denied entry solely on the basis of his status as a sex offender unless such entry is otherwise prohibited by law. The bill also requires that such person register with the local law-enforcement agency where the shelter is located within three days of entering the shelter if such person continues to reside in the shelter at that time.

02/14/18 Senate: Referred to Committee for Courts of Justice

**City Position: Support**

**HB 765 Transportation processes in the Commonwealth; responsibilities of transportation entities, funding.**

*Patrons: Jones, S.C. and Torian*

*Summary as passed House:*

**Transportation processes in the Commonwealth; responsibilities of transportation entities; funding.** Expands the responsibilities of the Office of Intermodal Planning and Investment of the Secretary of Transportation (Office). The bill clarifies the residency requirements for the urban and rural at-large members of the Commonwealth Transportation Board (Board) and provides that no member of a governing body of a locality is eligible to be appointed to the Board during his term of office. The bill provides that the Board's Six-Year Improvement Program shall only commit funds from the State of Good Repair Program, the High Priority Projects Program, or the Highway Construction District Grant Programs to a project or program if such commitment is sufficient to complete the project or program. The bill changes the timing of reports from annually to biennially, expands the requirements of the biennial report provided by the Commissioner of Highways, and requires the Office to submit a biennial report as described in the bill. The bill decreases the maximum matching allocation that the Board may make to a locality from \$10 million to \$5 million and provides that such funds can be used for the maintenance of highway systems. The bill changes the amount of Commonwealth funds allocated to the Board for revenue-sharing from no less than \$15 million and no more than

\$200 million to not in excess of \$100 million or seven percent of funds available for distribution by the Board from all funds made available for highway purposes, whichever is greater.

02/21/18 Senate: Rereferred to Finance

**City Position: Oppose**

**HB 767 Elections; precincts not to be changed between certain dates.**

*Patron:* Jones, S.C.

*Summary as introduced:*

**Election precincts not to be changed between certain dates.** Prohibits counties, cities, and towns from creating, dividing, abolishing, or consolidating any precincts or otherwise changing the boundaries of any precinct between February 1, 2019, and May 15, 2021, except in certain specified circumstances. Precinct ordinances may be adopted after January 1, 2021, but may not be implemented before May 15, 2021.

02/23/18 Senate: Passed Senate with substitute (38-Y 0-N)

**City Position: Support**

**HB 786 Taxes, local; taxpayer's application to court to correct erroneous assessments.**

*Patron:* Keam

*Summary as passed House:*

**Local taxes; appeal to court.** Provides that on an appeal to court for relief from local taxes, the taxpayer shall not be required to show that the assessment is a result of manifest error or disregard of controlling evidence. The bill contains technical amendments.

02/14/18 Senate: Continued to 2019 in Finance (15-Y 0-N)

**City Position: Oppose**

**HB 787 Real property taxes; appeals to boards of equalization.**

*Patron:* Keam

*Summary as passed House:*

**Real property taxes; appeals to boards of equalization.** Provides that on appeal of a real property assessment to a board of equalization, the taxpayer shall not be required to show that the assessment is a result of manifest error or disregard of controlling evidence.

02/14/18 Senate: Continued to 2019 in Finance (15-Y 0-N)

**City Position: Oppose**

**HB 813 Direct service providers; disclosure of information by employers.**

*Patrons:* Hope and Landes

*Summary as introduced:*

**Direct service providers; disclosure of information by employers.** Provides that a current or former employer of a direct service provider may disclose information about the direct service provider's employment to a prospective employer of the direct service provider upon receipt of written, signed consent of the direct service provider and establishes requirements related to such written consent.

02/23/18 Senate: Constitutional reading dispensed (38-Y 0-N)

**City Position: Support**

**HB 814 Firearms; control by localities, lawful demonstrations and protests.**

*Patrons:* Levine, Convirs-Fowler, Hope, Murphy and Simon

*Summary as introduced:*

**Control of firearms by localities; lawful demonstrations and protests.** Allows a locality to adopt an ordinance that prohibits the possession, carrying, transporting, or storing of any weapon, firearm, ammunition, or components or combination thereof within 1,000 feet of a demonstration, march, parade, protest, rally, or other similar event. Such an ordinance shall not apply to any law-enforcement officer, armed security officer, member of the Armed Forces of the United States, member of the Armed Forces Reserves, or member of the National Guard acting in the performance of his lawful duties.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 819 Firearms; prohibits mechanical devices designed to increase rate of fire, penalty.**

*Patron:* Kory (by request)

*Summary as introduced:*

**Mechanical devices designed to increase the rate of fire of firearms; penalty.** Prohibits the manufacture, import, sale or offer to sell, possession, transfer, or transportation of any device used to increase the rate of fire of any semi-automatic firearm beyond the capability of an unaided person to operate the trigger mechanism of that firearm.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 851 Virginia Public Procurement Act; request for proposals, publication.**

*Patron:* Ingram

*Summary as introduced:*

**Virginia Public Procurement Act; request for proposals; publication.** Removes the requirement of newspaper publication of Requests for Proposals for professional services.



02/13/18 House: Left in General Laws

**City Position: Support**

**HB 855 Landlord and tenant law; notice requirements, landlord's acceptance of rent with reservation.**

*Patrons:* Peace and Krizek

*Summary as introduced:*

**Landlord and tenant law; notice requirements; landlord's acceptance of rent with reservation.** Changes the landlord and tenant law notice requirements for landlords to accept full or partial rent while continuing to proceed with a court action to obtain an order of possession and subsequent eviction by creating a single notice and removing the requirement for second notice for the time period between entry of an order of possession and prior to eviction. The bill provides that the landlord may accept full or partial payment of rent and still receive an order of possession and proceed with eviction if the landlord states in the written notice to the tenant that any payment of rent, damages, money judgment, award of attorney fees, and court costs would be accepted with reservation and not constitute a waiver of the landlord's right to evict the tenant from the dwelling unit. The bill also (i) provides that if a dwelling unit is a public housing unit or other housing unit subject to regulation by the Department of Housing and Urban Development, written notice of acceptance of rent with reservation need not be given to any public agency paying a portion of the rent under the rental agreement and (ii) removes language providing that if the landlord enters into a new rental agreement with the tenant prior to eviction, an order of possession obtained prior to the entry of such new rental agreement is not enforceable.

02/22/18 Senate: Passed Senate (40-Y 0-N)

**City Position: Oppose**

**HB 857 Landlord and tenant law; general provisions and Act.**

*Patron:* Peace

*Summary as introduced:*

**Landlord and tenant law.** Removes remaining differences between general landlord and tenant provisions and the Virginia Residential Landlord and Tenant Act by conforming provisions pertaining to residential dwelling units in the following areas: (i) providing that any nonresidential tenancy may be terminated by self-help eviction or by filing an unlawful detainer action; (ii) tenant obligations to maintain a dwelling unit; (iii) notice to the tenant in the event of foreclosure; (iv) wrongful failure to supply heat, water, hot water, or essential services; (v) prohibited provisions in the rental agreement; (vi) early termination of rental agreement by

military personnel; and (vii) remedies for the landlord's failure to deliver possession. The bill also makes the following changes to landlord and tenant law: (a) clarifies the lease termination process; (b) provides that if a tenant allows his renter's insurance to lapse, the landlord may provide coverage and require the tenant to pay the premium; (c) establishes protection for landlords who provide tenant information to a federal census official; (d) authorizes a landlord or property manager to appear in court to seek final rent and damages related to a dwelling unit; and (e) clarifies remedies for a tenant's failure to prepare the dwelling unit for insecticide or pesticide applications.

02/22/18 Senate: Passed Senate (40-Y 0-N)

**City Position: Oppose**

**HB 867 Private preschool programs; licensure exemptions.**

*Patron: Orrock*

*Summary as introduced:*

**Licensure exemptions; private preschool programs.** Modifies the licensure exemption requirements for certified preschool programs operated by a private school that is accredited by an organization recognized by the Board of Education. The bill allows children below the age of eligibility for kindergarten to attend the preschool program for more than five hours per day if the preschool maintains an enrollment ratio of five children age five or above to one four-year-old child, and no child in attendance is under age four. This bill is identical to SB 702.

02/22/18 House: Bill text as passed House and Senate

**City Position: Support**

**HB 890 Switchblade knife; person who has a valid concealed handgun permit authorized to carry, etc.**

*Patron: Webert*

*Summary as introduced:*

**Carrying a switchblade knife; exception.** Authorizes any person who has a valid concealed handgun permit to carry a switchblade knife concealed when such knife is carried for the purpose of engaging in a lawful profession or lawful recreational activity the performance of which is aided by the use of a switchblade knife.

02/15/18 House: Left in Courts of Justice

**City Position: Oppose**

**HB 900 Forfeiture of property used in connection with commission of crimes; finding of guilt required.**

*Patrons: Freitas, Cole, LaRock, Hugo and Pogge*

*Summary as introduced:*

**Forfeiture of property used in connection with the commission of crimes; finding of guilt required; disposition of forfeited property used in connection with the commission of drug crimes.** 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 owner of the property is a fugitive from justice, (ii) there is no identifiable owner of the property, (iii) the property has been abandoned, (iv) the owner denied ownership of the property during the prosecution of the offense, (v) the owner agrees to the forfeiture, (vi) the forfeiture is ordered by the court pursuant to a plea agreement, or (vii) the owner has not submitted a written demand for the return of the property within 21 days from the date the stay terminates. The bill also provides that all forfeited cash and negotiable instruments and proceeds from the sale of forfeited property used in connection with crimes involving the manufacture, sale, or distribution of controlled substances or marijuana be deposited into the Drug Offender Assessment and Treatment Fund, which is appropriated by the General Assembly for various drug assessment and drug treatment activities conducted by the Department of Corrections, the Department of Juvenile Justice, the Department of Criminal Justice Services, the Commission on the Virginia Alcohol Safety Action Program, and the Office of the Executive Secretary of the Supreme Court of Virginia. Under current law, such forfeited property is deposited into a Department of Criminal Justice Services fund and used to promote state and local law-enforcement activities. The bill also provides that all forfeited cash, negotiable instruments, and proceeds from the sale of forfeited property seized by a federal agency and received by any state or local agency pursuant to federal law be deposited into the Drug Offender Assessment and Treatment Fund. The bill also requires the Comptroller to report annually to the Governor and the General Assembly on the amount of property forfeited to the Commonwealth and to establish and maintain a publicly available, searchable electronic database containing information regarding all property seized and forfeited.

02/21/18 Senate: Failed to report (defeated) in Finance (8-Y 8-N)

**City Position: Oppose**

**HB 921 Virginia Public Procurement Act; allows public bodies to utilize cooperative procurement.**

*Patron:* Lopez

*Summary as introduced:*

**Virginia Public Procurement Act; cooperative procurement; construction.** Allows public bodies to utilize cooperative procurement for (i) public utility and infrastructure projects and (ii) the demolition of buildings, where the expected cost is less than \$500,000.

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 925 Industrial & high-risk programs; locality to adopt, etc., runoff programs.**

*Patron:* Bulova

*Summary as passed House:*

**Municipal separate storm sewer systems; industrial and high-risk programs.** Authorizes any locality that owns or operates a permitted municipal separate storm sewer system (MS4) to adopt and administer an industrial and high-risk runoff program. The bill authorizes any such locality to include in its industrial and high-risk program an industrial or commercial facility notwithstanding the fact that the facility is also subject to certain permits or the federal Emergency Planning and Community Right-to-Know Act. The bill limits the ability of the State Water Control Board (the Board), unless it is required to do so by federal law, to impose certain regulatory conditions on any locality that administers such a program, and it prohibits the Board from modifying existing MS4 permits to avoid such limitation. The bill authorizes the Board to require a locality to report an industrial or commercial facility if it becomes aware of a violation of an industrial stormwater management requirement.

02/22/18 House: Bill text as passed House and Senate

**City Position: Support**

**HB 948 Virginia Housing Trust Fund; revenue deposits.**

*Patron:* Lopez

*Summary as introduced:*

**Virginia Housing Trust Fund; revenue deposits.** Provides that 20% of annual recordation tax revenue in excess of \$325 million shall be deposited into the Virginia Housing Trust Fund.

02/13/18 House: Left in Finance

**City Position: Support**

**HB 957 Virginia Freedom of Information Act; definition of "custodian."**

*Patron:* Yancey

*Summary as introduced:*

**Virginia Freedom of Information Act; definition of "custodian."** Defines "custodian," for the purposes of the Virginia Freedom of Information Act, as the official in charge of a public body or

entity that has created, prepared, or revised a public record or that maintains or possesses a public record. The bill allows for more than one custodian per record.

02/13/18 House: Left in General Laws

**City Position: Oppose**

**HB 971 Fair Housing Law; unlawful discrimination, gender identity.**

*Patrons:* Guzman and Levine

*Summary as introduced:*

**Fair Housing Law; unlawful discrimination; gender identity.** Adds discrimination based on gender identity as an unlawful housing practice under the Virginia Fair Housing Law. The bill also defines "gender identity."

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 986 Foster care and adoption; disclosure of information prior to placement.**

*Patron:* Gilbert

*Summary as passed House:*

**Foster care and adoption; disclosure of information prior to placement.** Requires local boards of social services, prior to placement, to provide to the foster home or residential facility all known information, including whether the child has been the perpetrator of sexual abuse. The bill also requires that the background information provided to the prospective adoptive parents by a child placing agency or local department of social services include all known information regarding whether the child has been the perpetrator of sexual abuse.

02/12/18 Senate: Referred to Committee for Courts of Justice

**City Position: Oppose**

**HB 981 Disposable paper and plastic bags; local taxation.**

*Patron:* Rodman

*Summary as introduced:*

**Local disposable paper and plastic bag tax.** Authorizes any locality to impose a five-cent per bag tax on disposable paper bags or disposable plastic bags provided to customers by certain retailers, with certain bags being exempt from the tax. Revenues from the local tax would be collected by the Tax Commissioner and distributed monthly to the county or city imposing the tax to be used by such locality for pollution and litter mitigation. The bill requires each county or city adopting an ordinance to impose the tax to provide a certified copy of the ordinance to the Tax Commissioner at least six months prior to the date the tax is to become effective. The bill also allows every retailer that collects the tax to retain one cent of the five-cent tax.

02/13/18 House: Left in Finance

**City Position: Support**

**HB 997 Pretrial Services Act; repeals Act.**

*Patron:* Gilbert

*Summary as introduced:*

**Pretrial Services Act; repeal.** Repeals the Pretrial Services Act (§ 19.2-152.2 et seq.). The Act authorized the establishment of local pretrial services agencies that were intended to assist judicial officers in making bail determinations. The bill has a delayed effective date of July 1, 2019.

02/15/18 House: Left in Courts of Justice

**City Position: Oppose**

**HB 1004 Stormwater; locality shall provide for full waiver of certain charges for public use airport runway.**

*Patron:* Byron

*Summary as introduced:*

**Regulation of stormwater; airports.** Provides that localities shall provide for full waivers of certain stormwater charges for public use airport runways and taxiways.

02/13/18 House: Left in Agriculture, Chesapeake and Natural Resources

**City Position: Oppose**

**HB 1017 Child day programs; exemptions from licensure.**

*Patrons:* Toscano; *Senator:* Deeds

*Summary as introduced:*

**Child day programs; exemptions from licensure.** Exempts from licensure any child day program that is offered by a local school division, staffed by local school division employees, and attended by preschool-age children or children who are enrolled in public school within such school division. The bill provides that such programs shall be subject to safety and supervisory standards established by the local school board.

02/22/18 House: VOTE: ADOPTION (99-Y 0-N)

**City Position: Support**

**HB 1019 Firearms, etc.; permitted events.**

*Patrons:* Toscano, Levine and Sullivan; *Senator:* Deeds

*Summary as introduced:*

**Control of firearms; permitted events.** Authorizes any locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in a public space during a permitted event, or an event that would otherwise require a permit. This bill contains technical amendments.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 1021 Speed monitoring systems; school crossing zones.**

*Patron:* Adams, L.R.

*Summary as introduced:*

**Speed monitoring systems; school crossing zones.** Provides that a locality may, by ordinance, establish a speed enforcement program utilizing an automated speed monitoring system, defined in the bill, that creates recorded images of vehicles traveling at least 10 miles per hour in excess of the maximum applicable speed limit. The penalty imposed for violating applicable speed limits where such violation is established by recorded images produced by a speed monitoring system cannot exceed \$50. The bill provides that a locality may install and operate a speed monitoring system only at school crossing zones. The procedures for operating a speed monitoring system and issuing summonses to violators and the rights of such violators, including the right to appeal to circuit court, parallel those currently in place for red light violations recorded by photo-monitoring systems at traffic lights.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 1026 Adult protective services; appealability of findings made by local department of social services.**

*Patron:* Adams, L.R.

*Summary as introduced:*

**Adult protective services; appealability of findings made by local department of social services.** Provides that all written findings and actions of a local department of social services or its director regarding adult protective services investigations are final and shall not be (i) appealable to the Commissioner for Aging and Rehabilitative Services or (ii) considered a final agency action for purposes of judicial review pursuant to the provisions of the Administrative Process Act.

02/22/18 House: Bill text as passed House and Senate

**City Position: Oppose**

**HB 1028 Real estate settlement; choice of settlement service provider.**

*Patrons:* Convirs-Fowler, Gooditis and Simon

*Summary as introduced:*

**Real estate settlement; choice of settlement service provider.** Provides that a purchaser or borrower in a transaction related to real estate in the Commonwealth shall have the right to select the settlement agent, mortgage lender or broker, and any other vendor associated with the financing or settlement of such real estate. Currently, such right is limited to the choice of settlement agent. The bill also prohibits the seller or any other party associated with a real estate transaction from requiring the use of, or offering anything of value for the use of, a particular mortgage lender or broker or any other vendor as a condition of the sale.

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 1029 Deputy sheriffs and law-enforcement officers; disclosure of information regarding former officers.**

*Patrons:* Price, Hurst, Plum and Simon

*Summary as introduced:*

**Disclosure of information regarding former deputy sheriffs and law-enforcement officers.** Provides that any sheriff or chief of police, any director or chief executive of any agency or department employing deputy sheriffs or law-enforcement officers, and the Director of the Department of Criminal Justice Services shall disclose to a prospective law-enforcement or jail employer (i) any information related to an arrest or prosecution of a former appointee or employee, including expunged information; (ii) any information related to a civil suit regarding a former appointee's or employee's employment or performance of his duties; and (iii) any information obtained during the course of any internal investigation related to a former appointee's or employee's alleged criminal conduct, use of excessive force, or other official misconduct. The bill provides that disclosure is required only if the prospective employer presents a written waiver signed by the former appointee or employee that explicitly authorizes the disclosure and the agency receiving the request is not prohibited from the disclosure of such information pursuant to a binding nondisclosure agreement or otherwise prohibited by law. The bill provides immunity to such sheriff, chief of police, and director or chief executive and to the Director of the Department of Criminal Justice Services for disclosing information in compliance with the provisions of this bill.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 1051 Communications sales and use tax; services subject to taxation.**



*Patron:* Watts

*Summary as introduced:*

**Communications sales and use tax; services subject to taxation.** Applies the communications sales and use tax to services related to the streaming of audio and visual data, and prepaid calling. Also clarifies that the tax applies to communications services regardless of whether customers are charged a subscription fee, a periodic fee, or an actual usage fee.

01/29/18 House: Passed by indefinitely in Finance (22-Y 0-N)

**City Position: Support**

**HB 1052 Firearms; control by localities, lawful demonstrations and protests.**

*Patrons:* Watts and Levine

*Summary as introduced:*

**Control of firearms by localities; lawful demonstrations and protests.** Allows a locality to adopt an ordinance that prohibits the possession or transportation of firearms, ammunition, or components or a combination thereof during a demonstration, march, parade, protest, rally, or other similar event. Such an ordinance shall not apply to any law-enforcement officer, armed security officer, member of the U.S. Armed Forces or Armed Forces Reserves, or member of the National Guard acting in the performance of his lawful duties.

02/13/18 House: Left in Militia, Police and Public Safety

**City Position: Support**

**HB 1070 Public-Private Transportation Act of 1995, etc.; affected local jurisdictions and public entities.**

*Patrons:* Heretick, Convirs-Fowler, Jones, J.C., Levine and Ward

*Summary as introduced:*

**Public-Private Transportation Act of 1995; Public-Private Education Facilities and Infrastructure Act of 2002; affected local jurisdictions and public entities; consideration of economic impact.** Requires a private entity requesting approval to develop and operate a qualifying transportation facility under the Public-Private Transportation Act of 1995 or a qualifying project under the Public-Private Education Facilities and Infrastructure Act of 2002 to include an economic impact analysis identifying any potentially adverse economic or revenue impacts that a potential comprehensive agreement may have on all affected local jurisdictions. The bill further requires that affected local jurisdictions be given reasonable opportunity to consult with the parties concerning the nature and scope of the impacts and regarding measures that may be taken to avoid or mitigate the impacts or make the agreement revenue-neutral. The bill directs each responsible public entity to certify compliance with the review of

02/13/18 House: Left in Transportation

**City Position: Support, but seek amendments to eliminate the language in lines 51-54 and 193-194 allowing certain submissions to be waived.**

**HB 1080 Employment; break to express breast milk.**

*Patrons:* Yancey and McQuinn

*Summary as introduced:*

**Employment; break to express breast milk.** Requires employers, including the Commonwealth and its political subdivisions, to provide reasonable unpaid break time each day to an employee who needs to express breast milk for the employee's nursing child for one year after the child's birth. An employer is also required to make reasonable efforts to provide a room or other location in close proximity to the work area, other than a toilet stall, where such an employee can express breast milk in privacy. An employer shall not be held to have violated these requirements if it has made reasonable efforts to comply with them. The measure applies to employees who are exempt under § 7 of the federal Fair Labor Standards Act (FLSA). The FLSA requires employers to provide such benefits for non-exempt employees.

02/13/18 House: Left in Appropriations

**City Position: Support**

**HB 1084 Virginia Public Procurement Act; statute of limitations on actions on construction contracts.**

*Patron:* Yancey

*Summary as introduced:*

**Virginia Public Procurement Act; statute of limitations on actions on construction contracts; statute of limitations on actions on performance bonds.** Provides that unless otherwise specified in the contract, no action may be brought by a public body on any construction contract unless such action is brought within five years after completion of the contract, including the expiration of all warranties and guarantees. The bill also limits the time frame during which a public body, other than the Department of Transportation, may bring an action against a surety on a performance bond to within five years after completion of the contract, including the expiration of all warranties and guarantees. Current law allows a public body, other than the Department of Transportation, to bring such an action within one year after (i) completion of the contract, including the expiration of all warranties and guarantees, or (ii) discovery of the defect or breach of warranty that gave rise to the action.

02/09/18 House: Stricken from docket by Courts of Justice (16-Y 0-N)

**City Position: Oppose**

**HB 1100 Involuntary admission order; person may not possess, purchase or transport firearms.**

*Patrons:* Levine and Torian

*Summary as introduced:*

**Appeal of involuntary admission order; possession of firearms.** Provides that a person who is involuntarily admitted or ordered to mandatory outpatient treatment may not purchase, possess, or transport a firearm until his right to do so is restored by a court regardless of the outcome of any appeal of that order.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 1101 Virginia Freedom of Information Act; right to speak at open meetings.**

*Patrons:* Robinson and Kory

*Summary as introduced:*

**Virginia Freedom of Information Act; right to speak at open meetings.** Requires that every public body, except for governing boards of public institutions of higher education, afford an opportunity for public comment during any open meeting. The bill provides, however, that if a public body holds more than four meetings in a calendar year, such public body may, by recorded vote, limit the number of meetings at which an opportunity for public comment is afforded to four meetings per calendar year. The bill requires that the notice given by a public body prior to a meeting include information as to the approximate point during the meeting when public comment will be received. In current law, this requirement applies only to public bodies where at least one member has been appointed by the Governor. The bill permits public bodies to choose the approximate point during the meeting when public comment will be received and permits public bodies to adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner, but prohibits public bodies from limiting public comment to only the submission of written comments.

02/13/18 House: Left in General Laws

**City Position: Oppose**

**HB 1137 Commuter Rail Operating and Capital Fund; established.**

*Patrons:* Sickles, Filler-Corn, Boysko, Delaney, Gooditis, Guzman, Hope, Hurst, Krizek, Levine, Plum, Rasoul, Rodman, Simon, Thomas and Watts; *Senators:* Ebbin, Howell and Marsden

*Summary as introduced:*

**Commuter Rail Operating and Capital Fund.** Establishes the Commuter Rail Operating and

Capital Fund to be used by the Director of the Department of Rail and Public Transportation, with the approval of the Commonwealth Transportation Board, on projects that expand and improve commuter rail service.

02/06/18 House: Continued to 2019 in Transportation

**City Position: Support**

**HB 1150 Pavement sealants; containing coal tar prohibited.**

*Patron: Wilt*

*Summary as introduced:*

**Pavement sealants containing coal tar prohibited.** Prohibits the sale and distribution of any pavement sealant that contains coal tar on or after July 1, 2020, except that a retailer may continue to sell any existing inventory that remains in stock on that date. The bill prohibits the use of such sealants beginning July 1, 2021.

02/13/18 House: Left in Agriculture, Chesapeake and Natural Resources

**City Position: Support**

**HB 1163 Fire protection; applicant preemployment information with fire departments.**

*Patrons: Ingram, McGuire and Wright*

*Summary as introduced:*

**Fire protection; applicant preemployment information with fire departments.** Allows any fire department to require applicants for employment to submit to fingerprinting and to provide personal descriptive information to be forwarded through the Central Criminal Records Exchange and the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such applicant. Current law requires only Arlington County Fire Department to obtain such information and makes the requirement mandatory instead of discretionary.

02/22/18 Senate: Passed Senate (40-Y 0-N)

**City Position: Support**

**HB 1172 State Overdose Death Review Process Team; created, report, local and regional teams.**

*Patrons: Pillion and LaRock*

*Summary as introduced:*

**Overdose death review teams.** Establishes the State Overdose Death Review Process Team to develop and implement processes to ensure that overdose deaths occurring in the Commonwealth are reviewed in a systematic way. The bill also authorizes the establishment of local or regional overdose death review process teams for the purpose of conducting

contemporaneous reviews of local overdose deaths in order to develop interventions and strategies for prevention specific to the locality or region.

02/13/18 House: Left in Appropriations

**City Position: Support**

**HB 1180 Place of religious worship; carrying dangerous weapon.**

*Patrons:* LaRock, Cole, Freitas and Wright; *Senator:* Black

*Summary as introduced:*

**Carrying dangerous weapon to place of religious worship; repeal.** Repeals the statutory prohibition on carrying a gun, pistol, bowie knife, dagger, or other dangerous weapon, without good and sufficient reason, to a place of worship while a meeting for religious purposes is being held at such place.

02/15/18 House: Left in Courts of Justice

**City Position: Oppose**

**HB 1207 Investigative and enforcement proceedings; information provided to individuals or business entities.**

*Patron:* Heretick

*Summary as introduced:*

**Department of Social Services; investigative and enforcement proceedings; information provided to individuals or business entities who are the subject of a complaint involving abuse or neglect.** Provides that persons who are the subject of a complaint involving abuse or neglect have a right to be provided with (i) unredacted copies of notes and reports relating to the investigation and the names of the reporter and collateral witnesses and (ii) all other information that the Department of Social Services (Department) or local department intends to rely upon, in whole or in part, in reaching a determination regarding the complaint. The Department or local department may withhold from disclosure (a) the reporter's name, (b) the identity of a collateral witness, (c) the identity of any other person providing information, or (d) any other information connected to the investigation only upon a specific determination that such disclosure would endanger the well-being of a child or the life or safety of the reporter or collateral witness. The bill provides that the decision to withhold the name, identity, or other information may be appealed to the circuit court with the local department having the burden of proving by clear and convincing evidence that the disclosure would endanger the well-being of a child or the life or safety of the reporter or collateral witness or any other person providing information.

02/13/18 House: Left in Health, Welfare and Institutions

**City Position: Oppose**

**HB 1242 View; substance abuse screening and assessment of public assistance applicants and recipients.**

*Patron:* Cline

*Summary as introduced:*

**Substance abuse screening and assessment of public assistance applicants and recipients.** Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department of Social Services shall require drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year unless, in the case of a positive test result, such person enters into a drug treatment program.

02/13/18 House: Left in Health, Welfare and Institutions

**City Position: Oppose**

**HB 1245 Workers' compensation; presumption of compensability for certain diseases.**

*Patrons:* Hugo, Webert, Yancey, Bulova, Carroll Foy, Helsel, Hope, Keam, Kory, Landes, Morefield, Mullin, Pogge, Price, Reid, Sickles, Simon, Sullivan, Thomas and Tran; Senator: Ebbin

*Summary as introduced:*

**Workers' compensation; presumption of compensability for certain diseases.** Adds cancers of the colon, brain, or testes to the list of cancers that are presumed to be an occupational disease covered by the Virginia Workers' Compensation Act when firefighters and certain employees develop the cancer. The measure removes the compensability requirement that the employee who develops cancer had contact with a toxic substance encountered in the line of duty.

02/13/18 House: Left in Appropriations

**City Position: Oppose**

**HB 1247 Virginia Freedom of Information Act; right to speak at open meetings.**

*Patrons:* Cline and 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. The bill requires that the notice given by a public body prior to a meeting include information as to the approximate point during the meeting when public comment will be received. The bill permits

public bodies to choose the approximate point during the meeting when public comment will be received and permits public bodies to adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner.

02/13/18 House: Left in General Laws

**City Position: Oppose**

**HB 1255 Concealed handgun; eligibility to carry openly within Commonwealth.**

*Patrons:* Cline, Freitas and Bell, Richard P.

*Summary as introduced:*

**Concealed handgun permits.** Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.

02/13/18 House: Left in Appropriations

**City Position: Oppose**

**HB 1257 Sanctuary policies; enforcement of federal immigration laws.**

*Patron:* Cline

*Summary as introduced:*

**Sanctuary policies prohibited.** Provides that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law. The General Assembly shall reduce state funding to the extent permitted by state and federal law to any locality found to have violated the provisions of the bill.

02/19/18 Senate: Rereferred to Local Government

**City Position: Oppose**

**HB 1258 Wireless communications infrastructure; zoning.**

*Patrons:* Kilgore, Kory, Byron, Heretick and Marshall; *Senators:* Dance, Ruff and Stanley

*Summary as introduced:*

**Zoning for wireless communications infrastructure.** Establishes parameters regarding applications for zoning approvals for certain wireless support structures. Applications for certain new wireless support structures that are 50 feet or less above ground level and for the co-location on an existing structure of a wireless facility that is not a small cell facility are exempt from requirements that they obtain a special exception, special use permit, or variance, though a locality may require administrative review for the issuance of any zoning permits or an acknowledgement that zoning approval is not required for such projects. Aspects of the zoning approval process addressed in this measure include periods for approval or disapproval of

applications, a requirement that applications are deemed approved if not approved or disapproved within the applicable period; application fees; a prohibition against unreasonably discriminating between applicants and other wireless services providers, providers of telecommunications services, and nonpublic providers of cable television and electric services; and limits on the number of new wireless support structures that can be installed in a specific location. The measure also prohibits a locality, in its receiving, consideration, and processing of an application for zoning approval, from engaging in certain activities.

02/12/18 Senate: Referred to Committee on Commerce and Labor

**City Position: Oppose**

#### **HB 1266 Arrests; law-enforcement agency to report, etc.**

*Patron: Toscano*

*Summary as introduced:*

**Report of arrests; fingerprints; trespass; disorderly conduct.** Requires that a law-enforcement agency make a report of any arrest of a person for trespassing or disorderly conduct to the Central Criminal Records Exchange and that such report be accompanied by the fingerprints and photograph of the person arrested. Under current law, such a report is required for all other misdemeanors punishable by confinement in jail under Title 18.2 (Crimes and Offenses Generally). This bill is a recommendation of the Virginia State Crime Commission.

02/19/18 Senate: Signed by President

**City Position: Support**

#### **HB 1277 Government Data Collection and Dissemination Practices Act; sharing and dissemination of data.**

*Patron: Garrett*

*Summary as introduced:*

**Government Data Collection and Dissemination Practices Act; sharing and dissemination of data.** Amends the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.) to facilitate the sharing of data among agencies of the Commonwealth and between the

02/01/18 Senate: Referred to Committee on General Laws and Technology

**City Position: Support**

#### **HB 1283 Utility easements; pole attachments.**

*Patron: LaRock*

*Summary as introduced:*

**Utility easements; pole attachments.** Declares that a public service company that has acquired a prescriptive easement that is used to provide electrical service is deemed to have the right to



grant to a provider of broadband or other telecommunications services the right to attach its wires and appurtenant facilities to the public service company's poles, subject to the conditions that the public service company not charge pole attachment fees for five years and that the public utility and telecommunication service provider equally share the costs of making the poles ready.

01/25/18 House: Tabled in Commerce and Labor (21-Y 0-N)

**City Position: Oppose**

**HB 1298 Towing advisory boards; appointment prior to entering into contract regarding regulations.**

*Patron:* Aird (by request)

*Summary as introduced:*

**Towing advisory boards.** Makes discretionary the requirement that the governing body of a locality appoint a towing advisory board prior to adopting an ordinance or entering into a contract regarding local towing regulations. Current law makes such requirement mandatory.

02/13/18 House: Left in Transportation

**City Position: Support**

**HB 1319 Mass transit; makes numerous changes to administration of and revenues for transit.**

*Patron:* Sullivan

*Summary as introduced:*

**Mass transit in the Commonwealth.** Makes numerous changes to the administration of and revenues for mass transit in the Commonwealth, specifically as it relates to the membership and funding of the Washington Metropolitan Area Transit Authority, the disbursement of funds in the Commonwealth Mass Transit Fund, and the authority of the Commonwealth Transportation Board to issue bonds for transit capital. The bill sets a floor on the average price of fuel used to calculate the regional motor sales tax as the price of gas on February 20, 2013, the same floor that is used to calculate the state fuels tax. The bill also raises the regional congestion relief fee and the regional transient occupancy tax in the Northern Virginia region to raise additional revenues for mass transit.

02/08/18 House: Incorporated by Transportation (HB1539-Hugo)

**City Position: Support**

**HB 1333 Kinship Guardianship Assistance program; established.**

*Patrons:* Brewer, Peace, Delaney, Campbell, Collins, Davis, Freitas, Helsel, Hodges, Hugo, Jones, J.C., LaRock, McGuire, Rush, Thomas, Ware, Webert and Wilt

*Summary as introduced:*

**Kinship Guardianship Assistance program.** Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program.

02/23/18 Senate: Rereferred to Finance

**City Position: Support**

**HB 1335 Protective orders; issuance upon convictions for certain felonies, penalty.**

*Patrons:* Bourne, Bagby, Delaney, Levine, Lopez, Mullin, Plum, Rasoul, Simon and Watts

*Summary as introduced:*

**Protective orders; issuance upon convictions for certain felonies; penalty.** Authorizes a court to issue a protective order upon convicting a defendant for a felony offense of (i) violating a protective order, (ii) homicide set forth in Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2, (iii) kidnapping set forth in Article 3 (§ 18.2-47 et seq.) of Chapter 4 of Title 18.2, (iv) assaults and bodily woundings set forth in Article 4 (§ 18.2-51 et seq.) of Chapter 4 of Title 18.2, (v) extortion set forth in Article 6 (§ 18.2-59 et seq.) of Chapter 4 of Title 18.2, or (vi) criminal sexual assault set forth in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2. The bill provides that the duration of such protective order can be for any period of time, including up to the lifetime of the defendant, that the court deems necessary to protect the health and safety of the victim and may only prohibit (a) acts of family abuse or of violence, force, or threat against the victim or criminal offenses that may result in injury to the person or property of the victim and (b) such contacts by the defendant with the victim as the court deems necessary for the health or safety of the victim. The bill provides that a violation of a protective order issued upon conviction of one of the enumerated offenses is punishable as contempt of court or in the same manner as criminal violations of other protective orders are punished.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 1347 Controlled substances; Reporting overdoses.**

*Patron:* Webert

*Summary as introduced:*

**Reporting of controlled substance overdoses.** Requires the Office of the Chief Medical Examiner, state and local law-enforcement agencies, emergency medical services agencies, and

hospitals to report information about overdoses of controlled substances within 120 hours of receiving such information to the Office of the Secretary of Health and Human Resources and for the Secretary to make such information available to public health, law-enforcement, and emergency medical service agencies and fire departments and companies within 120 hours of receiving the information. The bill also requires the Secretary to report this information quarterly to the Governor and for such report to be made available to all public health, law-enforcement, and emergency medical services agencies in the Commonwealth. The bill is a recommendation of the Joint Commission on Health.

02/13/18 House: Left in Health, Welfare and Institutions

**City Position: Support**

**HB 1356 Transient occupancy tax; expands tax in Northern Virginia statewide.**

*Patron:* Reid

*Summary as introduced:*

**State transient occupancy tax.** Expands the 2% regional transient occupancy tax in Northern Virginia statewide. Thirty-five percent of the revenue generated from the tax shall be used to fund the Washington Metropolitan Area Transit Authority, and the remaining amount shall be used to fund transit and transportation projects throughout the Commonwealth.

02/08/18 House: Stricken from docket by Rules (16-Y 0-N)

**City Position: Support**

**HB 1406 Towing and recovery operators; costs for towing and storing stolen vehicles.**

*Patron:* Pogge

*Summary as introduced:*

**Towing and recovery operators; costs for towing and storing stolen vehicles.** Creates a mechanism whereby towing and recovery operators that tow certain abandoned or immobile vehicles on behalf of a law-enforcement agency may recover costs for storage, towing, and recovery fees from such law-enforcement agency. The bill provides that such law-enforcement agency may seek full reimbursement of the costs from the state treasury from the appropriation for criminal charges.

02/13/18 House: Left in Transportation

**City Position: Oppose**

**HB 1408 Virginia Fair Housing Law; unlawful discriminatory housing practices.**

*Patrons:* Bourne, Bagby, Convis-Fowler, Delaney, Gooditis, Hope, Krizek, Lindsey, Lopez, Plum, Rasoul, Simon, Tyler and Watts; Senator: McClellan

*Summary as introduced:*

**Virginia Fair Housing Law; unlawful discriminatory housing practices.** Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity.

02/13/18 House: Left in General Laws

**City Position: Support**

**HB 1412 Mental health awareness; training for firefighters and emergency medical services personnel.**

*Patron:* Helsel

*Summary as introduced:*

**Mental health awareness training; firefighters and emergency medical services personnel.** Requires fire departments and emergency medical services agencies to develop curricula for mental health awareness training for their personnel. The bill provides that such personnel who receive the training shall receive appropriate continuing education credits.

02/09/18 Senate: Referred to Committee on General Laws and Technology

**City Position: Support**

**HB 1427 Wireless support structures; public rights-of-way use fees established.**

*Patrons:* Kilgore, Kory, Byron, Heretick and Marshall; *Senators:* Dance, Ruff and Stanley

*Summary as introduced:*

**Wireless support structures; public rights-of-way use fees.** Establishes an annual wireless support structure public rights-of-way use fee to be charged to wireless services providers and wireless infrastructure providers in connection with a permit for occupation and use of the public rights-of-way under the jurisdiction of the Department of Transportation (VDOT) or a locality for the construction of new wireless support structures. The amount of the use fee is (i) \$1,000 for any wireless support structure at or below 50 feet in height; (ii) \$3,000 for any wireless support structure above 50 feet and at or below 120 feet in height; (iii) \$5,000 for any wireless support structure above 120 feet in height; and (iv) \$1 per square foot for any other equipment, shelter, or associated facilities constructed on the ground. The measure provides that the use fee amounts shall be adjusted every five years on the basis of inflation. The measure also provides that an existing agreement, contract, license, easement, or permit allowing the use of the public rights-of-way by a wireless services provider or wireless

infrastructure provider may be enforced by VDOT or the locality only until the current term of the agreement, contract, license, easement, or permit expires.

02/19/18 Senate: Rereferred to Finance

**City Position: Oppose**

**HB 1429 Social Services, Department of; collection of data regarding substance abuse.**

*Patrons:* Carroll Foy and Torian

*Summary as introduced:*

**Department of Social Services; collection of data regarding substance abuse that results in removal of child from home.** Provides that whenever the primary reason for removing a child from his home by a local board of social services is categorized as substance abuse by his parent or guardian, including removal due to in utero drug exposure, the Department of Social Services shall, to the extent possible, collect and record information regarding the specific drugs taken by the parent or guardian. The bill requires the Department to develop a process and system to collect, collate, and report such data by July 1, 2019, and to implement such process and system by July 1, 2020.

02/13/18 House: Left in Appropriations

**City Position: Support**

**HB 1439 Assisted living facilities; regulations governing staff.**

*Patrons:* Sickles, Adams, D.M., Boysko, Filler-Corn, Gooditis, Krizek, Levine and Simon

*Summary as passed House:*

**State Board of Social Services; regulations related to staffing of assisted living facilities providing care for adults with serious cognitive impairments.** Directs the State Board of Social Services to amend regulations governing staffing of assisted living facilities that provide care for adults with serious cognitive impairments to allow an exception to certain requirements for assisted living facilities that are licensed for 10 or fewer residents if no more than three of the residents have serious cognitive impairments. The bill also directs the Board of Social Services to promulgate regulations to implement the provisions of the bill within 280 days and prohibits the Board of Social Services from enforcing the provisions of 22VAC40-73-1020, as it shall become effective, in cases involving assisted living facilities that are licensed for 10 or fewer residents if no more than three of the residents have serious cognitive impairments. This bill includes an emergency clause.

02/22/18 House: VOTE: ADOPTION EMERGENCY (98-Y 0-N)

**City Position: Oppose**

**HB 1455 Commonwealth Transportation Board; implementing changes to SMART SCALE.**

*Patron:* Thomas

*Summary as introduced:*

**Commonwealth Transportation Board; SMART SCALE; job accessibility factors.** Directs the Commonwealth Transportation Board to change both the access to jobs and the access to jobs for disadvantaged populations accessibility factors for commuting thresholds adopted for the implementation of SMART SCALE from 45 minutes for automobile trips or 60 minutes for transit trips to 60 miles for all trips.

02/13/18 House: Left in Transportation

**City Position: Oppose**

**HB 1471 Teacher grievance procedures; hearing before school board, selection of panel.**

*Patron:* Hugo

*Summary as introduced:*

**Local employee grievance procedure.** Requires that the final step in an employee grievance procedure adopted by a local governing body, providing for a hearing before an administrative hearing officer or an impartial panel hearing, be selected by the aggrieved employee. Currently, the selection of this final step requires the agreement of both parties. The bill also permits a school board to conduct a teacher grievance hearing before a three-member fact-finding panel. Under current law, the school board has the option of appointing a hearing officer or conducting such hearing itself. The bill contains technical amendments.

02/13/18 House: Left in Counties, Cities and Towns

**City Position: Oppose**

**HB 1494 Suspected adult abuse, neglect, or exploitation; mandated reporting.**

*Patrons:* Orrock and Ransone

*Summary as introduced:*

**Suspected adult abuse, neglect, or exploitation; mandated reporting; vulnerable adults.** Provides that for mandated reporting of suspected adult abuse, neglect, or exploitation, "adult" means any person age 18 or older, regardless of capacity, and requires reporting of suspected abuse, neglect, or exploitation of any vulnerable adult. Currently, reporting is required in cases of suspected abuse, neglect, or exploitation of an adult who is (i) 60 years of age or older or (ii) 18 years of age or older and incapacitated. The bill also directs the Department of Social Services to develop a definition of "vulnerable adult" and to report its recommendation regarding such definition to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Rehabilitation and Social Services by

December 1, 2018. Except for the reporting requirement, the bill has an effective date of July 1, 2019.

02/13/18 House: Left in Health, Welfare and Institutions

**City Position: Oppose**

**HB 1539 WMATA Compact of 1966; Metro Reform Commission, members.**

*Patron:* Hugo

*Summary as introduced:*

**Washington Metropolitan Area Transit Authority Compact of 1966.** Creates a three-person interim advisory commission whose purpose is to make recommendations to the signatories on reforms to the National Capital Interest Arbitration Standards Act. The bill directs that a \$100 million appropriation be made from the General Fund.

02/14/18 Senate: Referred to Committee on Finance

**City Position: Oppose**

**HB 1566 Stormwater; local plan review, acceptance of plan by professional engineer in lieu of review.**

*Patron:* Hodges

*Summary as introduced:*

**Stormwater; local plan review; acceptance of plan by professional engineer in lieu of review.** Authorizes any stormwater management program authority or erosion and sediment control program authority, or a locality that has opted out of administering a stormwater or erosion and sediment control program, to require that a licensed professional engineer retained by the applicant submit a set of plans and supporting calculations for land-disturbing activities of greater than one acre in extent. The bill requires the plans to be signed and stamped by the engineer. The program authority or locality is required to accept such plans in satisfaction of the local plan review requirement.

01/31/18 House: Stricken from docket by Agriculture, Chesapeake and Natural Resources (22-Y 0-N)

**City Position: Oppose**

**HB 1580 Violation of protective order or stalking; third or subsequent offense, penalty.**

*Patron:* Cline

*Summary as introduced:*

**Violation of protective order or stalking; third or subsequent offense.** Expands the offenses for which a conviction of a third or subsequent offense, when the offense is committed within 20 years of the first conviction and when either the instant or one of the prior offenses was based

on an act or threat of violence and the instant and prior offenses arise out of separate incidents, is a Class 6 felony with a mandatory minimum confinement of six months from violating a protective order to any combination of violating a protective order or stalking.

02/14/18 Senate: Referred to Committee for Courts of Justice

**City Position: Support**

**HB 1594 Crime victims and witnesses; immigration status.**

*Patron: Guzman*

*Summary as introduced:*

**Crime victims; immigration status.** Provides that no law-enforcement officer or other agent of state or local government shall, when investigating a crime, inquire into the immigration status of any person who reports that he is the victim of the crime or the parent or guardian of a minor victim, or is a cooperating witness in the criminal investigation or the parent or guardian of a minor witness. The bill does not prohibit a law-enforcement officer from inquiring into the immigration status of a victim or witness who has been arrested or charged with a criminal violation, or when such inquiry is required by federal law or is essential to the investigation or prosecution of the crime to which the person is a witness or of which the person is a victim.

02/15/18 House: Left in Courts of Justice

**City Position: Support**

**HB 1603 Virginia Freedom of Information Advisory Council; charges for the production of public records.**

*Patron: Roem*

*Summary as introduced:*

**Virginia Freedom of Information Advisory Council; charges for the production of public records.** Provides that any citizen may file up to 20 records requests to a single public body in a period of 31 consecutive days without incurring fees for the first two hours of service. The bill provides that for every request filed to one public body exceeding 20 requests filed during a period of 31 consecutive days by that same individual, the agency may levy a fee equal to the hourly rate of pay, excluding benefits, of the lowest paid individual capable of fulfilling the request. The bill further provides that if the requested records are (i) maintained by the public body in an electronic data processing system, computer database, or any other structured collection of data and (ii) the request requires more than two hours to fulfill, the public body may charge an hourly rate for accessing or searching for the records not to exceed the hourly rate of pay of the lowest paid individual capable of fulfilling the request, and in no case shall



total costs exceed \$50 unless the public body and the requester reach an agreement for the requester to pay a higher amount.

02/13/18 House: Left in General Laws

**City Position: Oppose**

## **HJ 2 United States Constitution; ratifies Equal Rights Amendment.**

*Patrons:* Kory, Carroll Foy, Filler-Corn, Rasoul, Adams, D.M., Aird, Ayala, Boysko, Carter, Convirs-Fowler, Delaney, Herring, Hurst, Plum, Rodman, Roem, Sullivan, VanValkenburg and Ward;  
*Senators:* Deeds, Ebbin, Saslaw and Surovell

*Summary as introduced:*

**United States Constitution; Equal Rights Amendment.** Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.

02/13/18 House: Left in Privileges and Elections

**City Position: Support**

## **HJ 4 United States Constitution; ratifies Equal Rights Amendment.**

*Patrons:* Lopez, Hurst, Sullivan and Ward

*Summary as introduced:*

**United States Constitution; Equal Rights Amendment.** Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.

02/13/18 House: Left in Privileges and Elections

**City Position: Support**

## **HJ 13 Permitting process; localities encouraged to develop a more uniform and streamlined process.**

*Patron:* Yancey

*Summary as introduced:*

**Encouraging localities to develop a more uniform and streamlined permitting process.** Expresses the sense of the General Assembly that localities be encouraged to develop a more uniform and streamlined permitting process. Such an effort would benefit from having the Virginia Association of Counties and the Virginia Municipal League take the lead in

developing a model application and permitting process while utilizing the best practices from localities throughout the Commonwealth.

02/13/18 House: Left in Rules

**City Position: Oppose**

**HJ 129 United States Constitution; ratifies Equal Rights Amendment.**

*Patrons:* Robinson, Kory, Convirs-Fowler, Hope, Keam, McGuire, Peace, Price, Rodman and Thomas; *Senator:* Sturtevant

*Summary as introduced:*

**United States Constitution; Equal Rights Amendment.** Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.

02/13/18 House: Left in Privileges and Elections

**City Position: Support**

**SB 1 Firearms; mechanical devices designed to increase rate of fire, penalty.**

*Patrons:* Ebbin, Wexton, Deeds, Edwards, Favola and Lewis; *Delegate:* Kory

*Summary as introduced:*

**Mechanical devices designed to increase the rate of fire of firearms; penalty.** Prohibits the manufacture, import, sale or offer to sell, possession, transfer, or transportation of any device used to increase the rate of fire of any semi-automatic firearm beyond the capability of an unaided person to operate the trigger mechanism of that firearm.

01/31/18 Senate: Passed by indefinitely in Finance (10-Y 6-N)

**City Position: Support**

**SB 2 Firearms; carrying loaded in public place, etc.**

*Patrons:* Ebbin; *Delegate:* Kory

*Summary as introduced:*

**Firearms; alcohol; penalties.** Provides that it is a Class 1 misdemeanor for a person under the influence of alcohol or illegal drugs to carry a loaded firearm on or about his person in a public place and that a person found guilty of such act is ineligible to apply for a concealed handgun permit for a period of five years. Current law provides that such prohibition applies only to persons permitted to carry a concealed handgun.

01/15/18 Senate: Failed to report (defeated) in Courts of Justice (6-Y 9-N)

**City Position: Support**

**SB 41 Sick leave; use for care of immediate family members.**

*Patrons:* Favola and McClellan; *Delegates:* Kory and Levine

*Summary as introduced:*

**Use sick leave for the care of immediate family members.** Requires employers with a sick leave program to allow an employee to use his sick leave for the care of an immediate family member. The measure applies only to employers that have 25 or more employees and that provide paid sick leave that allows an employee to be absent from work in the event of the employee's own incapacity, illness, or injury. The measure applies only to employees who work for at least 30 hours per week, and it caps the amount of sick leave that may be used for the care of immediate family members at five days per calendar year.

01/22/18 Senate: Passed by indefinitely in Commerce and Labor (11-Y 3-N 1-A)

**City Position: Support**

**SB 44 Kinship Guardianship Assistance program; established.**

*Patrons:* Favola, Ebbin and McClellan; *Delegate:* Delaney

*Summary as passed Senate:*

**Kinship Guardianship Assistance program.** Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program. The provisions of the bill are contingent on funding in a general appropriation act.

02/23/18 House: Read second time

**City Position: Support**

**SB 46 Pedestrians; drivers yielding the right-of-way.**

*Patrons:* Favola; *Delegate:* Kory

*Summary as introduced:*

**Yielding the right-of-way to pedestrians; stopping.** Clarifies the duties of vehicle drivers to stop to allow pedestrians to cross highways at (i) clearly marked crosswalks, whether at mid-block or at the end of any block; (ii) any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block; or (iii) any intersection when the driver is approaching on a highway where the maximum speed limit is not more than 35 miles per hour. The bill contains technical amendments.

01/17/18 Senate: Failed to report (defeated) in Transportation (6-Y 7-N)

**City Position: Support**

**SB 48 Concealed handgun; eligibility to carry openly within Commonwealth.**

*Patron:* Black

*Summary as introduced:*

**Concealed handgun permits.** Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.

02/07/18 Senate: Continued to 2019 in Finance (13-Y 2-N)

**City Position: Oppose**

**SB 59 Criminal Justice Services, Department of; training standards, community engaged policing.**

*Patrons:* Lucas; *Delegate:* Kory

*Summary as introduced:*

**Department of Criminal Justice Services training standards; community engaged policing.** Expands the responsibilities of the Department of Criminal Justice Services regarding community policing by requiring the compulsory training standards for basic training and recertification of law-enforcement officers to include fair and impartial policing, verbal de-escalation, and needs of special populations. The bill changes the term "community policing" to "community engaged policing."

01/17/18 Senate: Continued to 2019 in Courts of Justice (15-Y 0-N)

**City Position: Support**

**SB 63 Firearms; control of possession, etc., by localities at lawful demonstrations and protests.**

*Patrons:* Favola and McClellan; *Delegate:* Kory

*Summary as introduced:*

**Control of firearms by localities; lawful demonstrations and protests.** Allows a locality to adopt an ordinance that prohibits the possession or transportation of firearms, ammunition, or components or a combination thereof, during a demonstration, march, parade, protest, rally, or other similar event. Such an ordinance shall not apply to any law-enforcement officer, armed security officer, member of the Armed Forces of the United States, member of the Armed Forces Reserves, or member of the National Guard acting in the performance of his lawful duties or to any person having a valid concealed handgun permit.

01/15/18 Senate: Incorporated by Courts of Justice (SB360-McClellan) (15-Y 0-N)

**City Position: Support**

**SB 67 Intake process, etc.; statements made by child to an intake officer or probation officer.**

*Patrons:* Favola and Marsden; *Delegate:* Kory

*Summary as introduced:*

**Statements made by child to an intake officer or probation officer.** Provides that a statement made by a child during or after the intake process, or during or after a mental health screening or other court-ordered evaluation or assessment, and prior to a hearing on the merits of a petition filed against the child, shall not be admissible at any stage of the proceedings. Current law limits such period of time to those statements made during the intake process, or during a mental health screening or assessment, and prior to a hearing on the merits of a petition filed against the child.

01/22/18 Senate: Failed to report (defeated) in Courts of Justice (7-Y 7-N)

**City Position: Oppose**

**SB 79 Firearms; prohibited at certain preschools and child day centers.**

*Patrons:* Lucas, Howell and Locke; *Delegates:* Adams, D.M., Ayala, Carr, Guzman, Hope, Jones, J.C., Kory, Levine, Lindsey, Lopez, Plum, Simon and Tyler

*Summary as introduced:*

**Firearms on school property.** Adds public, private, or religious preschools and child day centers that are not operated at the residence of the provider or of any of the children to the list of schools where possessing a firearm on school property or on a school bus is prohibited. Under current law, the list of such schools only includes public, private, or religious elementary, middle, or high schools.

01/31/18 Senate: Passed by indefinitely in Finance (11-Y 5-N)

**City Position: Support**

**SB 97 Driving with animal; no person shall operate a moving motor vehicle with an animal on his lap.**

*Patrons:* Marsden; *Delegate:* Kory

*Summary as introduced:*

**Driving with animal prohibited.** Prohibits any person, while operating a moving motor vehicle, to (i) have an animal on his lap, (ii) permit an animal to impede his free access to and use of vehicle controls, or (iii) obstruct his vision.

02/14/18 Senate: Left in Transportation

**City Position: Support**

**SB 117 Value engineering; raises minimum project cost.**

*Patron:* Favola

*Summary as introduced:*

**Value engineering.** Raises the minimum project cost requiring the use of value engineering from \$5 million to \$15 million. The bill exempts projects that are designed utilizing (i) a design-build contract or (ii) the Public-Private Transportation Act of 1995 from the value engineering requirements.

01/24/18 Senate: Incorporated by Transportation (SB125-Black) (13-Y 0-N)

**City Position: Support**

**SB 118 Dissemination of juvenile record information; emergency medical services agency applicants.**

*Patron:* Favola

*Summary as introduced:*

**Dissemination of juvenile record information; emergency medical services agency applicants.** Provides that juvenile record information maintained in the Central Criminal Records Exchange may be disseminated (i) to the State Health Commissioner or his designee for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency and (ii) to the county, city, or town manager or chief law-enforcement officer located in a locality that has adopted an ordinance to conduct investigations of employment applicants for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency. This bill was incorporated into SB 109.

01/22/18 Senate: Incorporated by Courts of Justice (SB109-Black) (14-Y 0-N)

**City Position: Oppose**

**SB 119 Firearms; reporting when lost or stolen.**

*Patrons:* Favola and Wexton

*Summary as introduced:*

**Reporting lost or stolen firearms; civil penalty.** Requires a person who lawfully possesses a firearm to report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 24 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. The bill requires the relevant law-enforcement agency to enter the report information into the National Crime Information Center (NCIC). A violation is punishable by a civil penalty of \$50 for a first offense and not less than \$100 or more than \$250 for any subsequent offense. The bill provides that a person who, in good faith, reports the loss or theft is immune from criminal or civil liability for

acts or omissions that result from the loss or theft; the immunity does not apply to a person who knowingly gives a false report. The bill does not apply to the loss or theft of an antique firearm.

01/15/18 Senate: Passed by indefinitely in Courts of Justice (9-Y 6-N)

**City Position: Support**

**SB 121 Child care providers; criminal history background check, repeals sunset.**

*Patrons:* Wexton, Hanger, Mason and McClellan; *Delegate:* Filler-Corn

*Summary as passed Senate:*

**Child care providers; criminal history background check; repeal sunset.** Repeals the expiration date on the requirement that the following individuals undergo fingerprint-based national criminal history background checks: (i) applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any licensed family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, or family day home approved by a family day system; (ii) applicants for licensure as a family day system, registration as a family day home, or approval as a family day home by a family day system, as well as their agents and any adult living in such family day home; and (iii) individuals who apply for or enter into a contract with the Department of Social Services under which a child day center, family day home, or child day program will provide child care services funded by the Child Care and Development Block Grant of 2014, as well as the applicant's current or prospective employees and volunteers, agents, and any adult living in the child day center or family day home.

02/22/18 Senate: House substitute agreed to by Senate (40-Y 0-N)

**City Position: Support**

**SB 122 Dissemination of juvenile record information; emergency medical services agency applicants.**

*Patrons:* Wexton; *Delegates:* Boysko, Delaney, Gooditis and Reid

*Summary as introduced:*

**Dissemination of juvenile record information; emergency medical services agency applicants.** Provides that juvenile record information maintained in the Central Criminal Records Exchange may be disseminated (i) to the State Health Commissioner or his designee for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency and (ii) to the county, city, or town manager or chief law-enforcement officer located in a locality that has adopted an ordinance to conduct investigations of employment applicants for the purpose of screening any person who applies

to be a volunteer with or an employee of an emergency medical services agency. This bill was incorporated into SB 109.

01/22/18 Senate: Incorporated by Courts of Justice (SB109-Black) (14-Y 0-N)

**City Position: Oppose**

**SB 125 Value engineering; raises minimum project cost.**

*Patrons:* Black and Favola

*Summary as introduced:*

**Value engineering.** Raises the minimum project cost requiring the use of value engineering from \$5 million to \$15 million. The bill exempts projects that are designed utilizing (i) a design-build contract or (ii) the Public-Private Transportation Act of 1995 from the value engineering requirements.

02/22/18 Senate: House amendment agreed to by Senate (40-Y 0-N)

**City Position: Support**

**SB 131 Voter registration; notice and public access not required for certain voter registration events.**

*Patron:* Edwards

*Summary as introduced:*

**Voter registration; notice and public access not required for certain voter registration events.** Provides that voter registration conducted in a high school and voter registration events sponsored or conducted by an entity or organization which the general registrar or an assistant registrar attends as an invitee are not required to be open to the public. Currently, opportunities for voter registration are required to be provided at sites open to the public. The bill also provides that notice is not required for voter registration that is not open to the public.

01/23/18 Senate: Incorporated by Privileges and Elections (SB358-McClellan) (13-Y 0-N)

**City Position: Support**

**SB 141 Northern Virginia Transportation Authority; use of certain revenues by localities.**

*Patron:* Petersen

*Summary as introduced:*

**Use of certain revenues by the Northern Virginia Transportation Authority.** Allows revenues of the Northern Virginia Transportation Authority distributed to localities to be used, as determined solely by the applicable locality, to fund new sidewalk projects that reduce congestion.

01/24/18 Senate: Continued to 2019 in Transportation (13-Y 0-N)

**City Position: Support**



**SB 147 Commonwealth Transportation Board; factors for project selection.**

*Patron:* Edwards

*Summary as introduced:*

**Commonwealth Transportation Board; factors for project selection.** Requires travel time reliability to be one of the factors used by the Commonwealth Transportation Board in its statewide prioritization process for project selection.

02/14/18 Senate: Left in Transportation

**City Position: Oppose**

**SB 149 Outdoor amphitheater or concert venue; nonsmoking areas, penalty.**

*Patron:* Edwards

*Summary as introduced:*

**Smoking in outdoor amphitheater or concert venue; penalty.** Authorizes any locality, by ordinance, to designate nonsmoking areas within an outdoor amphitheater or concert venue owned by the locality. The bill requires such ordinance to provide for adequate signage designating such areas and provides that a violation of such ordinance is subject to a civil penalty of not more than \$25 paid into the Virginia Health Care Fund.

02/19/18 House: Assigned GL sub: Subcommittee #1

**City Position: Support**

**SB 175 Dogs or cats; public animal shelters required to notify intent to euthanize.**

*Patrons:* Stanley and Ebbin

*Summary as introduced:*

**Public animal shelters; dogs and cats; euthanasia notice.** Requires a public animal shelter to wait three days before euthanizing a dog or cat when a person has notified the shelter of his intent to adopt or take custody of the particular animal. The shelter must make reasonable efforts to accomplish the release of the dog or cat but is not required to hold the animal if it has reason to believe that the animal has seriously injured a human or the animal meets certain other specified conditions for euthanasia.

01/25/18 Senate: Continued to 2019 in Agriculture, Conservation and Natural Resources

**City Position: Support**

**SB 186 Unmanned aircraft by a locality; search warrant, exception.**

*Patron:* Black

*Summary as introduced:*

**Unmanned aircraft by a locality; search warrant; exception.** Authorizes a state or local government department, agency, or instrumentality having jurisdiction over criminal law-

enforcement or regulatory violations to utilize an unmanned aircraft system without a search warrant when such system is utilized to support any locality for a purpose other than law enforcement.

02/23/18 House: Reported from Courts of Justice (18-Y 0-N)

**City Position: Support**

**SB 187 Zoning; violation penalties.**

*Patron: Favola*

*Summary as passed Senate:*

**Zoning violation penalties.** Increases the maximum fine for misdemeanor conviction of a zoning violation from \$1,000 to \$2,000. Also increases the maximum fine for failure to remove or abate the zoning violation after conviction from \$1,500 to \$2,000 for succeeding 10-day periods.

02/23/18 House: Reported from Counties, Cities and Towns (13-Y 8-N)

**City Position: Support**

**SB 188 Virginia Public Procurement Act; competitive negotiation for professional services.**

*Patron: Favola*

*Summary as passed Senate:*

**Virginia Public Procurement Act; competitive negotiation for professional services.** Provides that for competitive negotiation for professional services, except in the case of the procurement of architectural or engineering services, a public body may conduct negotiations simultaneously with the top two ranked offerors if the public body does not request or discuss nonbinding estimates of total project costs at the discussion stage and as long as such process is set forth in the Request for Proposal.

02/20/18 House: Subcommittee recommends continuing to 2019 by voice vote

**City Position: Support**

**SB 195 Virginia Residential Rent-to-Own Real Estate Contracts Act; created.**

*Patron: Locke*

*Summary as introduced:*

**Virginia Residential Rent-to-Own Real Estate Contracts Act; civil penalties.** Creates the Virginia Residential Rent-to-Own Real Estate Contracts Act that establishes contract requirements and prohibitions for installment land contracts and lease-option contracts as defined in the bill. Under the bill, a violation by a person who sells, or proposes to sell, real property under an installment land contract or lease-option contract constitutes a fraudulent act or practice for purposes of applying the Virginia Consumer Protection Act.

01/22/18 Senate: Passed by indefinitely in General Laws and Technology with letter (15-Y 0-N)

**City Position: Support**

**SB 196 Law-enforcement officers; CJSB to adopt statewide professional standards of conduct.**

*Patron: Locke*

*Summary as introduced:*

**Decertification of law-enforcement officers; Criminal Justice Services Board; statewide professional standards of conduct.** Requires the Criminal Justice Services Board (the Board) to adopt, by July 1, 2019, statewide professional standards of conduct applicable to all certified law-enforcement officers and certified jail officers. The bill requires any sheriff, chief of police, or agency administrator to notify the Board in writing within 48 hours of becoming aware that any certified law-enforcement or jail officer currently employed by his agency has been found to have engaged in serious misconduct. The bill authorizes the Board to initiate decertification proceedings against any former law-enforcement or jail officer who has engaged in serious misconduct as defined in such statewide professional standards of conduct. The bill has a delayed effective date of October 1, 2019.

01/24/18 Senate: Failed to report (defeated) in Courts of Justice (7-Y 8-N)

**City Position: Support**

**SB 197 Landlord and tenant law; notice may be included in written termination notice.**

*Patron: Locke*

*Summary as passed Senate:*

**Landlord and tenant law; notice requirements; landlord's acceptance of rent with reservation.** Changes the landlord and tenant law notice requirements for landlords to accept full or partial rent while continuing to proceed with a court action to obtain an order of possession and subsequent eviction by creating a single notice and removing the requirement for second notice for the time period between entry of an order of possession and prior to eviction. The bill provides that the landlord may accept full or partial payment of rent and still receive an order of possession and proceed with eviction if the landlord states in the written notice to the tenant that any payment of rent, damages, money judgment, award of attorney fees, and court costs would be accepted with reservation and not constitute a waiver of the landlord's right to evict the tenant from the dwelling unit. The bill also (i) provides that if a dwelling unit is a public housing unit or other housing unit subject to regulation by the Department of Housing and Urban Development, written notice of acceptance of rent with reservation need not be given to any public agency paying a portion of the rent under the

rental agreement and (ii) removes language providing that if the landlord enters into a new rental agreement with the tenant prior to eviction, an order of possession obtained prior to the entry of such new rental agreement is not enforceable.

02/22/18 Senate: House substitute agreed to by Senate (40-Y 0-N)

**City Position: Oppose**

**SB 202 Public employment; prohibits discrimination on basis of sexual orientation or gender identity.**

*Patrons:* Ebbin, Wexton, Lewis and McClellan; *Delegates:* Carr, Levine, Reid and Sickles

*Summary as passed Senate:*

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

02/08/18 House: Subcommittee recommends laying on the table (5-Y 2-N)

**City Position: Support**

**SB 207 Statewide prioritization process project selection; cost of project to be considered.**

*Patrons:* Stuart; *Delegates:* Cole and Thomas

*Summary as introduced:*

**Statewide prioritization process project selection.** Requires the total cost of a transportation project to be considered in evaluating projects under the statewide prioritization process. The bill requires the Commonwealth Transportation Board to evaluate congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays. The bill imposes restrictions on projects receiving funding from the High Priority Projects Program that are evaluated under the statewide prioritization process.

02/07/18 Senate: Continued to 2019 in Transportation (13-Y 0-N)

**City Position: Oppose**

**SB 250 Towing advisory boards; appointment prior to entering into contract regarding regulations.**

*Patron:* Dance

*Summary as introduced:*

**Towing advisory boards.** Makes discretionary the requirement that the governing body of a locality appoint a towing advisory board prior to adopting an ordinance or entering into a contract regarding local towing regulations. Current law makes such requirement mandatory.

01/17/18 Senate: Stricken at request of Patron in Transportation (12-Y 0-N)

**City Position: Support**

**SB 255 License taxes; interest rate for certain refunds.**

*Patron: Dance*

*Summary as introduced:*

**License taxes; interest rate for certain refunds.** Authorizes a locality to establish the interest rate for a tax refund due to a taxpayer's overstatement of gross receipts for purposes of determining the amount due for a business license tax at a rate lower than that required for interest on delinquent taxes. Current law requires that the interest rate for a refund of any local tax be at the same rate as set for interest on delinquent taxes.

01/23/18 Senate: Continued to 2019 in Finance (16-Y 0-N)

**City Position: Support**

**SB 288 Firearms; reporting when lost or stolen.**

*Patron: McClellan*

*Summary as introduced:*

**Reporting lost or stolen firearms; civil penalty.** Requires a person who lawfully possesses a firearm to report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 24 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. The bill requires the relevant law-enforcement agency to enter the report information into the National Crime Information Center (NCIC). A violation is punishable by a civil penalty of \$50 for a first offense and not less than \$100 or more than \$250 for any subsequent offense. The bill provides that a person who, in good faith, reports the loss or theft is immune from criminal or civil liability for acts or omissions that result from the loss or theft; the immunity does not apply to a person who knowingly gives a false report. The bill does not apply to the loss or theft of an antique firearm.

01/15/18 Senate: Incorporated by Courts of Justice (SB119-Favola) (15-Y 0-N)

**City Position: Support**

**SB 304 Emergency medical services vehicles; temporary permit.**

*Patron: Marsden*

*Summary as introduced:*

**Emergency medical services vehicles; temporary permit.** Provides that a temporary permit for an emergency medical services vehicle that does not meet required standards is valid for a

period of 90 days from the end of the month of issue. Under current law, such permit is valid for a period not to exceed 60 days.

02/22/18 Senate: House amendment agreed to by Senate (40-Y 0-N)

**City Position: Support**

**SB 308 Driving under the influence of alcohol; highways.**

*Patrons:* Stuart; *Delegate:* Cole

*Summary as passed Senate:*

**Driving under the influence.** Provides an exemption to the prohibition of driving or operating a motor vehicle while under the influence to any person driving or operating a motor vehicle on his own residential property or the curtilage thereof. Current law prohibits the driving or operating of a motor vehicle while under the influence, without such exemption.

02/14/18 House: Referred to Committee for Courts of Justice

**City Position: Oppose**

**SB 336 Virginia Freedom of Information Act; right to speak at open meetings.**

*Patrons:* Peake; *Delegate:* Kory

*Summary as passed Senate:*

**Virginia Freedom of Information Act; right to speak at open meetings.** Requires that every elected public body afford an opportunity for public comment during any open meeting. The bill permits elected public bodies to choose the approximate point during the meeting when public comment will be received and to adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner. Such rules shall not limit public comment to only the submission of written comments. The bill requires that the notice given by any public body prior to a meeting include information as to the approximate point during the meeting when public comment will be received.

02/20/18 House: Subcommittee recommends continuing to 2019 by voice vote

**City Position: Oppose**

**SB 340 Virginia Water Quality Improvement Fund; publicly owned treatment works, nutrient reduction.**

*Patrons:* Peake and Reeves

*Summary as passed Senate:*

**Virginia Water Quality Improvement Fund; publicly owned treatment works; nutrient reduction.** Authorizes the Director of the Department of Environmental Quality to distribute grants from the Virginia Water Quality Improvement Fund for cost effective technologies to reduce nutrient loads of total phosphorus, total nitrogen, or nitrogen-containing ammonia

subsequent to satisfaction of nutrient reductions of regulations, permits, or the Chesapeake Bay TMDL Watershed Implementation Plan. The bill requires the Department of Environmental Quality to prepare a preliminary estimate of the amount and timing of Water Quality Improvement Grants required to fund projects to reduce loads of nitrogen-containing ammonia at certain levels based on an estimate of the anticipated range of costs for all publicly owned treatment works if the State Water Control Board were to adopt the 2013 Aquatic Life Ambient Water Quality Criteria for Ammonia published by the U.S. Environmental Protection Agency.

01/17/18 Senate: Read third time and passed Senate (40-Y 0-N)

01/23/18 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

**City Position: Support**

**SB 341 Commission of crimes; forfeiture of property used in connection with crimes.**

*Patron:* Peake

*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 owner of the property or the person in whose custody such property is found 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 or the person in whose custody the property is found has not submitted a written demand for the return of the property within one year from the date the property was seized.

02/06/18 Senate: Passed by indefinitely in Finance (12-Y 3-N)

**City Position: Oppose**

**SB 352 Workers' compensation; presumption of compensability for certain diseases.**

*Patrons:* Peake, Cosgrove, Ebbin, Edwards, Howell, Marsden, Mason, Reeves, Saslaw, Surovell and Wexton; *Delegates:* Edmunds and Kory

*Summary as introduced:*

**Workers' compensation; presumption of compensability for certain diseases.** Adds lymphoma, non-Hodgkin lymphoma, and cancers of the colon, brain, and testes to the list of cancers that are presumed to be an occupational disease covered by the Virginia Workers' Compensation Act when firefighters and certain employees develop them. The measure also reduces, from 12 years to five years, the minimum number of years of continuous service that such firefighters

and other employees are required to have completed in order to qualify for the presumption that such a condition is an occupational disease suffered in the line of duty.

02/06/18 Senate: Continued to 2019 in Finance (14-Y 1-N)

**City Position: Oppose**

**SB 367 Stormwater; localities to provide for partial waiver of service charges for management at airports.**

*Patron:* Newman

*Summary as introduced:*

**Regulation of stormwater; airports.** Allows localities to provide for a partial waiver of service charges for stormwater management to airports for that portion of the property that is used for runways and taxiways.

01/30/18 Senate: Continued to 2019 in Local Government (10-Y 0-N)

**City Position: Oppose**

**SB 372 Place of religious worship; carrying dangerous weapon.**

*Patron:* Chafin

*Summary as introduced:*

**Carrying dangerous weapon to place of religious worship.** Repeals the statutory prohibition on carrying a gun, pistol, bowie knife, dagger, or other dangerous weapon, without good and sufficient reason, to a place of worship while a meeting for religious purposes is being held at such place.

01/23/18 Senate: Read third time and passed Senate (21-Y 18-N)

01/29/18 House: Referred to Committee on Rules

**City Position: Oppose**

**SB 381 School buses; passing while stopped, injury to another person, penalty.**

*Patron:* Chafin

*Summary as introduced:*

**Passing a stopped school bus; injury to another person; penalty.** Provides that any person who unlawfully passes a stopped school bus while driving a motor vehicle and causes serious bodily injury to another person is guilty of a Class 5 felony.

01/31/18 Senate: Passed by indefinitely in Finance (16-Y 0-N)

**City Position: Support**

**SB 391 Housing; installation and maintenance of smoke and carbon monoxide alarms in rental property.**



*Patrons:* Barker, DeSteph and Ebbin

*Summary as passed Senate:*

**Housing; installation and maintenance of smoke and carbon monoxide alarms.** Creates a statewide standard for the installation and maintenance of smoke and carbon monoxide alarms in rental property. The bill requires a landlord (i) to install a smoke alarm but does not permit a locality to require new or additional wiring or the upgrading of smoke alarms under certain conditions and (ii) to certify annually that smoke alarms have been installed and maintained in good working order in a residential dwelling unit pursuant to the Statewide Fire Prevention Code (§ 27-94 et seq.) and the Uniform Statewide Building Code (§ 36-97 et seq.). The landlord is also required to install a carbon monoxide alarm upon request by a tenant; the installation and subsequent maintenance must be in compliance with the Statewide Fire Prevention Code and the Uniform Statewide Building Code. A tenant of a rental dwelling unit with a smoke alarm or both smoke and carbon monoxide alarms shall not tamper or remove such alarms. Under the bill, a reasonable accommodation must be made for persons who are deaf or hearing impaired, upon request. Localities that have enacted a fire and carbon monoxide alarm ordinance must conform such ordinances with these state standards by July 1, 2019. The bill also requires the Department of Housing and Community Development, in consultation with the Department of Fire Programs, to develop a form for landlords for use in certifying inspections that summarizes smoke alarm maintenance requirements for landlords and tenants. The bill, as introduced, is a recommendation of the Virginia Housing Commission. This bill incorporates SB 743.

02/22/18 Senate: Bill text as passed Senate and House

**City Position: Support**

**SB 399 Drug overdose fatality review teams, local or regional; localities to establish.**

*Patrons:* Lewis, Ebbin and Howell; *Delegates:* Adams, D.M., Boysko, Helsel, Hope, Lindsey, Plum, Rasoul, Simon, Turpin and Watts

*Summary as introduced:*

**Local or regional drug overdose fatality review teams.** Authorizes any county or city, or any combination of counties, cities, or counties and cities, to establish a local or regional drug overdose fatality review team for the purpose of (i) conducting contemporaneous reviews of local drug overdose deaths, (ii) promoting cooperation and coordination among agencies involved in investigations of drug overdose deaths or in providing services to surviving family members, (iii) developing an understanding of the causes and incidence of drug overdose deaths in the locality, (iv) developing plans for and recommending changes within the agencies represented on the local team to prevent drug overdose deaths, and (v) advising the Department of Health and other relevant state agencies on changes to law, policy, or practice

to prevent overdose deaths. The bill authorizes a local or regional team to review the death of any person who resides in the Commonwealth and whose death was or is suspected to be due to drug overdose. A violation of the confidentiality of the review process is punishable as a Class 3 misdemeanor.

02/23/18 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

**City Position: Support**

#### **SB 405 Wireless communications infrastructure; zoning.**

*Patrons:* McDougle, Dance, Ruff and Stanley; *Delegates:* Byron, Heretick and Kory

*Summary as introduced:*

**Zoning for wireless communications infrastructure.** Establishes parameters regarding applications for zoning approvals for certain wireless support structures. Applications for certain new wireless support structures that are 50 feet or less above ground level and for the co-location on an existing structure of a wireless facility that is not a small cell facility are exempt from requirements that they obtain a special exception, special use permit, or variance, though a locality may require administrative review for the issuance of any zoning permits or an acknowledgement that zoning approval is not required for such projects. Aspects of the zoning approval process addressed in this measure include periods for approval or disapproval of applications, a requirement that applications are deemed approved if not approved or disapproved within the applicable period; application fees; a prohibition against unreasonably discriminating between applicants and other wireless services providers, providers of telecommunications services, and nonpublic providers of cable television and electric services; and limits on the number of new wireless support structures that can be installed in a specific location. The measure also prohibits a locality, in its receiving, consideration, and processing of an application for zoning approval, from engaging in certain activities.

02/14/18 House: Referred to Committee on Commerce and Labor

**City Position: Oppose**

#### **SB 410 Law-enforcement vehicles; vehicles equipped with steady-burning blue or red lights.**

*Patron:* McDougle

*Summary as introduced:*

**Steady-burning blue or red lights on law-enforcement vehicles.** Permits law-enforcement vehicles to be equipped with steady-burning blue or red lights in addition to being equipped with flashing, blinking, or alternating blue, blue and red, blue and white, or red, white, and blue combination warning lights of types approved by the Superintendent of State Police.

02/23/18 House: Reported from Militia, Police and Public Safety (21-Y 0-N)

**City Position: Support**

**SB 423 Virginia Fair Housing Law; unlawful discriminatory housing practices.**

*Patrons:* Wexton, Ebbin, Lewis and McClellan; *Delegates:* Carr, Levine, Sickles and Simon

*Summary as introduced:*

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

02/08/18 House: Subcommittee recommends laying on the table (5-Y 2-N)

**City Position: Support**

**SB 426 Victims of domestic violence; list of local resources.**

*Patrons:* Wexton, Dunnavant, Ebbin and Vogel; *Delegates:* Adams, D.M., Ayala, Boysko, Convirs-Fowler, Delaney, Hope, Krizek, Levine, Lindsey, Mullin, Plum, Rasoul, Rodman, Sickles, Simon, Turpin, Tyler and Watts

*Summary as introduced:*

**Victims of domestic violence; list of local resources.** Provides that upon issuance of an emergency, preliminary, or permanent protective order, the court or magistrate shall provide the petitioner with a list of local resources, including contact information for any sexual and domestic violence victim service provider, crime victim and witness assistance program, legal aid or legal services office, crisis intervention hotline, individual support services provider, support groups, or emergency companion services, emergency housing services, or transportation services provider.

02/22/18 House: Assigned App. sub: Public Safety

**City Position: Support**

**SB 461 Direct service providers; disclosure of information by employers.**

*Patron:* Dance

*Summary as introduced:*

**Direct service providers; disclosure of information by employers.** Provides that a current or former employer of a direct service provider may disclose information about the direct service provider's employment to a prospective employer of the direct service provider upon receipt of written, signed consent of the direct service provider.

02/05/18 Senate: Continued to 2019 in Courts of Justice (14-Y 1-N)

**City Position: Support**

**SB 513 Enhanced Public Safety Telephone Services Act; 9-1-1 (NG9-1-1) services.**

*Patrons:* Suetterlein and Ebbin

*Summary as introduced:*

**Enhanced Public Safety Telephone Services Act.** Establishes requirements regarding the implementation of next generation 9-1-1 (NG9-1-1) service. By July 1, 2023, the 9-1-1 Services Board (the Board) is required to develop and implement NG9-1-1 transition plans to migrate public service answering points and originating service providers from E-911 to NG9-1-1. The measure alters the formula and criteria for the Board's distribution of funds from the Wireless E-911 Fund. The measure also repeals provisions regarding (i) notices that providers of Voice over Internet protocol service are required to give to subscribers regarding access to E-911 service; (ii) plans for access by Voice over Internet protocol service subscribers to obtain E-911 service; and (iii) the Board's Wireless Carrier E-911 Cost Recovery Subcommittee.

02/23/18 House: Passed by for the day

**City Position: Support**

**SB 539 Child day programs; exemptions from licensure, removes certain programs from list.**

*Patron:* Hanger

*Summary as introduced:*

**Child day programs; exemptions from licensure.** Removes certain programs from the list of child day programs exempt from licensure and clarifies that such programs are not considered child day programs and therefore are not subject to licensure. The bill also modifies the terms of certain child day programs that remain listed as exempt from licensure and requires that such programs (i) file with the Commissioner of Social Services (the Commissioner), prior to beginning operation of a child day program and annually thereafter, a statement indicating the intent to operate a child day program, identifying the Code provision relied upon for exemption from licensure, and certifying that the child day program has disclosed to the parents of children in the program the fact that it is exempt from licensure; (ii) report to the Commissioner all incidents involving serious injury or death to children attending the child day program; (iii) have a person trained and certified in first aid and cardiopulmonary resuscitation (CPR) present at the child day program; (iv) comply with background check requirements established by regulations of the Board of Social Services (the Board); (v) maintain daily attendance records; (vi) have an emergency preparedness plan in place; (vii) comply with all applicable laws and regulations governing transportation of children; (viii) comply with certain safe sleep practices for infants; and (ix) post in a visible location notice that the program is not licensed by the Department of Social Services and only certifies basic health and safety requirements. The bill exempts from licensure any program offered by a local school division, operated for no more than four hours per day, staffed by local school division employees, and attended by school-age

children who are enrolled in public school within such school division. The bill also modifies staffing ratios for religious-exempt child day centers. The bill directs (a) the Board to promulgate regulations to implement the provisions of the bill and (b) the Commissioner to establish a process to inspect child day programs exempt from licensure and a process to gather and track aggregate data regarding child injuries and deaths that occur at such child day programs. The bill has a delayed effective date of July 1, 2019.

02/22/18 House: Assigned App. sub: Health & Human Resources

**City Position: Support**

**SB 580 Government Data Collection and Dissemination Practices Act; amends Act to facilitate sharing data.**

*Patrons:* Hanger, Barker, Carrico, Dunnavant, Edwards and Ebbin

*Summary as introduced:*

**Data collection and dissemination; governance.** Amends the Government Data Collection and Dissemination Practices Act to facilitate the sharing of data among agencies of the Commonwealth and between the Commonwealth and political subdivisions. The bill also creates an Office of Data Governance, housed in the office of the Secretary of Technology, to (i) develop guidelines regarding data usage, storage, and privacy and (ii) generally oversee and assist with data sharing in the Commonwealth to promote the usage of data in improving the delivery of services.

02/20/18 House: Subcommittee recommends referring to Committee on Appropriations

**City Position: Support**

**SB 622 Local transportation plan; secondary system road construction program allocation.**

*Patrons:* Surovell and Ebbin; Delegate: Krizek

*Summary as passed Senate:*

**Local transportation plan; secondary system road construction program allocation; undergrounding utilities.** Provides that if the adopted local transportation plan designates corridors planned to be served by mass transit, a portion of its allocation from (i) the Northern Virginia Transportation Authority distribution, (ii) the commercial and industrial real property tax revenue, and (iii) the secondary system road construction program, may be used for the purpose of utility undergrounding in the planned corridor, if the locality matches 100 percent of the state allocation.

02/20/18 House: Subcommittee recommends reporting (6-Y 0-N)

**City Position: Support**

**SB 623 Electronic Routing Registry; created.**

*Patron:* Surovell

*Summary as introduced:*

**Electronic Routing Registry.** Requires the Department of Transportation to create and maintain an Electronic Routing Registry (the Registry) of highways where electronic routing of through traffic is prohibited and provides the criteria for a highway to be eligible for placement on the Registry at the request of a locality. The bill requires that a digital routing provider remove a highway placed on the Registry from its routing algorithms within six months of such placement and provides that any digital routing provider who violates such requirement is subject to a \$500 civil penalty for each day it is in violation.

01/31/18 Senate: Failed to report (defeated) in Transportation (6-Y 6-N 1-A)

**City Position: Support**

### **SB 630 Virginia Freedom of Information Act; civil penalty.**

*Patron:* Surovell

*Summary as introduced:*

**Virginia Freedom of Information Act (FOIA); civil penalty.** Provides that in addition to any penalties imposed under FOIA, (i) if a court finds that any officer, employee, or member of a public body failed to provide public records to a requester in accordance with the provisions of FOIA because such officer, employee, or member of a public body intentionally altered or destroyed the requested public records prior to the expiration of the applicable record retention period set by the retention regulations promulgated pursuant to the Virginia Public Records Act (§ 42.1-76 et seq.) by the State Library Board, the court shall impose upon such officer, employee, or member in his individual capacity, whether or not a writ of mandamus or injunctive relief is awarded, a civil penalty of up to \$100 per record altered or destroyed, which amount shall be paid into the Literary Fund, and (ii) if a court finds that a member of a public body voted to certify a closed meeting and at the time of such certification such certification was not in accordance with the requirements of FOIA, the court shall impose on each such member voting to certify in his individual capacity, whether or not a writ of mandamus or injunctive relief is awarded, a civil penalty of \$500, which amount shall be paid into the Literary Fund.

02/20/18 House: Subcommittee recommends continuing to 2019 by voice vote

**City Position: Oppose**

### **SB 636 Kinship Guardianship Assistance program; established.**

*Patrons:* Dunnavant and Ebbin

*Summary as passed Senate:*

**Kinship Guardianship Assistance program.** Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program. The provisions of the bill are contingent on funding in a general appropriation act.

02/23/18 House: Read second time

**City Position: Support**

**SB 669 Involuntary mental health treatment; minors, access to firearms.**

*Patrons:* Deeds and Wexton

*Summary as introduced:*

**Involuntary mental health treatment; minors; access to firearms.** Provides that a person who, while a minor 14 years of age or older, was ordered to involuntary inpatient or outpatient treatment or was subject to a temporary detention order and agreed to voluntary admission (i) is subject to the same restrictions on possessing, purchasing, or transporting a firearm as an adult who was similarly ordered to involuntary treatment or was subject to a temporary detention order and agreed to voluntary admission and (ii) may utilize the same procedure as such adult for petitioning for the restoration of such person's firearm rights. The bill also sets out procedures for the submission of any involuntary treatment order or certification of voluntary admission subsequent to a temporary detention order involving a minor 14 years of age or older to the Central Criminal Records Exchange for purposes of determining a person's eligibility to possess, purchase, or transport a firearm that mirror the current procedures for the submission of such orders or certifications for adults.

02/23/18 House: Assigned Courts sub: Subcommittee #1

**City Position: Support**

**SB 670 Mental health awareness; training for firefighters and emergency medical services personnel.**

*Patrons:* Deeds and Ebbin; Delegate: Carroll Foy

*Summary as introduced:*

**Mental health awareness training; firefighters and emergency medical services personnel.** Requires fire departments and emergency medical services agencies to develop curricula for mental health awareness training for their personnel. The bill provides that such personnel who receive the training shall receive appropriate continuing education credits.

02/23/18 House: Reported from Militia, Police and Public Safety (21-Y 0-N)

**City Position: Support**

**SB 673 Emergency custody; extension of period of detention.**

*Patron: Deeds*

*Summary as introduced:*

**Emergency custody; time period.** Repeals the June 30, 2018, sunset on provisions authorizing a community services board to continue to attempt to identify a facility other than a state hospital that is able and willing to provide temporary detention and appropriate care to an individual who is subject to an emergency custody order for up to four hours after the period of emergency custody has run.

02/19/18 House: Subcommittee recommends reporting (8-Y 0-N)

**City Position: Support**

**SB 678 Speed monitoring systems; locality may, by ordinance, establish.**

*Patrons: Deeds and McClellan*

*Summary as introduced:*

**Speed monitoring systems.** Provides that a locality may, by ordinance, establish a speed enforcement program utilizing an automated speed monitoring system that creates recorded images of vehicles traveling at least 10 miles per hour in excess of the maximum applicable speed limit. The penalty imposed for violating applicable speed limits where such violation is established by recorded images produced by a speed monitoring system cannot exceed \$50. The bill provides that a locality may install and operate a speed monitoring system only at residence districts, school crossing zones, and highway work zones. The procedures for operating a speed monitoring system and issuing summons to violators and the rights of such violators, including the right to appeal to circuit court, parallel those currently in place for red light violations recorded by photo-monitoring systems at traffic lights.

02/07/18 Senate: Passed by indefinitely in Transportation (7-Y 6-N)

**City Position: Support**

**SB 688 Va. Public Procurement Act; cooperative procurement, stream restoration & stormwater management.**

*Patron: Ruff*

*Summary as passed Senate:*

**Virginia Public Procurement Act; cooperative procurement; stream restoration and stormwater management.** Excludes the purchase of (i) stream restoration and (ii) stormwater



management practices, and all associated and necessary construction and maintenance, from the prohibition on using cooperative procurement to purchase construction.

02/22/18 Senate: Bill text as passed Senate and House

**City Position: Support**

**SB 751 Localities and school divisions; posting of register of funds expended.**

*Patron:* Sturtevant

*Summary as introduced:*

**Localities and school divisions; posting of register of funds expended.** Requires every locality with a population greater than 25,000 and each school division with greater than 5,000 students to post quarterly on the public government website of such locality or school division 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. The bill allows any locality or school division to exclude from such posting any information that is exempt from mandatory disclosure under the Virginia Freedom of Information Act, any personal identifying information related to a court-ordered payment, and any information related to undercover law-enforcement officers. The bill has a delayed effective date of July 1, 2019.

02/15/18 House: Referred to Committee on Counties, Cities and Towns

**City Position: Oppose**

**SB 761 Law-enforcement officers; training, reimbursement of costs.**

*Patron:* Newman

*Summary as introduced:*

**Training of law-enforcement officers; reimbursement of costs.** Requires a law-enforcement agency in the Commonwealth that hires a law-enforcement officer from another law-enforcement agency to reimburse the agency that funded the training for the costs of the officer's basic law-enforcement training. The amount of the liability shall be reduced by one-fifth for each year that the law-enforcement officer worked for the agency that paid for the training.

02/05/18 Senate: Continued to 2019 in Courts of Justice (13-Y 0-N)

**City Position: Oppose**

**SB 766 Citizen water quality monitoring; use as evidence in enforcement actions.**

*Patrons:* Surovell and Chase; *Delegate:* Carroll Foy

*Summary as introduced:*

**Citizen water quality monitoring; use as evidence in enforcement actions.** Authorizes the

Department of Environmental Quality (the Department) to use certain results of citizen water quality testing as evidence in enforcement actions. Such evidence is currently prohibited. The bill also directs the Department to consider in some cases data collected by a citizen group, regardless of whether the data conforms to the requirements set out in the Code of Virginia.

02/07/18 Senate: Continued to 2019 in Commerce and Labor (15-Y 0-N)

**City Position: Oppose**

**SB 797 Protective orders; possession of firearms; penalty.**

*Patrons:* Howell and Wexton; *Delegate:* Levine

*Summary as introduced:*

**Protective orders; possession of firearms; penalty.** Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect, which is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that 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.

01/31/18 Senate: Passed by indefinitely in Finance (11-Y 5-N)

**City Position: Support**

**SB 804 Controlled substances; Reporting overdoses.**

*Patrons:* Carrico; *Delegate:* Bell, John J.

*Summary as introduced:*

**Reporting of controlled substance overdoses.** Requires the Office of the Chief Medical Examiner, state and local law-enforcement agencies, emergency medical services agencies, and hospitals to report information about overdoses of controlled substances within 120 hours of receiving such information to the Office of the Secretary of Health and Human Resources and for the Secretary to make such information available to public health, law-enforcement, and emergency medical service agencies and fire departments and companies within 120 hours of receiving the information. The bill also requires the Secretary to report this information quarterly to the Governor and for such report to be made available to all public health, law-enforcement, and emergency medical services agencies in the Commonwealth. The bill is a recommendation of the Joint Commission on Health. This bill was incorporated into SB 580.

02/08/18 Senate: Incorporated by Finance (SB580-Hanger) (16-Y 0-N)

**City Position: Support**

**SB 822 Delinquent taxes; collection of amounts due locality.**

*Patron:* Edwards

*Summary as introduced:*

**Collection of delinquent amounts due locality.** Amends provisions that currently allow the treasurer in any locality to employ the services of private collection agents to assist with the collection of delinquent local taxes by also including "other charges." The bill also changes from six months to three months the period for which certain taxes or other charges must be delinquent prior to certain collection efforts.

01/30/18 Senate: Passed by indefinitely in Finance (15-Y 0-N)

**City Position: Support**

**SB 823 Wireless support structures; public rights-of-way use fees established.**

*Patrons:* McDougale and Dance; *Delegates:* Heretick and Kory

*Summary as introduced:*

**Wireless support structures; public rights-of-way use fees.** Establishes an annual wireless support structure public rights-of-way use fee to be charged to wireless services providers and wireless infrastructure providers in connection with a permit for occupation and use of the public rights-of-way under the jurisdiction of the Department of Transportation (VDOT) or a locality for the construction of new wireless support structures. The amount of the use fee is (i) \$1,000 for any wireless support structure at or below 50 feet in height; (ii) \$3,000 for any wireless support structure above 50 feet and at or below 120 feet in height; (iii) \$5,000 for any wireless support structure above 120 feet in height; and (iv) \$1 per square foot for any other equipment, shelter, or associated facilities constructed on the ground. The measure provides that the use fee amounts shall be adjusted every five years on the basis of inflation. The measure also provides that an existing agreement, contract, license, easement, or permit allowing the use of the public rights-of-way by a wireless services provider or wireless infrastructure provider may be enforced by VDOT or the locality only until the current term of the agreement, contract, license, easement, or permit expires.

02/23/18 House: VOTE: PASSAGE (67-Y 29-N 2-A)

**City Position: Oppose**

**SB 833 Installation of a pen register or trap and trace device; emergency circumstances.**

*Patron:* Carrico

*Summary as introduced:*

**Installation of a pen register or trap and trace device; emergency circumstances.** Provides that when disclosure of real time location data is not prohibited by federal law, an investigative or

law-enforcement officer may obtain a pen register or trap and trace device installation without a court order in certain emergency circumstances. The bill provides that in when a pen register or trap and trace device is installed without a court order under such circumstances, the investigative or law-enforcement officer shall file with the appropriate court, within three days of seeking such installation, a written statement setting forth the facts giving rise to the emergency and the reasons why the installation of the pen register or trap and trace device was believed to be important in addressing the emergency.

02/23/18 House: Reported from Courts of Justice with substitute (18-Y 0-N)

**City Position: Support**

**SB 856 Mass transit; makes numerous changes to administration of and revenues for transit.**

*Patrons:* Saslaw, Ebbin and Favola

*Summary as introduced:*

**Mass transit in the Commonwealth.** Makes numerous changes to the administration of and revenues for mass transit in the Commonwealth, specifically as it relates to the membership and funding of the Washington Metropolitan Area Transit Authority, the disbursement of funds in the Commonwealth Mass Transit Fund, and the authority of the Commonwealth Transportation Board to issue bonds for transit capital. The bill sets a floor on the average price of fuel used to calculate the regional motor sales tax as the price of gas on February 20, 2013, the same floor that is used to calculate the state fuels tax. The bill also raises the regional congestion relief fee and the regional transient occupancy tax in the Northern Virginia region to raise additional revenues for mass transit.

02/23/18 House: Read second time

**City Position: Support**

**SB 874 Motor vehicle drivers; signals required when driving.**

*Patron:* Howell

*Summary as passed Senate:*

**Signals required when driving.** Requires drivers to give a signal plainly visible to pedestrians or other drivers upon backing, stopping, turning, or partly turning from a direct line whenever any pedestrian or other vehicle may be affected by such movement. Current law requires such signaling if such movement can be made safely and whenever the operation of any other vehicle may be affected by such movement.

02/21/18 House: Subcommittee recommends reporting (7-Y 0-N)

**City Position: Support**

**SB 876 Virginia Freedom of Information Act; transfer of public records, definition of "custodian."**

*Patron:* Mason

*Summary as introduced:*

**Virginia Freedom of Information Act; transfer of public records; definition of**

**"custodian."** Requires a public body initiating a transfer of public records to any entity, including to any other public body, to remain the custodian of those records only if the public body has transferred the entirety of those public records. Current law requires the public body initiating a transfer of public records to remain the custodian if it has transferred possession of any public records. The bill also excludes the transfer of a portion of information contained in one public body's public record to another public body from being considered as a transfer of an entire public record. The bill also prohibits a public body from withholding a public record in its entirety on the grounds that information contained in such public record was provided by another public body. The bill defines "custodian" for purposes of the Virginia Freedom of Information Act.

01/29/18 Senate: Passed by indefinitely in General Laws and Technology with letter (11-Y 0-N)

**City Position: Oppose**

**SB 879 Intangible personal property; personal property used in manufacturing.**

*Patron:* Chafin

*Summary as introduced:*

**Intangible personal property; personal property used in manufacturing.** Clarifies that personal property used directly in manufacturing in the locality in which the tax is assessed is classified as intangible personal property. Current law does not require that the property be used directly in manufacturing in order to be considered intangible, nor does it require that the property be in the locality in which manufacturing actually occurs.

01/30/18 Senate: Continued to 2019 in Finance (14-Y 0-N)

**City Position: Support**

**SB 908 Electric vehicle charging stations; local and public operation.**

*Patron:* McClellan

*Summary as introduced:*

**Electric vehicle charging stations; local and public operation.** Authorizes any locality or public institution of higher education, or the Department of Conservation and Recreation, to locate and operate a retail fee-based electric vehicle charging station on property such entity owns or

leases. The bill requires that the use of a retail fee-based electric vehicle charging station on property owned or leased by a locality be restricted to employees of the locality and authorized visitors and that such station be accompanied by appropriate signage that provides reasonable notice of such restriction. The bill exempts such a locality, public institution of higher education, or the Department of Conservation and Recreation from being considered a public utility solely because of the sale of electric vehicle charging service or the ownership or operation of an electric vehicle charging station and further exempts such service from constituting the retail sale of electricity.

02/22/18 Senate: House amendment agreed to by Senate (39-Y 0-N)

**City Position: Oppose**

**SB 917 Handheld photo speed monitoring devices; officer may operate near school crossing zone.**

*Patrons:* Chase and McClellan

*Summary as introduced:*

**Handheld photo speed monitoring devices.** Allows that a law-enforcement officer to operate a handheld photo speed monitoring device, defined in the bill, in or around a school crossing zone for the purpose of recording images of vehicles that are traveling at speeds of at least 12 miles per hour above the posted school crossing zone speed limit within such school crossing zone when such school crossing zone is indicated by appropriately placed signs displaying the maximum speed limit and the use of such handheld automated speed monitoring device.

02/22/18 House: Subcommittee recommends passing by indefinitely (6-Y 0-N)

**City Position: Support**

**SB 920 Adoption and foster care; barrier crimes, exception.**

*Patron:* Ebbin

*Summary as introduced:*

**Adoption and foster care; barrier crimes; exception.** Lowers from 10 years to five years the amount of time that must elapse following an applicant's conviction of felony possession of a controlled substance under clause (iv) of the definition of barrier crime in § 19.2-392.02 before a child-placing agency may approve the applicant as an adoptive or foster parent.

02/23/18 House: Reported from Courts of Justice with substitute (18-Y 0-N)

**City Position: Support**

**SB 940 Combined sewer overflow system; notice of discharge.**

*Patron:* Stuart

*Summary as introduced:*

**Combined sewer overflow system; notice of discharge.** Requires the owner or operator of any CSO system to immediately report any discharge of untreated or partially treated sewage to the Department of Environmental Quality (the Department) and the local health department and, as soon as possible, to notify the public and any adjoining locality that may be affected. The bill requires the Department to expeditiously post on its website information reported to it regarding such CSO discharges and to prepare an annual report on CSO discharges.

02/01/18 Senate: Continued to 2019 in Agriculture, Conservation and Natural Resources

**City Position: Oppose**

#### **SB 944 Cash proffers; impact fees.**

*Patron:* Stuart

*Summary as introduced:*

**Cash proffers; impact fees.** Removes various provisions granting localities authority to accept cash proffers as part of the conditional rezoning process. The bill repeals provisions that limit existing impact fee authority to (i) localities that have established an urban transportation service district and (ii) areas outside of such service districts that are zoned for agricultural use and that are being subdivided for by-right residential development. The effect of the repeal will be to make the existing impact fee provisions available for use by any locality that includes within its comprehensive plan a calculation of the capital costs of public facilities necessary to serve residential uses.

02/06/18 Senate: Continued to 2019 in Local Government (11-Y 0-N)

**City Position: Oppose**

#### **SB 952 Protective orders; issuance upon convictions for certain felonies, penalty.**

*Patron:* Stuart

*Summary as introduced:*

**Protective orders; issuance upon convictions for certain felonies; penalty.** Authorizes a court to issue a protective order upon convicting a defendant for a felony offense of (i) violating a protective order, (ii) homicide set forth in Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2, (iii) kidnapping set forth in Article 3 (§ 18.2-47 et seq.) of Chapter 4 of Title 18.2, (iv) assaults and bodily woundings set forth in Article 4 (§ 18.2-51 et seq.) of Chapter 4 of Title 18.2, (v) extortion set forth in Article 6 (§ 18.2-59 et seq.) of Chapter 4 of Title 18.2, or (vi) criminal sexual assault set forth in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2. The bill provides that the duration of such protective order can be for any period of time, including up to the lifetime of the defendant, that the court deems necessary to protect the health and safety of

the victim and may only prohibit (a) acts of family abuse or of violence, force, or threat against the victim or criminal offenses that may result in injury to the person or property of the victim and (b) such contacts by the defendant with the victim as the court deems necessary for the health or safety of the victim. The bill provides that a violation of a protective order issued upon conviction of one of the enumerated offenses is punishable as contempt of court or in the same manner as criminal violations of other protective orders are punished.

02/07/18 Senate: Continued to 2019 in Finance (14-Y 1-N)

**City Position: Support**

### **SB 993 Local planning commissions; proposed plats.**

*Patron:* Reeves

*Summary as introduced:*

**Local planning commissions; proposed plats.** Reduces from 60 days to 45 days the time within which a local planning commission shall act on a proposed plat, site plan, or plan of development after it has been officially submitted for approval. The bill prohibits a local planning commission from delaying the official submission of any proposed plat, site plan, or plan of development by requiring presubmission conferences, meetings, or reviews. The bill also reduces from 45 days to 30 days of receipt of the plat the time within which any state agency or public authority making a review of a plat shall complete its review upon first submission or for any proposed plat that has previously been disapproved. The bill eliminates exemptions (i) for deficiencies caused by changes, errors, or omissions occurring in the applicant's plat, site plan, or plan of development filings after the initial submission of such plat, site plan, or plan of development and (ii) from the review and approval of construction plans.

02/23/18 House: Reported from Counties, Cities and Towns (20-Y 1-N)

**City Position: Oppose**

### **SJ 4 United States Constitution; ratifies Equal Rights Amendment.**

*Patrons:* Surovell, Wexton, Barker, Dance, Deeds, Dunnavant, Ebbin, Edwards, Favola, Howell, Lewis, Locke, Lucas, Marsden, Mason, McClellan, McPike, Petersen, Saslaw, Spruill and Sturtevant; *Delegates:* Adams, D.M., Aird, Ayala, Bagby, Bell, John J., Bourne, Boysko, Bulova, Carr, Carroll Foy, Carter, Convirs-Fowler, Delaney, Gooditis, Guzman, Hayes, Heretick, Herring, Hurst, James, Jones, J.C., Keam, Kory, Krizek, Levine, Lopez, McQuinn, Mullin, Plum, Rasoul, Reid, Robinson, Rodman, Roem, Sickles, Simon, Torian, Toscano, Tran, Turpin, Tyler, VanValkenburg, Ward and Watts

*Summary as introduced:*

**United States Constitution; Equal Rights Amendment.** Ratifies the Equal Rights Amendment to



the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.

02/09/18 Senate: Failed to report (defeated) in Rules

**City Position: Support**