

Bills Recommended for City Council Support

1. [**VA - HB1629**](#) Virginia Public Procurement Act; request for proposals, publication.
Primary Sponsor: [Delegate Hyland F. "Buddy" Fowler, Jr.](#)
Summary: Virginia Public Procurement Act; request for proposals; publication. Removes the requirement for newspaper publication of Requests for Proposals for professional services.
Last Action: Referred to Committee on General Laws (October 26, 2018)
2. [**VA - HB1632**](#) Virginia Public Procurement Act; multiple award indefinite delivery/indefinite quantity contracting.
Primary Sponsor: [Delegate Mark L. Cole](#)
Summary: Virginia Public Procurement Act; multiple award indefinite delivery/indefinite quantity contracting. Adds multiple award indefinite delivery/indefinite quantity contracting as an allowable method of procurement for public bodies under the Virginia Public Procurement Act (2.2-4300 et seq.).
Last Action: Referred to Committee on General Laws (October 30, 2018)
3. [**VA - HB1731**](#) Treasurers, local; recordkeeping.
Primary Sponsor: [Delegate Emily M. Brewer](#)
Summary: Local treasurers; recordkeeping. Replaces the term "well-bound book" with "record" relating to local treasurers' required method of recordkeeping and clarifies that warrants include all forms of legal demand instruments.
Last Action: Referred to Committee on Finance (December 19, 2018)
4. [**VA - HB1740**](#) Government Data Collection and Dissemination Practices Act; exemptions.
Primary Sponsor: [Delegate Richard P. Bell](#)
Summary: Government Data Collection and Dissemination Practices Act; exemptions. Modifies current law to provide that personal information systems related to adult services and adult protective services that are maintained by the Department for Aging and Rehabilitative Services (DARS), rather than the Department of Social Services, are exempt from the Government Data Collection and Dissemination Practices Act. The bill also adds to such exemption DARS personal information systems related to auxiliary grants.
Last Action: Referred to Committee on General Laws (December 19, 2018)
5. [**VA - HB1751**](#) Forgery; venue for prosecution.
Primary Sponsor: [Delegate James A. "Jay" Leftwich](#)
Summary: Forgery; venue. Provides that, in addition to the current forgery venue provisions, forgery may be prosecuted in any county or city where an issuer, acquirer, or account holder sustained a financial loss as a result of the offense.
Last Action: Committee Referral Pending (December 21, 2018)

6. [**VA - HB1790**](#) Absentee voting; certain absentee voters permitted to vote after close of absentee voting location.

Primary Sponsor: [Delegate Paul E. Krizek](#)

Summary: Absentee voting; certain absentee voters permitted to vote after close of absentee voting location. Provides that an applicant who is in line to cast his ballot when the office of the general registrar or location being used for in-person absentee voting closes shall be permitted to cast his absentee ballot that day.

Last Action: Committee Referral Pending (December 27, 2018)

7. [**VA - SB998**](#) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.

Primary Sponsor: [Senator Adam P. Ebbin](#)

Cosponsor: [Delegate Mark H. Levine](#)

Summary: 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.

Last Action: Referred to Committee on General Laws and Technology (July 16, 2018)

8. [**VA - SB1007**](#) Same-sex marriages; civil unions.

Primary Sponsor: [Senator Adam P. Ebbin](#)

Cosponsor: [Delegate Mark H. Levine](#)

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

Last Action: Referred to Committee for Courts of Justice (July 23, 2018)

9. [**VA - SB1031**](#) False information and hoax criminal activities; penalty.

Primary Sponsor: [Senator Amanda F. Chase](#)

Summary: False information and hoax criminal activities; penalty. Makes it a Class 1 misdemeanor for any person to knowingly engage in conduct with the intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a felony violation of Chapter 4 (18.2-30 et seq.) (Crimes Against

the Person) or Chapter 5 (18.2-77 et seq.) (Crimes Against Property) of Title 18.2. The bill raises the penalty to a Class 4 felony if such conduct results in death or serious bodily injury to another person. A violation of this bill constitutes a separate and distinct offense. The bill does not apply to any person permitted, licensed, or otherwise authorized to produce or create artistic or cinematic productions while engaged in the performance of his duties.

Last Action: Referred to Committee for Courts of Justice (October 30, 2018)

10. **VA - SB1040** Jails, local; compensation for cost of incarceration of convicted felons.

Primary Sponsor: [Senator Mark J. Peake](#)

Summary: Compensation of local jails for cost of incarceration. Provides for local jails to be compensated for the actual cost of incarcerating convicted felons at the rate calculated in the Compensation Board's annual jail cost report. Current law provides for jails to be compensated for the cost of incarceration of convicted felons as provided for in the general appropriation act.

Last Action: Referred to Committee on Finance (November 15, 2018)

11. **VA - SB1050** Forgery; venue for prosecution.

Primary Sponsor: [Senator John A. Cosgrove, Jr.](#)

Summary: Forgery; venue. Provides that, in addition to the current forgery venue provisions, forgery may be prosecuted in any county or city where an issuer, acquirer, or account holder sustained a financial loss as a result of the offense.

Last Action: Referred to Committee for Courts of Justice (December 2, 2018)

12. **VA - SB1063** Voter registration; automatic voter registration.

Primary Sponsor: [Senator David W. Marsden](#)

Summary: Voter registration; automatic voter registration. Provides for the automatic electronic transmission by the Department of Motor Vehicles to the Department of Elections of certain information for any person coming into an office of the Department of Motor Vehicles or accessing its website in order to (i) apply for, replace, or renew a driver's license, (ii) apply for, replace, or renew a special identification card, or (iii) change an address on an existing driver's license or special identification card if the Department of Motor Vehicles records indicate that he (a) is a United States citizen, (b) is 17 years of age or older, and (c) at the time of the transaction does not decline to have his information transmitted to the Department of Elections for voter registration purposes. The option to decline to have his information so transmitted shall be presented at the time of one of the specified transactions with the Department of Motor Vehicles and shall be accompanied by a warning that intentionally making a materially false statement during the transaction is punishable under Virginia law as a felony. Upon receipt of the information collected to ensure that the person meets all voter registration eligibility requirements, the Department of Elections is required to determine whether the person is already registered to vote. If the person is already registered to vote, the Department

of Elections is required to take certain steps to update the voter's registration records. If the person is not already registered to vote, the Department of Elections is required to verify that the person meets all voter eligibility requirements and, if so finding, is required to transmit the information to the appropriate general registrar. The bill repeals the requirement that the Department of Motor Vehicles offer, accept, receive, and send voter registration applications. Last Action: Referred to Committee on Privileges and Elections (December 10, 2018)

13. **VA - SB1092** Preliminary protective orders; hearing dates.

Primary Sponsor: [Senator Barbara A. Favola \(D\)](#)

Summary: Preliminary protective orders; hearing dates. Allows the full hearing resulting from the issuance of a preliminary protective order to be heard on the same hearing or trial date as a related criminal offense if such hearing or trial date has already been set for a date later than 15 days after the issuance of the preliminary protective order. Current law requires that a full hearing be held within 15 days of the issuance of a preliminary protective order in every instance.

Last Action: Referred to Committee for Courts of Justice (December 19, 2018)

14. **VA - SB1148** In-state tuition; eligibility, certain individuals who have applied for permanent residency.

Primary Sponsor: [Senator David W. Marsden](#)

Summary: Eligibility for in-state tuition; certain individuals who have applied for permanent residency. Declares eligible for in-state tuition any individual who (i) graduated from a public or private high school in the Commonwealth or passed a high school equivalency examination approved by the Board of Education; (ii) registers as an entering student or is enrolled in a public institution of higher education; (iii) has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis has filed, unless exempted by state law, Virginia income tax returns for at least one year prior to the date of registration or enrollment; and (iv) provides an affidavit to the public institution of higher education in which he has registered as an entering student or is enrolled stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he becomes eligible for such permanent residency.

Last Action: Referred to Committee on Education and Health (January 2, 2019)

15. **VA - SJ265** Municipal solid waste generated within a solid waste planning unit; reduction of recycling rate.

Primary Sponsor: [Senator L. Louise Lucas](#)

Summary: Study; reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit; report. Requests the Secretary of Commerce and Trade and

the Secretary of Natural Resources (the Secretaries) to jointly study a reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit. In conducting its study, the Secretaries are to (i) investigate the impact that China's reduced recyclable material contamination acceptance rate has had and is currently having on solid waste planning units in the Commonwealth; (ii) analyze the effect on the Commonwealth of reducing the minimum required recycling rate for solid waste planning units, including impacts to landfills, localities, ecosystems, and the economy; and (iii) propose one or more solutions to assist solid waste planning units and the Commonwealth as a whole, including recommending a specific reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit.

Last Action: Referred to Committee on Rules (December 10, 2018)

Proposed Bills Recommended for City Council to Oppose

16. [**VA - HB1667**](#) Virginia Public Procurement Act; statute of limitations on actions on construction contracts, etc.

Primary Sponsor: [Delegate Terry G. Kilgore](#)

Summary: Virginia Public Procurement Act; statute of limitations on actions on construction contracts; statute of limitations on actions on performance bonds. Provides that no action may be brought by a public body on any construction contract, including construction management and design-build contracts, unless such action is brought within five years after substantial completion of the work on the project and that no action may be brought by a public body on a warranty or guarantee in such construction contract more than one year from the breach of that warranty, but in no event more than one year after the expiration of such warranty or guarantee. 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 one year after substantial completion of the work on the project. 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.

Last Action: Referred to Committee for Courts of Justice (December 3, 2018)

17. [**VA - HB1748**](#) Workers' compensation; employer to notify employee of intent.

Primary Sponsor: [Delegate Lee J. Carter](#)

Summary: Workers' compensation; employer to notify employee of intent. Requires an employer whose employee has filed a claim under the Virginia Workers' Compensation Act to advise the employee whether the employer intends to accept or deny the claim or is unable to make such a determination because it lacks sufficient information from the employee. If the employer is unable to make such a determination because it lacks sufficient information from the employee, the employer shall so state and identify the needed additional information. If the

employer intends to deny the claim, it shall provide the reasons.

Last Action: Referred to Committee on Commerce and Labor (December 20, 2018)

Proposed Bills Recommended for City Council to Continue to Watch

18. **VA - HB1651** Grand larceny; increases threshold amount.

Primary Sponsor: [Delegate C.E. Cliff Hayes, Jr.](#)

Summary: Grand larceny; threshold. Increases from \$500 to \$750 the threshold amount of money taken or value of goods or chattel taken at which the crime rises from petit larceny to grand larceny. The bill increases the threshold by the same amount for the classification of certain property crimes.

Last Action: Referred to Committee on Rules (November 28, 2018)

19. **VA - HB1658** Vote by mail; Department of Elections to develop a pilot program.

Primary Sponsor: [Delegate Debra H. Rodman](#)

Cosponsors: [Delegate Lamont Bagby](#), [Delegate Paul E. Krizek](#), [Delegate Lee J. Carter](#).

Summary: Vote by mail; pilot program. Requires the Department of Elections to develop a pilot program for conducting elections by mail. In a vote-by-mail election, a ballot is mailed to every registered voter, and the ballots are returned by the voters by mailing the ballot to the office of the general registrar, by delivering the ballot in person to the office of the general registrar, or by depositing the ballot at a drop-off location. The bill allows any county or city to apply to participate in the pilot program, subject to approval by the State Board, and requires participating localities to provide a report on the pilot program in its locality to the State Board by December 1 of each year in which it participates. The bill requires the State Board to submit a report to the Governor, the General Assembly, and the House and Senate Committees on Privileges and Elections on the pilot program, including a recommendation as to whether all elections in the Commonwealth should be conducted by mail. The bill has an expiration date of December 31, 2022.

Last Action: Referred to Committee on Privileges and Elections (November 30, 2018)

20. **VA - HB1701** Gender-neutral terms; assisted conception, prohibitions on same-sex marriage and civil unions, etc.

Primary Sponsor: [Delegate Marcus B. Simon \(D\)](#)

Summary: Gender-neutral terms; assisted conception; prohibitions on same-sex marriage and civil unions; certain gender-specific crimes; penalty. Replaces the terms "husband" and "wife" as well as related terms with gender neutral terms throughout the Code to comport with the United States Supreme Court decision in Obergefell v. Hodges, 576 U.S. ____ (June 26, 2015). The bill makes the relevant law regarding children born as a result of assisted conception applicable to both same-sex and opposite-sex married couples. The bill also repeals the statutory prohibitions on same-sex marriages and civil unions or other arrangements between

persons of the same sex purporting to bestow the privileges and obligations of marriage, and makes conforming changes to various laws involving married individuals and their rights stemming from marriage.

Further, the bill makes applicable to all persons, regardless of the gender of the victim, the crimes of (i) assisting or aiding in the abduction of or threatening to abduct a female under 16 years of age for the purpose of concubinage or prostitution, (ii) placing or leaving one's wife in a bawdy place, and (iii) defaming the chaste character of a female. The bill provides that a defendant placed on probation may be ordered to provide support for the defendant's spouse; currently, the law only provides for support of a defendant's wife. The bill also amends various criminal and criminal procedure laws to make them applicable to both same-sex and opposite-sex married couples. Finally, the bill repeals the crime of adultery.

Last Action: Referred to Committee for Courts of Justice (December 12, 2018)

21. [**VA - HB1706**](#) Workers' compensation; declares PTSD suffered by a first responder as an occupational disease, etc.

Primary Sponsor: [Delegate Kaye Kory](#)

Summary: Workers' compensation; PTSD. Declares that post-traumatic stress disorder (PTSD) suffered by a first responder is an occupational disease suffered in the line of duty if, among other conditions, the PTSD is demonstrated by clear and convincing evidence to have resulted from the responder's documented exposure to a qualifying event in the course of his employment. Qualifying events include seeing a deceased minor, directly witnessing the death of a minor, and seeing a decedent whose death involved grievous bodily harm of a nature that shocks the conscience. The measure also requires employers of first responders to provide educational training related to PTSD awareness, prevention, mitigation, and treatment.

Last Action: Referred to Committee on Commerce and Labor (December 13, 2018)

22. [**VA - HB1715**](#) Dams; prohibited vegetation, certain wetland vegetation allowed.

Primary Sponsor: [Delegate David L. Bulova](#)

Summary: Dams; prohibited vegetation; certain wetland vegetation allowed. Prohibits the Department of Conservation and Recreation (the Department) from requiring the removal of wetland vegetation that is growing on certain portions of a dam if the vegetation is associated with an approved wetland mitigation bank that is the subject of a recorded restrictive covenant specifically protecting it from removal. Current law requires dam owners to remove all trees and other woody vegetation from dam embankments, abutments, and other surfaces. The bill also authorizes the Department, in the case of an approved wetland mitigation bank, to allow the removal of trees by flush cutting unless it determines that the grubbing of roots is necessary to protect the integrity of the dam.

Last Action: Referred to Committee on Agriculture, Chesapeake and Natural Resources (December 15, 2018)

23. [VA - HB1722](#) Remote sales & use tax collection; sufficient activity by dealers & marketplace facilitators, etc.

Primary Sponsor: [Delegate Robert S. Bloxom, Jr.](#)

Summary: Remote sales and use tax collection; sufficient activity by dealers and marketplace facilitators as to require registration for sales and use tax collection. Directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019.

The bill provides that in administering remote sales and use tax collection, the Department shall provide information to remote sellers to allow them to identify state and local tax rates and exemptions. For auditing purposes, the Department is directed to allow a remote seller to complete a single audit covering all localities. The bill requires the Department to give remote sellers at least 30 days' notice of any change in tax rate.

The bill provides that if a remote seller or marketplace facilitator collects an incorrect amount of tax, it shall be relieved of liability for failure to collect the correct amount if the error is the result of its reliance on information provided by Virginia. The bill also relieves a marketplace facilitator of liability if it collects an incorrect amount of tax based on certain incorrect information provided by a seller or purchaser.

The bill repeals several contingent provisions of previous related bills that would take effect if the United States Congress enacted legislation related to remote sales and use tax collection. The bill contains technical corrections.

Last Action: Referred to Committee on Rules (December 18, 2018)

24. [VA - HB1732](#) School safety procedures; emergency situations, annual training.

Primary Sponsor: [Delegate Israel D. O'Quinn](#)

Summary: School safety procedures; emergency situations; annual training. Requires each public elementary and secondary school principal to develop and deliver to each student and employee in the school at least once annually training on safety procedures in the event of an emergency situation on school property.

Last Action: Referred to Committee on Education (December 19, 2018)

25. [VA - HB1737](#) School crisis; development and review.

Primary Sponsor: [Delegate Thomas C. Wright, Jr.](#)

Summary: Development and review of school crisis, emergency management, and medical emergency response plans; include certain first responders. Requires each school board to include the chief law-enforcement officer, the fire chief, the chief of the emergency medical

services agency, and the emergency management official of the locality, or their designees, in the development and review of school crisis, emergency management, and medical emergency response plans. Under current law, the school board is required to provide copies of such plans to the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, and the emergency management official of the locality but is not required to include such first responders in the development and review of such plans.

Last Action: Referred to Committee on Militia, Police and Public Safety (December 19, 2018)

26. **VA - HB1745** Juvenile offenders; eligibility for parole.

Primary Sponsor: [Delegate Joseph C. Lindsey](#)

Summary: Juvenile offenders; parole. Provides that any person sentenced to a term of life imprisonment for a single felony offense or multiple felony offenses committed while that person was a juvenile and who has served at least 25 years of such sentence, and any person who has active sentences that total more than 25 years for a single felony offense or multiple felony offenses committed while that person was a juvenile and who has served at least 25 years of such sentences, shall be eligible for parole.

Last Action: Referred to Committee for Courts of Justice (December 20, 2018)

27. **VA - HB1800** Correctional facilities, local; voting information for persons incarcerated.

Primary Sponsor: [Delegate Steve E. Heretick](#)

Cosponsors: [Delegate Mark D. Sickles](#), [Delegate Marcus B. Simon \(D\)](#)

Summary: Voting information for persons incarcerated in local correctional facilities. Provides that the Board of Corrections shall make, adopt, and promulgate rules and regulations regarding the provision of information on absentee voting to all persons confined in a local correctional facility who may be eligible to vote and information on the process of applying for a restoration of civil rights and of voting rights for those persons who have been convicted of a felony.

Last Action: Committee Referral Pending (December 28, 2018)

28. **VA - HB1801** Conditional rezoning proffers; extensive changes to zoning provisions.

Primary Sponsor: [Delegate R. Lee Ware](#)

Summary: Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include provisions stating that no locality shall "require" any unreasonable proffer. Under current law, no locality may "request or accept" any unreasonable proffer. Other changes include (i) an expansion of the definitions of "public safety facility improvement" and "public school facility improvement"; (ii) allowing an applicant to submit any offsite proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers; and (iii) provisions stating that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and

the locality or shall be deemed or interpreted to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities either onsite or offsite that are specifically attributable to such development. Final enactments state that (a) the bill shall be effective as to any application for a rezoning or proffer condition amendment filed on or after July 1, 2019, or to certain other pending applications, and (b) an applicant with a pending application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may elect to proceed under the law as it existed prior to that date, and an applicant with a pending application for a rezoning or proffer condition amendment filed on or after July 1, 2016, but before July 1, 2019, may elect to proceed under the law as it existed during that period.

29. **VA - HB1804** Workers' compensation; presumption of compensability for certain diseases.

Primary Sponsor: [Delegate Timothy D. Hugo](#)

Summary: 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 encountered a toxic substance in the line of duty.

Last Action: Committee Referral Pending (December 28, 2018)

30. **VA - HB1843** Driver privilege cards; penalty.

Primary Sponsor: [Delegate Robert S. Bloxom, Jr.](#)

Summary: Driver privilege cards; penalty. Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months; (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle; and (iii) provides an unexpired passport as proof of identity. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles

information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2020.

Last Action: Committee Referral Pending (January 2, 2019)

31. [**VA - HJ597**](#) Litter; economic impacts on fishing, farming, and water quality in urban streams, report.

Primary Sponsor: [Delegate Paul E. Krizek](#)

Summary: Study; economic impacts of litter on fishing, farming, and water quality in urban streams; report. Requests the Department of Environmental Quality to study the economic impact of litter on fishing, farming, water quality, and other components of Virginia's economy and to propose strategies, campaigns, and necessary state actions to protect the economy of the Commonwealth from harm caused by litter and promote Virginia's economic welfare.

Last Action: Referred to Committee on Rules (December 7, 2018)

32. [**VA - HJ598**](#) Constitutional amendment; qualifications of voters and the right to vote (first reference).

Primary Sponsor: [Delegate Marcus B. Simon \(D\)](#)

Cosponsors: [Delegate Mark D. Sickles](#), [Delegate Patrick A. Hope](#), [Delegate Kaye Kory](#), [Delegate Alfonso H. Lopez](#), [Delegate Elizabeth R. Guzman](#)

Summary: Constitutional amendment (first resolution); qualifications of voters and the right to vote. Establishes that the sole qualifications to vote in the Commonwealth are United States citizenship, being at least 18 years of age, residency in the Commonwealth, and registration to vote in accordance with the requirements set out in the Constitution of Virginia. The amendment further provides that any person who meets those qualifications has the right to vote and that such right cannot be abridged by law. The bill removes from current constitutional qualifications to vote not having been convicted of a felony and not having been adjudicated to be mentally incompetent.

Last Action: Referred to Committee on Privileges and Elections (December 11, 2018)

33. [**VA - HJ615**](#) Constitutional amendment; apportionment, state and local independent redistricting commissions.

Primary Sponsor: [Delegate Mark L. Cole](#)

Summary: Constitutional amendment (first resolution); apportionment; state and local independent redistricting commissions. Requires the establishment of independent redistricting commissions by the General Assembly and the governing bodies of each county, city, or town in which members of the governing body are elected from districts. The purpose of these independent redistricting commissions is to propose electoral districts following the decennial census. The independent redistricting commission established by the General Assembly will

consist of eight members, with equal representation given to the political parties, and will be responsible for submitting to the General Assembly proposed plans for congressional and legislative electoral districts. A proposed plan submitted to the General Assembly shall be introduced as a bill, subject to constitutional requirements for the enactment of laws, but will not be subject to amendment or veto by the Governor. The independent redistricting commissions established by the governing body of each county, city, and town in which members of the governing body are elected from districts will consist of four members, with equal representation given to the political parties, and will be responsible for submitting to its governing body proposed plans for local electoral districts. A proposed plan submitted to a governing body shall, if enacted, be done so in accordance with law.

Last Action: Committee Referral Pending (January 1, 2019)

34. [VA - SB1012](#) Firefighters and emergency medical services providers; carrying a concealed weapon.

Primary Sponsor: [Senator Amanda F. Chase](#)

Summary: Carrying a concealed weapon; firefighters and emergency medical services providers. Provides that any firefighter or person employed as emergency medical services personnel who was previously employed as a law-enforcement officer or as a member of the Virginia National Guard, Armed Forces of the United States, or Armed Forces Reserves of the United States may carry a concealed weapon throughout the Commonwealth without a permit, provided that such firefighter or person employed as emergency medical services personnel has been approved to carry a concealed handgun by his fire chief or emergency medical services chief.

Last Action: Referred to Committee for Courts of Justice (July 26, 2018)

35. [VA - SB1022](#) Workers' compensation; presumption of compensability for certain diseases.

Primary Sponsor: [Senator Amanda F. Chase](#)

Summary: 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.

Last Action: Referred to Committee on Commerce and Labor (September 24, 2018)

36. [VA - SB1030](#) Workers' compensation; presumption of compensability for certain diseases.

Primary Sponsor: [Senator John A. Cosgrove, Jr.](#)

Summary: 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.

Last Action: Referred to Committee on Commerce and Labor (October 30, 2018)

37. **VA - SB1053** Juvenile offenders; eligibility for parole.

Primary Sponsor: [Senator David W. Marsden](#)

Summary: Juvenile offenders; parole. Provides that any person sentenced to a term of life imprisonment for a single felony offense or multiple felony offenses committed while that person was a juvenile and who has served at least 25 years of such sentence, and any person who has active sentences that total more than 25 years for a single felony offense or multiple felony offenses committed while that person was a juvenile and who has served at least 25 years of such sentences, shall be eligible for parole.

Last Action: Referred to Committee on Rehabilitation and Social Services (December 4, 2018)

38. **VA - SB1062** Virginia Fair Housing Law; unlawful discriminatory housing practices.

Primary Sponsor: [Senator Jennifer L. McClellan](#)

Summary: Virginia Fair Housing Law; unlawful discriminatory housing practices. Provides that it is an unlawful discriminatory housing practice for any political jurisdiction or its employees or appointed commissions to discriminate in the application of local land use ordinances or guidelines, or in the permitting of housing developments, on the basis of race, color, religion, national origin, sex, elderliness, familial status, handicap, or because the housing development contains or is expected to contain affordable housing units occupied or intended for occupancy by families or individuals with incomes at or below 80 percent of the median income of the area where the housing development is located or is proposed to be located. The bill also requires the Fair Housing Board, after consultation with the Attorney General, instead of issuing a charge for a violation, to immediately refer the matter to the Attorney General for civil action in the appropriate circuit court for appropriate relief. The bill contains technical amendments.

Last Action: Referred to Committee on General Laws and Technology (December 7, 2018)

39. **VA - SB1078** Protective orders; possession of firearms, penalty.

Primary Sponsor: [Senator Janet D. Howell](#)

Summary: 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.

Last Action: Referred to Committee for Courts of Justice (December 13, 2018)

40. [**VA - SB1079**](#) Va. Minimum Wage Act; removes exemptions for newsboys, shoe-shine boys, etc., from coverage.

Primary Sponsor: [Senator Lionell Spruill, Sr.](#)

Summary: Payment of wages. Removes the exemptions for newsboys, shoe-shine boys, ushers, doormen, concession attendants, and theater cashiers from coverage under the Virginia Minimum Wage Act (the Act). The measure limits the Act's exemption for babysitters to babysitters not employed more than 10 hours per week. The measure eliminates the Act's exemption for persons employed by an employer that has fewer than four employees at any one time.

41. [**VA - SB1081**](#) Juvenile offenders; sentencing, geriatric parole.

Primary Sponsor: [Senator David W. Marsden](#)

Summary: Juvenile offenders; sentencing; geriatric parole. Provides that for any juvenile felony a circuit court may consider a juvenile's diminished culpability and heightened capacity for change in determining the particular sentence to be imposed. The bill allows the Parole Board to consider a petitioner's demonstrated maturity and rehabilitation and the lesser culpability of juvenile offenders in reviewing a petition for geriatric release when submitted by a person serving a sentence imposed on a juvenile for an offense that would be a crime if committed by an adult.

Last Action: Referred to Committee for Courts of Justice (December 14, 2018)

42. [**VA - SB1091**](#) Solar photovoltaic systems; bonding requirement, property tax exemption.

Primary Sponsor: [Senator Bryce E. Reeves](#)

Summary: Property tax exemption for solar photovoltaic systems; bonding requirement; regulations. Requires an owner or operator of solar photovoltaic systems and related equipment to submit a performance and reclamation bond to the Department of Mines, Minerals and Energy (the Department) in order to qualify for a property tax exemption. The bill also requires the Department to promulgate regulations requiring all such owners and operators to submit decommissioning and site reclamation plans.

Last Action: Referred to Committee on Finance (December 19, 2018)

43. [**VA - SB1104**](#) Community policy and management teams; use of funds.

Primary Sponsor: [Senator Mark J. Peake](#)

Summary: Community policy and management teams; use of funds. Provides that the state pool of funds for community policy and management teams may be used for residential or nonresidential services in a public school setting and to provide services to children placed in public residential facilities or public special education day schools in addition to such private

facilities and private special education day schools as provided in current law.

Last Action: Referred to Committee on Finance (December 21, 2018)

44. [VA - SB1143](#) Conditional rezoning proffers; extensive changes to zoning provisions.

Primary Sponsor: [Senator Mark J. Peake](#)

Summary: Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include provisions stating that no locality shall "require" any unreasonable proffer. Under current law, no locality may "request or accept" any unreasonable proffer. Other changes include (i) an expansion of the definitions of "public safety facility improvement" and "public school facility improvement"; (ii) allowing an applicant to submit any offsite proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers; and (iii) provisions stating that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or shall be deemed or interpreted to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities either onsite or offsite that are specifically attributable to such development. Final enactments state that (a) the bill shall be effective as to any application for a rezoning or proffer condition amendment filed on or after July 1, 2019, or to certain other pending applications, and (b) an applicant with a pending application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may elect to proceed under the law as it existed prior to that date, and an applicant with a pending application for a rezoning or proffer condition amendment filed on or after July 1, 2016, but before July 1, 2019, may elect to proceed under the law as it existed during that period.

Last Action: Referred to Committee on Local Government (December 31, 2018)