

**Bills Recommended for City Council Support**

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7. **VA - HB1615** Elections; date of June primary election.  
Primary Sponsor: [Delegate R. Steven Landes](#)  
Cosponsors: [Delegate Christopher K. Peace](#), [Delegate Betsy B. Carr](#), [Delegate Steve E. Heretick](#), [Delegate Robert M. "Bob" Thomas, Jr.](#)  
Summary: Elections; date of June primary election. Changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date.
8. **VA - HB1645** Virginia Fair Housing Law; unlawful discriminatory housing practices.  
Primary Sponsor: [Delegate Jeffrey M. Bourne](#)  
Cosponsors: [Delegate Kenneth R. Plum](#), [Delegate Vivian E. Watts](#), [Delegate Mark D. Sickles](#), [Delegate Betsy B. Carr](#), [Delegate Patrick A. Hope](#), [Delegate Matthew James](#), [Delegate Kaye Kory](#), [Delegate Luke E. Torian](#), [Delegate Sam Rasoul](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Lamont Bagby](#), [Delegate Paul E. Krizek](#), [Delegate Mark H. Levine](#), [Delegate Marcia S. "Cia" Price](#), [Delegate C.E. Cliff Hayes, Jr.](#), [Delegate Dawn M. Adams](#), [Delegate Hala S. Ayala](#), [Delegate Lee J. Carter](#), [Delegate Karrie K. Delaney](#), [Delegate Chris L. Hurst](#), [Delegate Debra H. Rodman](#), [Delegate Danica A. Roem](#)  
Summary: 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.
9. **VA - HB1698** Zoning Appeals, Board of; written order, certified mail.  
Primary Sponsor: [Delegate C. Matthew Fariss](#)  
Summary: Board of Zoning Appeals; written order; certified mail. Authorizes a locality to send a zoning administrator's appeal order using certified mail. Current law allows such an order to be sent only by registered mail.
10. **VA - HB1725** Public school building security enhancements; compliance with Uniform Statewide Building Code, etc.  
Primary Sponsor: [Delegate Barry D. Knight](#)  
Summary: Public school building security enhancements; compliance with Uniform Statewide Building Code and Statewide Fire Prevention Code. Requires each school board, in consultation with the local building official and local fire marshal, to develop a procurement plan to ensure that all security enhancements to public school buildings are in compliance with

the Uniform Statewide Building Code and Statewide Fire Prevention Code.

11. [\*\*VA - HB1816\*\*](#) Land preservation tax credit; extends allowable time to claim credit.

Primary Sponsor: [Delegate C. Matthew Fariss](#)

Summary: Land preservation tax credit; allowable time to claim credit. Extends the amount of time a taxpayer is allowed to claim the land preservation tax credit to December 31 of the second year following the calendar year that the eligible conveyance of land was made. Under current law, the credit must be claimed by December 31 of the first year following the calendar year of the conveyance.

12. [\*\*VA - HB1822\*\*](#) Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility, etc.

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

Summary: Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility; estimates of future funding requests; Stormwater Local Assistance Fund. Authorizes the Director of the Department of Environmental Quality (the Department) to authorize grants from the Virginia Water Quality Improvement Fund (the Fund) for the installation of certain wastewater conveyance infrastructure. Any such infrastructure shall divert wastewater from one publicly owned treatment works that is eligible for grant funding to another such eligible treatment works and shall result in no more expense to the Fund than would otherwise be incurred to install eligible nutrient removal technology or other treatment technology at the treatment works from which the wastewater will be diverted.

The bill also directs the Department to consult with stakeholders annually to estimate the amount of grant funding that local governments will request during the upcoming year from (i) the Fund and (ii) the Stormwater Local Assistance Fund and to submit those estimates to the Governor as part of a biennial funding report and an annual progress report that are required by current law. The bill contains technical amendments.

13. [\*\*VA - HB1859\*\*](#) Virginia Human Rights Act; pregnancy, childbirth, or related medical conditions, causes of action.

Primary Sponsor: [Delegate Delores L. McQuinn](#)

Cosponsors: [Delegate Vivian E. Watts](#), [Delegate Patrick A. Hope](#), [Delegate Marcus B. Simon \(D\)](#)

Summary: Virginia Human Rights Act; pregnancy, childbirth, or related medical conditions; causes of action. Provides that no employer shall discharge any employee on the basis of pregnancy, childbirth, or related medical conditions, including lactation. Currently, the protection against discharging any employee on the basis of pregnancy, childbirth, or related medical conditions applies only to an employer employing more than five but fewer than 15

persons.

14. **VA - HB1860** Virginia Residential Landlord and Tenant Act; nonpayment of rent, written notice of termination.

Primary Sponsor: [Delegate Delores L. McQuinn](#)

Cosponsors: [Senator Mamie E. Locke](#), [Delegate Patrick A. Hope](#), [Delegate Lamont Bagby](#), [Delegate Marcia S. "Cia" Price](#), [Delegate Jeffrey M. Bourne](#), [Delegate Karrie K. Delaney](#), [Delegate Cheryl B. Turpin](#)

Summary: Virginia Residential Landlord and Tenant Act; nonpayment of rent; written notice of termination; time period. Changes from five to 14 days the period within which a tenant is required to pay rent after written notice of termination of the rental agreement is served by the landlord on the tenant.

15. **VA - HB1862** Employees; break time and location to express breast milk.

Primary Sponsor: [Delegate Delores L. McQuinn](#)

Cosponsors: [Senator Janet D. Howell](#), [Delegate Vivian E. Watts](#), [Delegate Patrick A. Hope](#), [Delegate Sam Rasoul](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Paul E. Krizek](#), [Delegate Karrie K. Delaney](#), [Delegate Debra H. Rodman](#), [Delegate Danica A. Roem](#), [Delegate Cheryl B. Turpin](#)

Summary: Employment; break and location 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 her nursing child for one year after the child's birth. The bill requires an employer to make reasonable efforts to provide a room or other location, other than a bathroom, where the 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 nonexempt employees.

16. **VA - HB1871** Virginia Initiative for Employment Not Welfare (VIEW); transitional child care.

Primary Sponsor: [Delegate Jerrauld C. "Jay" Jones](#)

Summary: Virginia Initiative for Employment Not Welfare (VIEW); transitional child care. Allows VIEW participants whose Temporary Assistance for Needy Families financial assistance is terminated to receive child care assistance for up to 12 months after termination if the individual is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia and is taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license. Under current law, such child care assistance is only available if it enables the

individual to work.

17. [\*\*VA - HB1882\*\*](#) In-state tuition; eligibility, certain individuals who have applied for permanent residency.

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

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 or program of home instruction 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.

18. [\*\*VA - HB1898\*\*](#) Va. Residential Landlord & Tenant Act; lease terms & conditions, acceptance of rent w/ reservation.

Primary Sponsor: [Delegate Jennifer Carroll Foy](#)

Summary: Virginia Residential Landlord and Tenant Act; lease terms and conditions; acceptance of rent with reservation. Requires a landlord to offer the tenant a written rental agreement and sets forth terms and conditions that will be applicable by operation of law if the landlord does not offer a written rental agreement. The bill also extends the amount of time that a tenant may have an unlawful detainer dismissed to two days before a writ of eviction is delivered to be executed if the tenant pays all amounts claimed on the summons for unlawful detainer to the landlord, the landlord's attorney, or the court.

19. [\*\*VA - HB1899\*\*](#) Concealed handgun permits; demonstration of competence.

Primary Sponsor: [Delegate John J. Bell](#)

Summary: Concealed handgun permits; demonstration of competence. Removes the option for concealed handgun permit applicants to demonstrate competence with a handgun by completing an electronic, video, or online course conducted by a state-certified or National Rifle Association-certified firearms instructor. The bill does not affect any in-person means of satisfying the requirement to demonstrate competence with a handgun under current law.

20. [VA - HB1902](#) Solar Demonstration Projects Grant Program; established, Solar Energy Special Fund created.

Primary Sponsor: [Delegate Sam Rasoul](#)

Summary: Solar Demonstration Projects Grant Program. Establishes the Solar Demonstration Projects Grant Program (the Program). The Program, to be administered by the Virginia Solar Energy Center, will make \$1 billion in grants available over three years to religious institutions (to the extent permitted under Article IV, Section 16 of the Constitution of Virginia), public schools, institutions of higher education, and localities in order to finance the installation and operation of solar photovoltaic energy generation systems. Grants may be used by the eligible entity to make payments (i) to an EPC firm that will install or operate the solar facility, which will be owned by the eligible entity, or (ii) to a third party that will own and operate the solar facility pursuant to a third-party power purchase agreement. The measure provides that the sale of electric power under a third-party power purchase agreement does not constitute a retail sale of electricity and is not subject to regulation by the State Corporation Commission. The measure establishes the Solar Energy Special Fund from which the grants are to be paid. Sources of moneys in the Fund include \$1 billion in voluntary contributions over three years that are required to be made by each Phase I Utility and each Phase II Utility. The utilities are barred from recovering the contributed funds from ratepayers by raising electricity rates, adding fees, or other means. Of the grants awarded, 40 percent shall be awarded to congregations, 50 percent shall be awarded to educational institutions, and 10 percent shall be awarded to localities. The measure establishes a Community Advisory Board to oversee the implementation of the Program.

21. [VA - HB1923](#) Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement, etc.

Primary Sponsor: [Delegate Jeffrey M. Bourne](#)

Cosponsors: [Delegate Luke E. Torian](#), [Delegate Joseph C. Lindsey](#), [Delegate Sam Rasoul](#), [Delegate Lamont Bagby](#), [Delegate Marcia S. "Cia" Price](#), [Delegate Dawn M. Adams](#), [Delegate Kelly K. Convirs-Fowler](#), [Delegate Karrie K. Delaney](#)

Summary: Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement; tenant's right to reasonable attorney fees. Provides that a tenant is entitled to reasonable attorney fees when an action brought by a landlord to enforce the terms of a rental agreement is dismissed at the request of the tenant or tenant's attorney or judgment is entered in favor of the tenant.

22. [VA - HB1928](#) Renewable energy power purchase agreements; pilot programs.

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

Summary: Renewable energy power purchase agreements; pilot programs. Increases the aggregated capacity of all solar-powered or wind-powered generation facilities that are subject

to third party power purchase agreements from 50 megawatts to 150 megawatts in Dominion Energy's pilot program and from seven to 21 megawatts in Appalachian Power's pilot program. The measure allows any public or private elementary or secondary school or any public or private institution of higher education to participate in Appalachian Power's pilot program; currently only nonprofit, private institutions of higher education may do so. The measure increases the maximum generation capacity of an eligible solar-powered or wind-powered generation facility from one megawatt to three megawatts. The measure also requires the State Corporation Commission to update its guidelines for the pilot program and repeals the sunset clause applicable to the pilot program in effect for Dominion Energy.

23. [VA - HB1937](#) Real property tax; exemptions for elderly and handicapped, computation of income limitation.

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

Summary: Real property tax; exemptions for elderly and handicapped; computation of income limitation. Provides that, if a locality has established a real estate tax exemption for the elderly and handicapped and enacted an income limitation related to the exemption, the locality may exclude, for purposes of the limitation, any income received by a family member or nonrelative who lives in the dwelling and who is permanently and totally disabled.

24. [VA - HB1953](#) Child abuse or neglect; appeals from founded complaints, concurrent criminal investigations.

Primary Sponsor: [Delegate Jeffrey L. Campbell](#)

Summary: Appeals from founded complaints of child abuse or neglect; concurrent criminal investigations. Provides that whenever an appeal of a finding by a local department of social services is made and a criminal investigation is also commenced against the appellant for the same conduct involving the same victim as investigated by the local department, the appeal process shall automatically be stayed until the criminal investigation is closed or, in the case of a criminal investigation that is not completed within 180 days of the appellant's request for an appeal, for 180 days.

25. [VA - HB1956](#) Firearms, etc.; permitted events.

Primary Sponsor: [Delegate David J. Toscano](#)

Summary: 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. The bill contains technical amendments.

26. [VA - HB1959](#) Absentee voting; no-excuse in-person available 21 days prior to election.

Primary Sponsor: [Delegate David J. Toscano](#)

Summary: Absentee voting; no-excuse in-person available 21 days prior to election. Allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting.

27. [VA - HB1977](#) Voter identification; accepted forms of identification.

Primary Sponsor: [Delegate Richard C. "Rip" Sullivan, Jr.](#)

Summary: Voter identification; accepted forms of identification. Adds to the list of acceptable forms of voter identification a valid student photo identification card issued by any institution of higher education located in any other state or territory of the United States. Current law allows students from any institution of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.

28. [VA - HB2048](#) Elections; date of June primary election and May general election.

Primary Sponsor: [Delegate John J. McGuire, III](#)

Summary: Elections; date of June primary election and May general election. Changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date to the June primary. The bill changes the date of the general election held in May from the first Tuesday in May to the second Tuesday in May. The bill does not change candidate filing deadlines associated with the May general.

29. [VA - HB2399](#) Firearms; transfer, criminal history record check delay.

Primary Sponsor: [Delegate Alfonso H. Lopez](#)

Summary: Transfer of firearms; criminal history record check delay; penalty. Increases from the end of the next business day to within five business days the time in which State Police must advise a dealer if its records indicate that a firearms buyer or transferee is prohibited from possessing or transporting a firearm and the time after which a dealer may complete the sale or transfer without a response from the State Police. The bill removes the option in current law that a dealer may immediately complete the sale or transfer if he is advised by the State Police that a response will not be available within the required timeframe.

30. [\*\*VA - HJ620\*\*](#) Minimum recycling rate; reduction for municipal solid waste generated within a solid planning unit.

Primary Sponsor: [Delegate Matthew James](#)

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.

31. [\*\*VA - SB1059\*\*](#) Wage or salary history; inquiries prohibited, civil penalty.

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

Summary: 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.

32. [\*\*VA - SB1150\*\*](#) Warrants; issuance by magistrates.

Primary Sponsor: [Senator Bill R. DeSteph, Jr.](#)

Cosponsor: [Delegate Barry D. Knight](#)

Summary: Issuance of warrants by magistrates. Provides that a magistrate may not issue an arrest warrant for a misdemeanor offense where the accused is a law-enforcement officer and the alleged offense arises out of the performance of his public duties upon the basis of a complaint by a person other than a law-enforcement officer or an animal control officer without prior authorization by the attorney for the Commonwealth or by a law-enforcement agency. The bill provides for the appointment of an attorney for the Commonwealth from outside the jurisdiction if a conflict of interest exists for the attorney for the Commonwealth having jurisdiction.

33. [\*\*VA - SB1153\*\*](#) Virginia Public Procurement Act; job order contracting, limitations.

Primary Sponsor: [Senator Richard H. Black](#)

Summary: Virginia Public Procurement Act; job order contracting; limitations. Changes the maximum allowable sum of all jobs performed in a one-year contract term for job order

contracts by increasing such maximum from the current amount of \$5 million to \$7 million on July 1, 2019, and providing for an adjustment on July 1 of each year thereafter calculated as the maximum threshold amount from the previous year multiplied by the annual inflation rate in the most recent Construction Cost Index (CCI) for the 20-city average published in the Engineering News-Record (ENR). The bill also provides an exception to allow job order contracting in the case of safety improvements or traffic calming measures that have been recommended as part of a professional engineering analysis and approved or endorsed by VDOT.

34. **VA - SB1162** Firearm transfers; criminal history record information checks, age requirement, penalty.

Primary Sponsor: [Senator Richard L. Saslaw](#)

Cosponsors: [Senator Janet D. Howell](#), [Senator David W. Marsden](#), [Senator Jeremy S. McPike](#)

Summary: Firearm transfers; criminal history record information checks; age requirement; penalty. Provides that a person must be age 21 or older, or must have attained age 18 by July 1, 2019, to purchase a firearm. The bill requires a background check for any firearm transfer and requires the Department of State Police to establish a process for transferors of firearms to obtain such a check from licensed firearms dealers. A transferor who fails to obtain a required background check and transfers the firearm to another person is guilty of a Class 1 misdemeanor. The bill exempts transfers (i) between immediate family members; (ii) that occur by operation of law; (iii) by the executor or administrator of an estate or by the trustee of a testamentary trust when the firearm is property of such estate or trust; (iv) at firearms shows in accordance with law; (v) that occur under a voluntary gun buyback or give-back program; (vi) of antique firearms; (vii) that occur at a shooting range, shooting gallery, or any other area designed for the purpose of target shooting or for use during target practice, a firearms safety or training course or class, a shooting competition, or any similar lawful activity; or (viii) that are temporary and (a) occur within the continuous presence of the owner of the firearm or (b) are necessary to prevent imminent death or great bodily harm. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary.

35. **VA - SB1163** Firearms; trigger activators designed to increase the rate of fire, prohibition, penalty.

Primary Sponsor: [Senator Richard L. Saslaw](#)

Cosponsors: [Senator Janet D. Howell](#), [Senator David W. Marsden](#), [Senator Barbara A. Favola \(D\)](#), [Senator Jeremy S. McPike](#)

Summary: Trigger activators designed to increase the rate of fire of firearms; prohibition; penalty. Prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of a trigger activator, which includes a trigger crank or bump-fire device, that is designed to increase the rate of fire of a semiautomatic rifle but does not convert the

semiautomatic rifle into a machine gun. A violation is punishable as a Class 6 felony.

36. **VA - SB1164** Firearm transfers; criminal history record information checks, penalty.

Primary Sponsor: [Senator Richard L. Saslaw](#)

Summary: Firearm transfers; criminal history record information checks; penalty. Requires a background check for any firearm transfer and requires the Department of State Police to establish a process for transferors of firearms to obtain such a check from licensed firearms dealers. A transferor who fails to obtain a required background check and sells the firearm to another person is guilty of a Class 1 misdemeanor. The bill exempts transfers (i) between immediate family members; (ii) that occur by operation of law; (iii) by the executor or administrator of an estate or by the trustee of a testamentary trust; (iv) at firearms shows in accordance with law; (v) that are part of a buyback or give-back program; (vi) of antique firearms; (vii) that occur at a shooting range, shooting gallery, or any other area designed for the purpose of target shooting or for use during target practice, a firearms safety or training course or class, a shooting competition, or any similar lawful activity; or (viii) that are temporary transfers that (a) occur within the continuous presence of the owner of the firearm or (b) are necessary to prevent imminent death or great bodily harm. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary.

37. **VA - SB1171** Alcoholic beverage control; creates local special events license.

Primary Sponsor: [Senator Jeremy S. McPike](#)

Summary: Alcoholic beverage control; local special events license. Creates a local special events license, which allows a locality, business improvement district, or nonprofit organization to permit the consumption of alcoholic beverages within the area designated by the Board of Directors of the Virginia Alcoholic Beverage Control Authority for a special event, provided that such alcoholic beverages are purchased from a permanent retail on-premises licensee located within such designated area and are contained in disposable containers that clearly display the selling licensee's name or logo. The bill limits local special events licensees to 12 events per year and provides that the area designated for the special event may include sidewalks and the premises of businesses not licensed to sell alcoholic beverages, upon approval of such businesses, but shall not include parking areas.

38. **VA - SB1198** Absentee voting; no excuse required when voting in person.

Primary Sponsor: [Senator Rosalyn R. Dance](#)

Summary: Absentee voting; no excuse required when voting in person. Provides that any registered voter may vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason for being unable to vote in person on election day. The bill retains the statutory list of reasons allowing a voter to cast an absentee ballot by mail.

39. **VA - SB1243** Elections; date of June primary election.

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

Summary: Elections; date of June primary election. Changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date.

40. **VA - SJ251** Constitutional amendment; marriage (first reference).

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

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

Summary: Constitutional amendment (first resolution); marriage. Proposes the repeal of the constitutional amendment dealing with marriage that was approved by referendum at the November 2006 election. That amendment to the Bill of Rights (i) defines marriage as "only a union between one man and one woman"; (ii) prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage"; and (iii) prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." The provisions of this section of the Constitution of Virginia are no longer valid as a result of the United States Supreme Court decision in Obergefell v. Hodges, 576 U.S. \_\_\_\_ (June 26, 2015).

**Proposed Bills Recommended for City Council to Oppose**

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41. **VA - HB1865** Towing fees; sets maximum towing hookup and initial towing fees.

Primary Sponsor: [Delegate Hyland F. "Buddy" Fowler, Jr.](#)

Summary: Towing fees. Sets maximum towing hookup and initial towing fees at \$150 for all localities. Current law authorizes local governing bodies to set towing fee limits different from the maximums retained by the bill.

42. **VA - HB1872** Motorcycles and autocycles; protective helmets, organ donor exemption.

Primary Sponsor: [Delegate Michael J. Weibert](#)

Cosponsor: [Delegate Patrick A. Hope](#)

Summary: Protective helmets on motorcycles and autocycles; organ donor exemption.

Exempts any operator of and passenger on a motorcycle or autocycle who is 21 years of age or older and a registered organ donor from the requirement to wear a protective helmet when on a motorcycle or autocycle. The bill reduces operating or riding on a motorcycle or autocycle without a protective helmet from a primary offense to a secondary offense, which can be charged only when the offender is stopped for another, separate offense.

43. **VA - HB1907** Localities and school divisions; posting of register of funds expended.

Primary Sponsor: [Delegate Schuyler T. VanValkenburg](#)

Summary: 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, 2020.

44. **VA - SB1158** Carrying a concealed handgun; permit not required.

Primary Sponsor: [Senator Richard H. Black](#)

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

45. **VA - SB1262** Localities and school divisions; posting of register of funds expended.

Primary Sponsor: [Senator Glen H. Sturtevant, Jr.](#)

Summary: 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, 2020.

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**Proposed Bills Recommended for City Council to Continue to Watch**

46. **VA - HB1614** Local Stormwater Management Fund; grant moneys.

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

Cosponsors: [Senator Bryce E. Reeves](#), [Delegate Robert M. "Bob" Thomas, Jr.](#)

Summary: Local Stormwater Management Fund; grant moneys. Authorizes any locality to provide by ordinance for the creation of a local Stormwater Management Fund (the Fund) for the purpose of granting funds to an owner of private property or a common interest community

for stormwater management and erosion prevention. The bill requires grants from the Fund to be used exclusively for construction, improvement, or repair of a stormwater management facility or for erosion and sediment control. The Fund shall exclusively comprise appropriated local moneys.

47. [VA - HB1627](#) Child welfare agencies; Commissioner of Social Services shall prioritize inspection of agencies.

Primary Sponsor: [Delegate Robert D. Orrock, Sr.](#)

Summary: Department of Social Services; child welfare agencies; prioritization of inspections. Requires the Commissioner of Social Services to prioritize inspections of child welfare agencies in the following order: (i) inspections conducted in response to a complaint; (ii) inspections of licensed or registered child welfare agencies; (iii) inspections of license-exempt or unlicensed child welfare agencies that have entered into a contract with the Department of Social Services or a local department to provide child care services funded by the Child Care and Development Block Grant; and (iv) inspections of license-exempt and unlicensed child welfare agencies.

48. [VA - HB1694](#) Virginia Retirement System; E-911 dispatchers.

Primary Sponsor: [Delegate David A. Reid](#)

Cosponsor: [Delegate Karrie K. Delaney](#)

Summary: Virginia Retirement System; E-911 dispatchers. Adds E-911 dispatchers to the list of local employees eligible to receive enhanced retirement benefits similar to those provided to State Police officers. The bill provides that such benefits would be available only to dispatchers hired starting in 2020.

49. [VA - HB1730](#) Foster care; security freeze on credit report.

Primary Sponsor: [Delegate Emily M. Brewer](#)

Summary: Foster care; security freeze on credit report. Requires local departments of social services to request the placement of a security freeze on the credit report or record of any child who has been in foster care for at least six months in order to prevent cases of identity theft and misuse of personal identifying information. The bill directs local departments to request the removal of such security freezes upon the child's removal from foster care. The bill allows local departments, with the child's consent, to request the removal of a security freeze placed on the credit report or record of a child who continues to receive foster care or independent living services beyond his eighteenth birthday; however, in such instances, the local department is required to conduct annual credit checks on the child.

50. **VA - HB1764** Government employees; strikes.

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

Summary: Strikes by government employees. Repeals the provisions of the Code of Virginia that, among other things, provide that any employee of the Commonwealth, a locality, or other political subdivision who strikes or willfully refuses to perform the duties of his employment is deemed to have terminated his employment and is thereafter ineligible for employment.

Primary Sponsor: [Delegate Hyland F. "Buddy" Fowler, Jr.](#)

Summary: Towing fees. Sets maximum towing hookup and initial towing fees at \$150 for all localities. Current law authorizes local governing bodies to set towing fee limits different from the maximums retained by the bill.

51. **VA - HB1904** Voter registration; registration on election day, registration of provisional voters, etc.

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

Cosponsors: [Delegate Patrick A. Hope](#), [Delegate Sam Rasoul](#), [Delegate Lamont Bagby](#),  
[Delegate Debra H. Rodman](#), [Delegate Danica A. Roem](#), [Delegate Cheryl B. Turpin](#)

Summary: Voter registration; registration on election day; registration of provisional voters; close of registration records. Provides that persons who are otherwise qualified to register to vote are entitled to register to vote and cast a ballot in person in the office of the general registrar, or at another location or locations in the county or city approved by the electoral board, on the day of the election. Additionally, the provisional ballot of a person who is required to vote a provisional ballot because his name does not appear on the pollbook shall be counted if the general registrar determines during the canvass that the person was qualified for registration based upon the application for registration submitted by the person with his provisional ballot. The bill also requires registration records to be closed for the purpose of registering voters during the three days prior to any election. Currently, the registration records are required to be closed for this purpose during the 21 days prior to a primary or general election, six days prior to certain special elections, and 13 days prior to other special elections. The bill adjusts other deadlines to reflect this change.

52. **VA - HB2079** Marijuana; decriminalization of simple marijuana possession; penalty.

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

Summary: Marijuana; decriminalization of simple marijuana possession; penalty.

Decriminalizes marijuana possession and provides a civil penalty of no more than \$50 for a first violation, \$100 for a second violation, and \$250 for a third or subsequent violation. Under current law, a first offense is punishable by a maximum fine of \$500 and a maximum jail sentence of 30 days, and subsequent offenses are a Class 1 misdemeanor. The bill creates a rebuttable presumption that a person who possesses no more than one-half ounce of marijuana possesses it for personal use and provides that the existing suspended sentence

and substance abuse screening provisions apply only to criminal violations or to civil violations by a minor. The bill decreases the penalty for distribution or possession with intent to sell more than one-half but not more than five pounds of marijuana from a Class 5 felony to a Class 6 felony.

53. [VA - HB2084](#) Additional powers of certain counties.

Primary Sponsor: [Delegate Vivian E. Watts](#)

Summary: Additional powers of certain counties. Grants counties with a population greater than 100,000 certain powers of cities and towns, including taxation, borrowing, and eligibility for highway maintenance funds. Currently, such powers are generally granted only to cities and towns.

54. [VA - SB1028](#) Va. Public Procurement Act; local labor use requirement for certain construction contracts, penalty.

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

Summary: Virginia Public Procurement Act; local labor use requirement for certain construction contracts; civil penalty. Adds to the Virginia Public Procurement Act ( 2.2-4300 et seq.) the requirement that every public body, when engaged in procuring contracts for construction with a projected cost in excess of \$500,000 paid for in whole by state or local funds, include in its specifications a requirement that at least 60 percent of the employees employed by contractors and subcontractors for the construction project be from the local labor market. The bill defines "local labor market" to mean every locality in Virginia and any county outside of Virginia if any portion of that county is within 75 miles of the border of Virginia. The bill provides that any contractor or subcontractor that cannot meet this requirement and has taken certain necessary steps may obtain a waiver of the requirement from the Virginia Employment Commission. The bill provides for a civil penalty in the amount of \$100 per violation for any violation by a contractor or subcontractor of any provision of the measure.

55. [VA - SB1083](#) Remote sales & use tax collection; sufficient activity by dealers & marketplace facilitators, etc.

Primary Sponsor: [Senator Frank M. Ruff, 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.

56. **VA - SB1154** Traffic infractions; not encompassed by reckless or improper driving.

Primary Sponsor: [Senator Richard H. Black](#)

Summary: Traffic infractions not encompassed by reckless or improper driving. Requires the driver of a motor vehicle to (i) give full time and attention to the safe operation of the motor vehicle and (ii) exercise due care and decrease speed as necessary to avoid a collision with any person, vehicle, or other conveyance on or entering the highway. These violations, which are not encompassed by current reckless driving or improper driving statutes, shall constitute traffic infractions.

57. **VA - SB1172** Workers' compensation; presumption of compensability for certain diseases.

Primary Sponsor: [Senator Jeremy S. McPike](#)

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.

58. **VA - SB1195** Center; Sec. of Health & Human Resources, et al., to establish joint task force

Primary Sponsor: [Senator Rosalyn R. Dance](#)

Summary: School-based health centers joint task force; report. Directs the Secretary of Health and Human Resources and the Secretary of Education to establish a school-based health centers joint task force that is tasked with (i) assessing the current landscape of school-based

services and mental health screening, evaluation, and treatment in school settings; (ii) in coordination with ongoing behavioral health transformation efforts of the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services, developing best practice recommendations for trauma-informed school-based health centers as a vehicle for the provision of both medical and behavioral health delivered in school settings; and (iii) developing a plan for establishing a Virginia affiliate member organization, recognized by the national School-Based Health Alliance, for the purposes of providing technical assistance and guidance for localities interested in bolstering or implementing current and future school-based health centers. The bill requires that the task force report its findings by December 1, 2019.

59. **VA - SB1202** Correctional facilities, local; voting information for persons incarcerated.

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

Cosponsors: [Delegate Kaye Kory](#), [Delegate Joseph C. Lindsey](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Lamont Bagby](#), [Delegate Steve E. Heretick](#), [Delegate Marcia S. "Cia" Price](#)

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.

60. **VA - SB1206** Elections; early voting.

Primary Sponsor: [Senator Richard H. Stuart](#)

Summary: Elections; early voting. Allows any registered voter to vote early in any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill requires that early voting be available beginning the thirtieth day prior to any general election, the seventh day prior to any special election held on a date other than the date of a general election, and the seventh day prior to any primary election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill further requires early voting to be available during regular business hours each weekday during the applicable period, from 9:00 a.m. to 5:00 p.m. on each Saturday during the applicable period, and from 12:00 p.m. to 4:00 p.m. on each Sunday during the applicable period. The bill removes the current provisions for voting absentee in person but retains those provisions for voting an absentee ballot by mail, including the application requirement and the list of statutory reasons that allow a registered voter to vote absentee by mail.

61. [\*\*VA - SB1220\*\*](#) School crisis, emergency management, and medical emergency response plans; development and review.

Primary Sponsor: [Senator Stephen D. Newman](#)

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.