



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** January 28, 2014  
**TO:** Board of Supervisors  
**FROM:** Edward E. Long, Jr., County Executive  
**SUBJECT:** 2014 Legislative Report No. 1—Board Legislative Committee Meetings of January 17 and January 24, 2014

The regular 2014 Session of the Virginia General Assembly convened on January 8, 2014 and is scheduled to adjourn on March 8, 2014. This is a “long” session of 60 days.

The 2014 General Assembly has been very active and the volume of legislation is comparable to years past. As of January 26, 2,386 bills and resolutions have been introduced. The majority of this legislation remains in various subcommittees and is expected to move forward in the coming weeks.

The Legislative Committee met on January 17 and January 24 to consider several issues of importance to the County, and the Committee offers the following report and recommendations for action to the Board.

### **Legislative Committee Actions of January 17, 2014:**

Members Present: Legislative Chairman McKay  
Chairman Bulova  
Supervisor Cook  
Supervisor Foust  
Supervisor Gross  
Supervisor Herrity  
Supervisor Hudgins  
Supervisor Hyland  
Supervisor Smyth

### **Specific Issues**

**Budget Update:** The Committee received a summary of budget items submitted by former Governor McDonnell and their respective impacts on the County, including funding for K-12; state aid to local police departments; and other proposals related to budget priorities in the County’s Legislative Program. More detailed information may be found in the chart provided on handwritten pages 73-79 of the attachments to this memorandum.

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Cost of Competing: The Committee received a briefing on the regional and bi-partisan support for restoration of the Cost of Competing Adjustment (COCA) for K-12 positions in the 2014-2016 biennium budget. The restoration of the COCA cuts is a critical component of the County's legislative principles in regards to adequately funding K-12 education.

Car Title Lending and Related Businesses: The Committee was briefed on the legislative history of payday and car title lending in the Commonwealth. Staff recommended that the Committee support HB 979 (Surovell) as a means of regulating the industry within the County. Staff also recommended considering further pursuit of the issue through the Zoning Ordinance should this legislation fail.

Social Action Linking Together (SALT) Legislative Program: The Committee was briefed on SALT's legislative priorities, which included Medicaid expansion, automatic adjustment for Temporary Assistance to Needy Families (TANF) and childcare for TANF and low-income families.

### **Priority Principles for Reviewing Legislation**

- 1. Adequately fund K-12 education.**
- 2. The Commonwealth should continue and build upon the successful enactment of significant, new transportation revenues by the 2013 General Assembly.**
- 3. Restore the funding partnership between the state and localities with adequate state funding.**
- 4. Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.**

### **Specific Legislation**

#### **County Initiatives:**

**HB 906** (Krupicka) (HCL) authorizes municipal renewable energy net metering projects. Participating municipalities are authorized to aggregate the electric energy load of their governmental buildings, facilities, and any other governmental operations requiring the consumption of electric energy for the purpose of net energy metering from a renewable energy generating facility. To be eligible, the generation facility for the municipal renewable energy net metering project shall use as its sole energy source solar power, wind power, or aerobic or anaerobic digester gas and landfill gas; not have an aggregate generation capacity of more than five megawatts unless a utility elects a higher capacity; be located on land owned, leased, or operated by the municipality; be interconnected and operated in parallel with an electric utility's transmission and distribution facilities; and be used primarily to provide energy to metered accounts of the municipality. The aggregated municipal net metered accounts may be served by multiple meters that are located at separate sites. The measure also requires the State Corporation Commission, by July 1, 2015, to establish a program of multifamily net energy metering, which will allow a customer or customers that operate a renewable energy generating facility in a condominium, apartment complex, or homeowners association served by a common distribution circuit to be an eligible multifamily net metering customer-

generator. The generation facility for multifamily net metering shall use as its total source of fuel renewable energy; not have an aggregate generation capacity of more than 500 kilowatts; be located on land owned or controlled by the eligible condominium, apartment complex, or homeowners association or on customers' property within the condominium, apartment complex, or homeowners association; be interconnected and operated in parallel with an electric utility's transmission and distribution facilities; and be used primarily to provide energy to metered accounts of the eligible multifamily net metering customer-generator. Each eligible multifamily net metering customer-generator shall own the energy transmitted by the renewable energy system until drawn from the grid at each eligible multifamily net metering customer-generator's residence. Eligible multifamily net metering customer-generators are exempt from the monthly standby charge assessed on other eligible customer-generators. (14103405D)

**HJ 40** (Albo) (HRUL) directs the Joint Legislative Audit and Review Commission (JLARC) to review the Commonwealth's contract with Logisticare for Medicaid-funded transportation services, identify remedies and alternatives available to the Commonwealth to resolve the issues surrounding Logisticare's questionable performance, and review the Department of Medical Assistance Services's oversight of the Commonwealth's contract with Logisticare. The resolution provides that the Commonwealth's contract with Logisticare not be renewed or extended prior to the completion of this study. The resolution requests that JLARC report its findings no later than the first day of the 2015 Regular Session. (14101865D)

#### **Historical Positions of the Board**

**HB 113** (Marshall, R.G.) (HED) abolishes the Opportunity Educational Institution. Support. (14100815D)

**HB 277** (Krupicka) (HTRAN) clarifies the duties of vehicles to stop to allow pedestrians to cross highways at marked crosswalks. Support. (14100643D)

**HB 417** (Simon) (HGL)/**HB 562** (Villanueva)/**SB 248** (McEachin) (SGL) prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, gender identity, or status as a special disabled veteran or other veteran covered by the Veterans Readjustment Assistance Act of 1974, as amended. The bill also defines "sexual orientation" and "gender identity." Support. (14101075D, 14102829D, 14103212D)

**HB 979** (Surovell) (HCL) provides that a locality may by ordinance reasonably limit the number of motor vehicle title loan businesses, payday lenders, check cashers, and precious metals dealers that may be operated at any one time within its territorial limits. The ordinance may limit the number of such establishments based on a specific number of businesses per magisterial or election district or by limiting the number of such businesses within an established radius. Support. (14100962D)

**HB 1068** (Orrock) (HHWI) provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance, provided that he complies with all obligations imposed by the court and the Department of Social Services, is actively engaged in or has completed substance abuse treatment, and participates in drug screenings. Support. (14102305D)

**HJ 8** (Ramadan) (HPE)/**SJ 81** (Black) (SPE) provides that the General Assembly may provide a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action. Such tax exemption may not be claimed by a surviving spouse who has remarried. Support only as an initiative funded by the state. (14100907D, 14103308D)

**SB 16** (Miller) (SPE) adds to the list of persons entitled to vote by absentee ballot those persons who are 65 years of age or older on or before the day of the election for which an absentee ballot is sought. Support. (14100261D)

**SB 132** (Favola) (SRSS) requires the Department of Social Services to develop and implement a process for annually reviewing the amount of assistance paid to eligible recipients through the Temporary Assistance for Needy Families program and indexing the amount of such payments in an amount equal to the percentage change in the Consumer Price Index for the year immediately preceding the year in which the review occurs. The bill requires the Department to report to the Governor and the General Assembly on its progress in implementing the provisions of the act no later than December 1, 2014. Support. (14100488D)

**SB 139** (Barker) (HTRAN) changes use of a cell phone by a provisional driver's license holder from a secondary offense to a primary offense. Support. (14101700D)

**SB 174** (Black) (SGL) increases the term contract limits for architectural and engineering services to \$2.5 million per project for state agencies and \$10 million per term. Currently, these limits are \$1 million and \$5 million, respectively. Support. (14101638D)

#### **Commonwealth Transportation Board**

**HB 67** (Ramadan) (HTRAN) increases the total membership of the Commonwealth Transportation Board to 22 members by doubling the representation for the Richmond, Hampton Roads, and Northern Virginia highway construction districts. Support. (14100911D)

**HB 379** (Surovell) (HTRAN) changes the composition of the CTB so that one member will be appointed from each of Virginia's congressional districts and three will be at-large appointees. The four ex officio members remain unchanged. The bill also replaces the term "metropolitan statistical areas" with "metropolitan planning areas with populations greater than 200,000." Support. (14100964D)

**Annexation**

**HB 158** (Minchew) (HCCT) extends the temporary restrictions on granting city charters, filing annexation notices, and instituting annexation proceedings and county immunity proceedings until July 1 following the 2014-2016 biennium. The bill also excepts towns with a population of 40,000 or more from the moratorium on the granting of city charters. Support with amendment to conform to SB 312 (Vogel). (14102567D)

**SB 312** (Vogel) (SLG) extends the temporary restrictions on granting city charters, filing annexation notices, and instituting annexation proceedings and county immunity proceedings until July 1 following the 2014-2016 biennium. Support as amended (14102567D)

**OPPOSE**

**HB 94** (Head) (HCCT) provides that in any instance in which a person is seeking a business permit, a license, or an application for any similar local government approval from a locality, the locality shall provide documentation and instructions that outline all steps necessary to obtain the permit, license, or approval. The locality shall also specify any further permit, license, or other approval that may be required to complete the original project or business activity and shall disclose the expected time required by the locality for the completion of each step of the process to obtain the permit, license, or other approval. Oppose; Board has historically opposed creating costly, written individual guidance for each applicant. (14101049D)

**HB 135**/(Bell, R.B.) (HAG)/**SB 176** (Black, Richard) (SACNR) allows the sale of food products made from any fruit, grain, herbs, honey, meat, milk, mushrooms, nuts, poultry, seafood, or vegetables by a farm operation employing 10 or fewer people or by a private home, so long as (i) the sale is made directly to consumers and (ii) the product is labeled with the producer's name and address, the product's ingredients, and a disclosure statement indicating the product is not subject to Virginia's food safety laws or regulations. Oppose. (14100017D, 14100826D)

**HB 234** (Bell, R.B.) (HHWI) requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department of Social Services shall require drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year. Oppose. (14101318D)

**HB 371** (Head) (HFIN) requires that beginning with the 2015 license year, the optional local license (BPOL) tax would be imposed on the Virginia taxable income of corporations and the net income of sole proprietorships and pass-through entities. Under current law, the optional BPOL tax is imposed on the gross receipts or gross revenues of businesses. Oppose. (14102439D)

**HB 434** (LeMunyon) (HFIN) prohibits a locality from increasing its business machinery and tools tax, merchants' capital tax, and local license (BPOL) fees and taxes above the locality's rates in effect as of January 1, 2014. Oppose. (14100780D)

**HB 519** (Morris) (HCT)/**SB 578** (Obenshain) (SLG) provides that a court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in a zoning action brought against it or that successfully challenges the validity of a zoning ordinance. Oppose. (14100675D, 14103510D)

**HB 525** (Pogge) (HFIN) requires every notice of assessment to set forth (i) the new and prior two appraised values of land and appraised value of improvements, and the assessed values of such if different from the appraised values; (ii) the new tax rate and the rates for the prior two tax years; (iii) the total new tax levy and the tax levies for the prior two years; and (iv) the percentage changes in such levies. Under current law, such information is required for the current year and the prior year. Oppose. (14100684D)

**HB 778** (Wilt) (HED) Prohibits school boards from administering surveys and questionnaires requesting of students (i) sexual information, (ii) mental health information, (iii) medical information, (iv) information on student health risk behaviors, (v) information on controlled substance use, or (vi) other information that the school board deems to be sensitive in nature without written, informed parental consent for the student's participation. Oppose. (14102752D)

**HB 826** (Minchew) (HGL)/**SB 313** (Vogel) (SGL) provides that if any locality elects to enforce Part III of the Building Code, it shall also enforce the unsafe structures provisions for tenant complaints and enforce the elevator, escalator, or related conveyance inspections. The bill also provides that where a county provides enforcement of Parts I and II of the Building Code in a town, and elects to inspect and enforce Part III of the Building Code, the county is also required to inspect and enforce Part III of the Building Code in any such town situated in the county that has also adopted Part III, upon entering into a nonmonetary agreement with the town for such enforcement, unless the town elects to inspect and enforce Part III. The bill contains technical amendments. Oppose. (14102462D/14102811D)

**HB 973** (Cline) (HTRAN) repeals the authority for localities to operate a photo-monitoring system for traffic light enforcement, colloquially known as a "photo red" program. Oppose. (14101944D)

**SB 53** (Stuart) (SGL) requires a locality that adopts a system of stormwater management service charges to provide for a waiver of at least 50 percent of such charge to any church, synagogue, or other place of worship. Oppose. (14100928D)

**SB 289** (Carrico) (SFIN)/ **SB 493** (Puckett) (SFIN) creates a Line of Duty Death and Health Benefits Fund and provides for the funding of Line of Duty claims. The bill also establishes an advisory review board to assist the Comptroller in the review of claims involving a claimant who has not received a disability determination from the Virginia Retirement System, Social

Security Administration, Workers' Compensation Commission, or any recognized retirement system or who is, as of the time the claim for benefits had been filed, working in an alternative position. Oppose diversion of revenue from Communication Sales and Use Tax Fund. (14102503D/14100723D)

### **New Bills-2014 General Assembly**

**HB 8** (Ware) (HMP) decreases the local law-enforcement background investigation fee from \$35 to \$10, which includes any amount assessed by the FBI for providing criminal history record information. The total amount assessed for processing an application for a permit is thereby decreased from \$50 to \$25. Oppose; estimated fiscal impact to the County is \$225,000. (14100634D)

**HB 95** (Head) (HCCT) allows localities with a population of 50,000 or greater to meet certain notice requirements by utilizing their websites, radio, or television instead of a newspaper of general circulation. Support. (14100795D)

**HB 114** (Cole) (HMP) eliminates the crimes of possession on the property of a private or religious elementary, middle, or high school; a school bus owned or operated by such school; or any property being used for functions or extracurricular activities sponsored by such school of a stun weapon, knife, or other weapon (currently a Class 1 misdemeanor) or a firearm (currently a Class 6 felony). The bill does not affect the criminal penalties for the possession of such weapons on public school property. Oppose. (14100934D)

**HB 134** (Cole) (HED) permits the parents of any public school student who has been diagnosed with diabetes to designate in a diabetes care plan a delegated care aide to provide diabetes care for the student, including the administration of insulin and glucagon, when a school nurse or physician is not present in the school or at a school-sponsored activity. The bill also requires the delegated care aide to receive training in diabetes care and every school employee to receive basic training in responses to emergency situations and changes from one to two the minimum number of employees in a school that must be trained with regard to a student with diabetes who attends the school. The bill contains technical amendments. Monitor. (14100844D)

**SB 532** (Stuart) (SEH) Requires the parents of any public school student who has been diagnosed with diabetes to designate in a diabetes care plan a delegated care aide to provide diabetes care for the student, including the administration of insulin and glucagon, when a school nurse or physician is not present in the school or at a school-sponsored activity. The bill also requires the delegated care aide to receive training in diabetes care and every school employee to receive basic training in responses to emergency situations and changes from one to two the minimum number of employees in a school that must be trained with regard to a student with diabetes who attends the school. The bill further allows a student to perform certain tasks in the management of his diabetes. The bill requires schools at which a student diagnosed with diabetes is in attendance, to possess an emergency supply of glucagon in addition to any glucagon provided to the school by the parent of such a student. The bill

provides that no school board shall prohibit a student who has been diagnosed with diabetes from attending a school or a school-sponsored activity on the basis of his diabetes. Finally, the bill prohibits a school nurse or delegated care aide from being disciplined for ordinary negligence in acts or omissions made during the care of a student who has been diagnosed with diabetes. The bill contains technical amendments. Monitor. (14101450D)

**HB 199** (Landes) (HRUL) requires the Division of Legislative Services to identify and forward to the Commission on Local Government (Commission) joint resolutions introduced calling for a study of local government expenditures or revenues. The bill also authorizes the Department of Planning and Budget and the Department of Taxation to forward to the Commission bills introduced requiring additional local government expenditures or a reduction in local government revenues. Support. (14101787D)

**HB 289** (Albo) (HGL) eliminates the limitation for cooperative procurement for construction in excess of \$200,000 by a local public body from the contract of another local public body that is more than a straight line distance of 75 miles from the territorial limits of the local public body procuring the construction. Monitor. (14102403D)

**HB 325** (Marshall, R.G.) (HCT) provides that a person has a right to privacy in the content and metadata of the person's electronic communications, including emails, text messages, telephone calls, location data, mobile or cellular phone signals, or other forms of electronic communications. A person may maintain a civil action for the unauthorized use of a digital image or profile generated through the aggregation or analysis of the content or metadata of his electronic communications for advertising purposes or for the purposes of trade. The bill also creates a civil cause of action for a person whose transmissions of messages, data, signals, or other communications made through the Internet and other electronic service providers that are not intended for public disclosure have been intercepted, monitored, examined, or otherwise accessed without lawful authority against the person who intercepted, monitored, examined, or otherwise accessed such transmissions and any person who facilitated or allowed such interception, monitoring, examination, or access. Amend to exempt personal communications on employer's computers, networks, or other devices. (14103276D)

**HB 335** (Bell, R.B.) (HCT)/**SB 151** (Stuart) (SCT) modifies the provision specifying that the court may grant the petitioner temporary exclusive possession or use of a motor vehicle owned by the petitioner or jointly owned by the parties to provide that the court may direct a respondent to maintain insurance, registration, and taxes on a motor vehicle and enjoin the respondent from terminating such insurance, registration, and taxes. Support. (14101578D/14103142D)

**HB 384** (Dance) (HGL) requires the assessment performed by state agencies of mandates imposed on local governments to include the identification of sources of funding for the mandate. Support. (14102585D)

**HB 477** (Villanueva) (HCT) allows counties and cities to assess a fee not to exceed \$5 as part of the costs in each criminal or traffic case in district or circuit court to be used for the



implementation and maintenance of an electronic summons system. Support; would be helpful in the implementation of the County's e-summons project. (14100958D)

**HB 527** (Pogge) (HCT) provides that for purposes of zoning, a residential facility in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident or nonresident staff persons, shall be considered residential occupancy by a single family. Currently, such facilities are required to have one or more resident counselors or other staff persons to qualify for this zoning designation. Support; conforms state law with federal law. (14101873D)

**SB 340** (Puller) (SLG) allows a locality to require any party wishing to establish a certain type of residential facility for the aged, infirm, disabled, or those with mental illness to provide public notice and participate in a public hearing. The bill requires the operator of such a facility to install smoke detectors regardless of when the building was constructed and directs the Board of Housing and Community Development to adopt regulations establishing standards for requiring smoke detectors. Monitor. (14102410D)

**HB 633** (Kilgore) (HRUL)/**SB 523** (Ruff) (SRUL)/**SB 574** (Garrett) (SRUL) requires local fiscal impact bills to be introduced no later than the first day of the session. Support. Position in Legislative Program. (14102646D/14102472D/14103626D)

**HB 714** (Campbell) (HMP) provides that a person who has previously been issued a concealed handgun permit does not have to pay any fees to renew such permit. Oppose; potential revenue loss of \$100,000. (14103390D)

**HB 736** (Lingamfelter) (HMP) provides for the issuance of concealed handgun permits that do not expire to Virginia residents upon payment of a one-time fee of \$100, except that the fee for a person currently holding an unexpired permit is \$50. Currently, the fee for issuing such permits is \$50, and the permits must be renewed every five years with an additional \$50 fee charged each time. Such lifetime permits will include a photograph of the permittee. The bill also centralizes the issuance of concealed handgun permits with the Department of State Police, instead of current law which provides that the circuit court clerk for the jurisdiction where the applicant resides issues such permits. The Department of State Police must issue a permit within 45 business days of receipt of a completed application, unless the applicant is disqualified, and a replacement permit within 30 business days of receipt of a notarized statement from the permittee that the permit was lost or stolen. Permittees must notify the Department of State Police within 30 business days of any change in their address. The bill also requires the Department of State Police to conduct periodic background checks during the lifetime of any permit issued in the Commonwealth. The bill provides for a process by which a person whose permit application was denied or whose permit was revoked may appeal such determination. The Department of State Police will submit a report containing statistical information regarding the issuance of concealed handgun permits annually to the General Assembly. The bill also requires the Department of State Police to charge a fee of \$25 for the issuance of a permit to certain retired non-Virginia law-enforcement personnel (currently no fee is charged), \$200 for the issuance of a nonresident permit (currently \$100), \$10 for the

issuance of a replacement permit (currently \$10 due to an address change or \$5 for a lost or destroyed permit), and \$50 for the transference of a nonresident permit into a resident permit. Finally, the bill provides that any person who knowingly possesses a revoked or suspended permit is guilty of a Class 1 misdemeanor and is guilty of a Class 6 felony if he is simultaneously in possession of a concealed handgun. The bill does not alter current penalties for carrying a concealed handgun without a permit. The bill has a delayed effective date of January 1, 2015. Oppose. Bill allows lifetime concealed handgun permits, which could allow existing permit holders to maintain the permit even if they become legally ineligible in future. (14103073D)

**HB 761** (Rust) (HCT)/**SB 264** (Ebbin) (SCT) provides for the appointment of fare enforcement inspectors to enforce payment of fares for use of mass transit facilities. The bill also provides that failure of a transit user to produce proof of fare payment constitutes a Class 4 misdemeanor. Support. (14103222D/14102047D)

**HB 797** (Lopez) (HGL) changes the definition of small business to require the business to have 250 or fewer employees and average annual gross receipts of \$10 million or less averaged over the previous three years. Currently, a small business is required to meet one or the other of these conditions. Monitor. (14101282D)

**HB 957** (Filler-Corn) (HTRAN) repeals House Bill 2152 (2013), which has a delayed effective date of July 1, 2014. The bill gives the Chairman of the Commonwealth Transportation Board or his designee equal voting weight on the Virginia Railway Express oversight board. The bill also provides that the Chairman of the Commonwealth Transportation Board or his designee shall be included for purposes of constituting a quorum on certain transportation commissions and shall have voting rights equal to the appointees of component governments. Support. (14102370)

**HB 1011** (Byron) (HCCT)/**SB 163** (Locke) (SLG) extends from July 1, 2014, to July 1, 2016, the task force appointed by the Governor to review state mandates on localities. Support. (14101897D/14101754D)

**HB 1051** (Knight) (HCCT)/**SB 124** (Lucas) (SLG) includes electronic or other systems among those items that a local governing body shall provide for the use of clerks of all courts of record as in the governing body's judgment may be reasonably necessary for the proper conduct of such offices. The bill also provides that a locality shall not reduce funding to a constitutional officer for personnel or other operational expenses except by separate ordinance after a public hearing. A local governing body shall not reduce funding to a constitutional officer for personnel or other operational expenses if such constitutional officer certifies that such reduction in funding would impair the ability of such constitutional officer to perform their statutory duties. Furthermore, the governing body or the chief administrative officer of a locality may not transfer locally funded personnel or electronic or other systems from a constitutional officer to a state agency without the written approval of such constitutional officer. The bill contains a technical amendment. Oppose. (14102402D, 14102745D)

**HB 1153** (Pogge) (HCT) permits courts to grant reasonable attorney fees to taxpayers who prevail in appeals of real property tax assessments on residential property. Oppose. (14103805D)

**HB 1250** (Ramadan) allows the counties of Fairfax, Fauquier, Loudoun, and Prince William to by ordinance allow the hunting of wild animals, including nuisance species, on private lands within the county, on Sunday. Support as measure to combat Lyme disease.

**SB 350** (Edwards) (SCL) authorizes municipal renewable energy net metering projects. Participating municipalities are authorized to aggregate the electric energy load of their governmental buildings, facilities, and any other governmental operations requiring the consumption of electric energy for the purpose of net energy metering from a renewable energy generating facility. To be eligible, the generation facility for the municipal renewable energy net metering project shall use as its sole energy source solar power, wind power, or aerobic or anaerobic digester gas and landfill gas; not have an aggregate generation capacity of more than five megawatts unless a utility elects a higher capacity; be located on land owned or controlled by the municipality; be interconnected and operated in parallel with an electric utility's transmission and distribution facilities; and be used primarily to provide energy to metered accounts of the municipality. The aggregated municipal net metered accounts may be served by multiple meters. The aggregated load shall be served under the appropriate rate schedules. The measure also requires the State Corporation Commission, by July 1, 2015, to establish a program of multifamily net energy metering, which will allow a customer or customers that operate a renewable energy generating facility in a condominium, apartment complex, neighborhood, or homeowners association served by a common distribution circuit to be an eligible multifamily net metering customer-generator. The generation facility for multifamily net metering shall use as its total source of fuel renewable energy; not have an aggregate generation capacity of more than 500 kilowatts; be located on land owned or controlled by the eligible condominium, apartment complex, or homeowners association or on customers' property within the condominium, apartment complex, neighborhood, or homeowners association; be interconnected and operated in parallel with an electric utility's transmission and distribution facilities; and be used primarily to provide energy to metered accounts of the eligible multifamily net metering customer-generator. Eligible multifamily net metering customer-generators are exempt from the monthly standby charge assessed on other eligible customer-generators. Support; same as regional initiative. (14101887D)

**SB 374** (Marsh) (SLG) provides that a locality may by ordinance adopt a program to establish and impose an annual blighted property assessment fee on real properties that have remained vacant for one year or longer if the property has been permitted by the owner to deteriorate to the extent that it has become detrimental to the public health, safety, or welfare of the locality or surrounding area and has contributed to the reduction of surrounding property values. Monitor. (14102115D)

**SB 408** (McWaters) (SCT) requires the Department of State Police to amend its regulations to include inspection of window tint as part of the motor vehicle safety inspection. Support. (14103361D)

**SB 431** (Watkins) (SACNR) removes the \$5,000 cap on registration fees collected by the Department of Environmental Quality from persons conducting voluntary remediation on contaminated properties. The fees defray the costs of administering the voluntary remediation program. The bill also exempts the Virginia Waste Management Board from the regulatory requirements of the Administrative Process Act (APA) so that new regulations needed to adjust the fee schedule will be in place by July 1, 2014. The bill requires any subsequent adjustment to the fee schedule to be in compliance with the APA. Oppose. (14103231D)

**SB 443** (Norment) (SCT) increases and decreases the number of circuit, general district, and juvenile court judges authorized for each judicial circuit and district in accordance with a study report issued by the National Center for State Courts. These adjustments are recommended by the Judicial Council and by the Committee on District Courts. Oppose. Bill reduces number of judges for Fairfax County Juvenile and Domestic Relations court by one. (14101809D)

### **Human Services**

**HB 295** (Villanueva) (HFIN)/**SB 57** (Marsden) (SFIN) increases the total amount of tax credits granted for the Livable Home Tax Credit program in any fiscal year from \$1 million to \$2 million and increases the total amount of tax credits made available through the program allocated for purchase or construction of new residences from \$500,000 to \$1 million and the total amount allocated for retrofitting or renovation of existing residences from \$500,000 to \$1 million. The bill is a recommendation of the Virginia Disability Commission. Support; consistent with past County support for the program. (14100342D, 14101879D)

**HB 405** (Bell, R.B.) (HCT)/**SB 332** (Howell) (SRSS) requires the local department of social services to complete a written report on a form provided by the Board of Social Services for such purpose for each case in which a local law-enforcement agency is notified of a case of suspected child abuse or neglect. Amend to remove requirements for additional paperwork that requires signatures of investigating personnel on new forms that are duplicative and burdensome. (14102913D, 14102915D)

**HB 521** (Bell, R.P.) (HHWI) provides that nonstate agency members of state and local advisory teams established to advise the State Executive Council for Comprehensive Services for At-Risk Youth and Families shall be limited to no more than two consecutive terms. Oppose. (14101242D)

**HB 524** (Pogge) (HGL)/**SB 63** (Puller) (SGL) requires the Board of Housing and Community Development to revise the Uniform Statewide Building Code to require that at least 10 percent of all dwelling units, but in no case less than one dwelling unit, in any newly constructed multifamily residential building shall be affordable, accessible units designed and constructed in a manner that satisfies the criteria for Type A units, in accordance with ANSI A117.1. Currently, at least two percent of dwelling units, but in no case less than one dwelling unit, in any multifamily residential building must be Type A units. The bill is a recommendation of the Virginia Disability Commission. Support; consistent with accessibility position in Legislative Program. (14100341D, 14101875D)

**HB 682** (Herring) (HHWI) extends from one year to three years the required period for which the Department of Social Services must maintain records of reports and investigations of unfounded complaints of child sexual abuse before purging. Amend to apply to all records maintained by the local social services agency, not only complaints of child sexual abuse. (14102925D)

**HB 852** (Gilbert) (HGL) provides that the State Executive Council in exercising certain powers and duties is subject to the Administrative Process Act. Support; consistent with position in County's Human Services Issue Paper. (14102709D)

**HB 912** (Herring) (HHWI) directs the Department of Social Services to establish a Workforce Development Pilot Program. The Program will allow participants to divide their employment requirement between work and up to 15 hours of educational and vocational programs where an assessment shows participation will improve their chances of achieving self-sufficiency. The existing employment requirements under the VIEW program will be waived for its participants. Support. (14102335D)

**SB 277** (Favola) (SRSS) directs the Department of Social Services to amend the state plan for foster care and adoption assistance to include payments for certain individuals up to the age of 21. Support. (14102208D)

**SB 426** (Hanger) (SGL) provides that the State Executive Council for Comprehensive Services for At-Risk Youth and Families may promulgate regulations necessary to carry out its powers and duties. The bill contains technical amendments. Support; consistent with position in County's Human Services Paper (14101838D)

### Land Use

**HB 71** (Pogge) (HAG)/**HB 268** (Orrock) (HAG)/**SB 51** (Stuart) (SLG) protects customary agritourism activities at agricultural operations from local bans in the absence of substantial impacts on the public welfare and requires localities to take certain factors into account when regulating agritourism activities. The bill requires a basis in health, safety, or public welfare for a local ordinance that restricts any of several activities: the conduct of agritourism activities, the sale of agricultural or silvicultural products or related items, the preparation or sale of foods that otherwise comply with state law, and other customary activities. Localities are prohibited from subjecting those listed activities to a special-use permit requirement, and in most situations localities are prevented from stringently regulating the sound produced by the listed activities. Oppose. (14100755D, 14101999D, 14102000D)

**HB 296** (Villanueva) (HCCT)/ **SB 58** (Marsden) (SLG) requires localities to take steps to align transportation infrastructure and facilities with affordable, accessible housing and community services when developing the transportation component of the comprehensive plan for the physical development of the territory. The bill is a recommendation of the Virginia Disability Commission. Monitor. The Comprehensive Plan already offers guidance to achieve the objective of aligning transportation with affordable and accessible housing and community

services. Additionally, a better situation may be achieved when locating accessible housing and services at locations where transportation services are available. (14100343D)

**HB 792** (LeMunyon) (HCCT) Requires localities in Planning District 8 (Northern Virginia) to include provisions in their zoning ordinances that limit the number of residential units with 500 square feet or less of living space to no more than 100 residential units per 100,000 population in the locality. Zoning changes required to accommodate such units must be at a location in which the zoning prior to January 1, 2014, was at least 12 residential dwellings per acre. Oppose. (14102506D)

**HB 1084** (Morris) (HCT) provides that any applicant aggrieved by the grant or denial by a locality of any approval or permit, however described or delineated, where such grant included, or denial was based upon, an unconstitutional condition pursuant to the United States Constitution or Constitution of Virginia, shall be entitled to an award of damages, reasonable attorney fees, and court costs and to an order remanding the matter to the locality with a direction to grant or issue such permits or approvals without such conditions. The bill also provides that once an unconstitutional condition has been proven by the aggrieved applicant to have been a factor in the grant or denial of the approval or permit, the court shall presume, absent clear and convincing evidence to the contrary, that such applicant's acceptance of or refusal to accept the unconstitutional condition was the controlling basis for such impermissible grant or denial. Oppose. (14103494D)

**SB 194** (Black) (SCT) provides that the "date of valuation" of property in an eminent domain proceeding may be the date on which an action is taken by the petitioner which substantially affects the use and enjoyment of the property by the owner. The bill also adds the language "or damage" to the provision of the Code directing the court to reimburse a plaintiff for the costs of an inverse condemnation proceeding if a judgment is entered for the plaintiff to correspond with the language of the amendment to Article 1, Section 11 of the Constitution of Virginia, which became effective on January 1, 2013. Oppose. (14102130D)

**SB 241** (Stuart) (SLG) provides that a locality may designate specific receiving areas for specific sending areas for transfer of development rights. Also, a locality may require that development comply with any locality-adopted architectural standards for the receiving area in which the development shall occur. Support. (14102700D)

**SB 430** (Watkins) (SRSS) creates a new farm brewery license and sets out the privileges of this new license and the state and local license tax. The bill defines farm brewery. The bill also limits application of local zoning ordinances to farm breweries in the same manner as farm wineries and specifically provides that no local ordinance shall impose minimum parking, road access, or road upgrade requirements on any licensed farm brewery. The bill contains numerous technical amendments. Oppose. (14103430D)

### Taxation

**HB 156** (Minchew) (HFIN)/**HB 361** (Anderson) (HFIN)/**SB 175** (Black) (SFIN) clarifies the meaning of real property used exclusively for religious worship for determining the real

property tax exemption for religious bodies. Oppose; estimated loss of \$162,000 to the County. (14102059D/14102746D/14102137D)

**HB 431** (LeMunyon) (HRUL) creates a joint legislative subcommittee to perform a two-year study on reforming state and local taxes. The joint subcommittee will assume the tasks of the Joint Subcommittee to Evaluate Tax Preferences, which the bill dissolves. Monitor; Legislative Program opposes creation of commissions to evaluate local taxes without local representation. (14103093D)

**HB 433** (LeMunyon) (HFIN) phases out over a five-year period the state and local sales and use tax on food purchased for human consumption. Under current law, the local tax rate on food is 1% and the state tax rate on such food is 1.5%, with a 1% tax dedicated to localities based on school age population and the remaining one-half percent tax dedicated to the transportation trust fund. The bill dedicates state sales and use tax revenue to hold harmless localities and the transportation trust fund. Oppose; estimated \$3-8 million revenue loss. (14103230D)

**HB 435** (LeMunyon) (HFIN) prohibits a locality from increasing its merchants' capital tax, local license (BPOL) fees and taxes, and taxes on machinery and tools used in a business above the locality's rates in effect as of January 1, 2014, and establishes refundable income tax credits for the same taxes beginning with taxable year 2014. The refundable individual and corporate income tax credits would equal 33 percent of such taxes paid during the taxable year. The credit would sunset on December 31, 2018. The bill also would prohibit any subtraction or deduction for these taxes in computing Virginia taxable income. Oppose. The Board has historically opposed restrictions on local taxing authority. (14102075D)

**HB 499** (Yost) (HFIN) reduces the number of years of delinquency in payment of taxes from five years to three years before a locality may sell real property that (i) measures less than 4,000 square feet or (ii) is determined to be unsuitable for building. Support. (14102360D)

**HB 558** (Minchew) (HFIN) makes substantive and technical changes to state recordation taxes and fees, including defining the value of property for recordation tax purposes as the value determined by a licensed appraiser within the six months prior to the date of recordation, provided an affidavit is submitted to the clerk of the court stating, among other things, the name, state of licensing, and license number of the appraiser and stating the appraised value of the property as provided in the appraisal report. If no such appraisal was performed, then the value for recordation tax purposes would be the current assessed value of the property as shown on the local tax assessor's records. Under current law, the value for recordation tax purposes is the fair market value of the property at the time of recordation. The bill allows the parties to a deed or other instrument to allocate the liability for recordation taxes as the parties deem appropriate. Oppose. (14103316D)

**HB 651** (Villanueva) (HGL) provides that neither the State Fire Marshal nor any local fire official shall inspect the premises of any tanning facility as defined in § 59.1-310.1 or other

business establishment that does not have hazardous materials on such premises. Oppose. (14102887D)

**HB 685** (Torian) (HFIN)/**SB 586** (Colgan) (SFIN) changes the distribution of communications sales and use tax revenues beginning with the month of August 2014 by providing that (i) first, each town would receive the same proportion of such revenues it received in fiscal year 2013-2014 and (ii) all of the remaining revenues would be distributed pro rata to those counties and cities that received a distribution in fiscal year 2013-2014, based upon the population of the county or city as shown by the most recent United States census. Currently, communications sales and use tax revenues are essentially distributed according to each locality's share of telecommunications and television cable funds (local consumer utility tax on landlines and wireless, E-911, business license tax in excess of 0.5 percent, cable franchise fee, video programming excise tax, local consumer utility tax on cable television) collected throughout the Commonwealth in fiscal year 2006. Oppose; loss of revenue to County of \$25 million per year. (14100851D/14103657D)

**SB 320** (Ebbin) (SFIN) authorizes localities in Planning District 8 by ordinance to impose a tax on disposable paper bags and disposable plastic bags. Revenues from the local tax would be collected by the Tax Commissioner and distributed monthly to the county or city imposing the tax. The bill requires each county or city adopting an ordinance to impose the tax to provide a certified copy of the ordinance to the Tax Commissioner at least six months prior to the date the tax is to become effective. Support; position in Legislative Program. (14103114D)

#### **NVTA Related**

**HB 41** (Marshall, R.G.) (HTRAN) provides that the Commonwealth Transportation Board shall select the transportation projects to be funded by the Northern Virginia Transportation Authority. Oppose. (14100799D)

**HB 281** (Albo) (HTRAN) prohibits the Authority from providing funds in support of a transportation-related project being undertaken with the District of Columbia or another state unless the Authority has first entered into a contract that provides for all costs of the project to be borne equally among the Authority and the District of Columbia or other state. Monitor; current language is problematic, but staff is working with patron. (14101100D)

**HB 425** (LeMunyon) (HTRAN) increases Authority membership from 17 to 20 by the addition of one senator and two House members. Oppose. (14100776D)

**HB 635** (LaRock) (HTRAN) requires that 70 percent of the revenues received by the Authority under §15.2-4838.1 be used by the Authority solely to fund transportation projects selected by the Authority that are contained in the regional transportation plan in accordance with §15.2-4830 and that have been rated in accordance with §33.1-13.03:1. Oppose. (14102920D)

**HB 653** (LaRock) (HTRAN) limits allocations by the Northern Virginia Transportation Authority for transit, rail, and public transportation projects to no more than 25 percent of its total allocations. Oppose. (14102843D)



**HB 793** LeMunyon (HTRAN) requires the Department of Transportation, when reviewing certain proposed comprehensive plan amendments from localities in Planning District 8 (Northern Virginia), to recommend specific transportation improvements to the Northern Virginia Transportation Authority, the Commonwealth Transportation Board, and the appropriate locality that are necessary to ameliorate congestion. Monitor. (14103270D)

**HB 824** (Minchew) (HTRAN) provides that the Authority's bonding authority shall not be effective until July 1, 2018. After such date, the Authority, prior to issuance of bonds, shall demonstrate in the context of a bond validation lawsuit that the transportation projects proposed for funding with the sought bond proceeds have been thoroughly analyzed and provide the greatest degree of congestion reduction relative to cost. Oppose. (14103475D)

### **Dulles Toll/Access Roads**

**HB 647** (LaRock) (HTRAN) places limits and conditions on use of Commonwealth revenues to support Phase II of the Dulles Corridor Metrorail Project. Oppose. (14102892D)

**HJ 84** (LaRock) (HRUL) memorializes Congress to impose and collect tolls for use of the Dulles Access Highway in order to limit toll increases for use of the Dulles Toll Road used to finance the rail-to-Dulles project. Monitor. (14102824D)

**HJ 85** (LaRock) (HRUL) memorializes the Metropolitan Washington Airport Authority to impose and collect tolls for use of the Dulles Access Highway in order to reduce tolls for use of the Dulles Toll Road. Monitor. (14102878D)

### **HB 2313 Related**

**HB 3** (Cline) (HFIN) provides that all provisions of the 2013 Session omnibus transportation bill (HB 2313), which established state taxes and fees and regional taxes and fees in Hampton Roads and Northern Virginia, expire on July 1, 2014. HB 2313 provided for the revenues from such taxes and fees to be used primarily for transportation funding in the Commonwealth. Oppose. (14100669D)

**HB 40** (Marshall, R.G.) (HFIN) repeals the provision in the 2013 transportation funding bill (HB 2013) that will increase the motor fuels tax if the United States Congress has not enacted legislation granting the Commonwealth the authority to compel remote sellers to collect state and local retail sales and use tax for sales made in the Commonwealth by January 1, 2015. Oppose. (14100800D)

**HB 65** (Marshall, D.W.) (HFIN) excludes from the sale price for determining motor vehicle sales and use tax the amount of any credit given by the seller for any motor vehicle taken as a trade-in. Oppose. Estimated to reduce Commonwealth Transportation Fund revenues by \$130 million per year. (14100075D)

**HB 148** (Minchew) (HFIN) reduces the sale price by the value of any trade-in in determining the amount of motor vehicle sales and use tax owed. Oppose. Estimated to reduce Commonwealth Transportation Fund revenues by \$130 million per year. (14102404D)

**HB 68** (Marshall, D.W.) (HFIN) changes the dates on which certain scheduled increases in sales and use tax revenue to the Highway Maintenance and Operating Fund would not take place if Congress does not enact a law permitting states to require certain out-of-state retailers to collect and remit state sales and use tax from fiscal years 2016 and 2017. Under current law, scheduled increases for fiscal years 2016 and 2017 would not occur if Congress does not enact such law by January 1, 2015. The bill would halt the increase for only fiscal year 2017 if Congress does not act by January 1, 2016. Oppose. (14100077D)

### **Funding Allocations**

**HB 2** (Stolle) (HTRAN) provides that funding allocations for the Northern Virginia highway construction district and the Hampton Roads highway construction district be made by giving priority to the projects expected to provide the greatest congestion reduction relative to the cost of the project and that funding allocations for the seven other highway construction districts be made by giving priority to either (i) the projects expected to provide the greatest congestion reduction relative to the cost of the project or (ii) the projects that promote economic development and promote commerce and trade. The bill provides for the choice to be made by each locality within the seven highway construction districts and for each highway construction district to determine the majority choice and submit it to the Commonwealth Transportation Board. Allocations by the Board using the priorities in the bill will begin July 1, 2015. Amend to provide that the CTB can consider other criteria, including those set forth in NVTA's authorizing statute. (14100798D)

**HB 1100** (Yancey) (HTRAN) requires that the Commonwealth Transportation Board's Six-Year Improvement Program give priority to either projects that are expected to provide the greatest congestion reduction relative to the cost of the project or projects that promote economic development and promote commerce and trade within the highway construction district where they are located. Amend to provide that the CTB can consider other criteria, including those set forth in NVTA's authorizing statute. (14102186D)

**HB 658** (LaRock) (HTRAN) limits transit, rail, and public transportation allocations by the Commonwealth Transportation Board to the Northern Virginia highway construction district to no more than 25 percent of total allocations. Oppose. (14102835D)

**HB 87** (Cole) (HTRAN) provides that all state funds expended on transportation projects be for (i) projects expected to provide congestion reduction or (ii) projects that increase safety for travelers. Oppose. (14100843D)

**HB 626** (Watts) (HTRAN) eliminates required allocations of up to \$500 million per year for bridge reconstruction and rehabilitation, high priority projects, and smart roadway technology projects. Support. (14103061D)

**HB 920** (Sickles) (HTRAN) advances from July 1, 2020, to July 1, 2014, the expiration date of the annual allocation that can be made by the Commonwealth Transportation Board. Support. (14101706D)

### Elections

**HB 126** (O'Bannon) (HST)/**HB 759** (Rust) (HPE)/**SB 11** (Puller) (SPE) requires the State Board of Elections to provide instructions, procedures, and services to enable uniformed-service voters outside of the United States to return voted military-overseas ballots securely by electronic mail or fax. The bill requires the State Board to develop and annually update security measures to ensure the accuracy and integrity of such votes and requires the Chief Information Officer of the Commonwealth to approve the measures. The State Board is directed to convene a working group for the initial development of the security measures. Additionally, the State Board is directed to work with the U.S. Department of Defense to use smart cards issued to active-duty military personnel to authenticate and enable the return of such military-overseas ballots. The bill is a recommendation of the Joint Commission on Technology and Science. Monitor. (14102817D, 14103085D, 14100188D)

**HB 783** (Futrell) (HPE) adds to the list of persons eligible to vote by absentee ballot those persons whose primary residence, as on the registration records, is a distance of fifteen miles or greater from their place of work. The bill requires that the application for the absentee ballot include the name of the applicant's business or employer, the physical address of his place of work, and the distance in miles between the physical address of his place of work and the physical address of his primary residence. Support. (14102722D)

**HB 918** (Sickles) (HPE) removes the requirement that mechanical voting devices and ballots approved for use in elections must be capable of segregating ballots containing write-in votes from all other ballots. The bill also repeals the requirement that separate ballot containers are to be provided in primary elections. Support.

### Studies

**HJ 16** (Stolle) (HRUL)/**SJ 3** (Locke) (SRUL)/**SJ 34** (McWaters) (SRUL) establishes a 15-member joint subcommittee to formulate recommendations for the development of a comprehensive and coordinated planning effort to address recurrent flooding. The joint subcommittee is charged with recommending short- and long-term strategies for minimizing the impact of recurrent flooding. Its report is to be submitted by November 1, 2015. Support. (14100502D/14100663D/14101018D)

**HJ 39** (Webert) (HRUL) requests the Department of Social Services (DSS) to research the frequency and character of adult abuse allegations in the Commonwealth, compare the Commonwealth's statistics to national standards, and recommend strategies to prevent and raise awareness about adult abuse in the Commonwealth. Support. (14102727D)

**HJ 45** (DeSteph) (HRUL) establishes a joint subcommittee to study the local business license (BPOL) tax. Monitor. (14101805D)

**HJ 103** (Jones) (HRUL) directs the Joint Legislative Audit and Review Commission to study Virginia's Line of Duty Act, the current and projected future costs of benefits awarded thereunder, and the advisability of coordinating those benefits with additional benefits paid under other state and federal programs. Support. (14102416D)

**HJ 42** (Villanueva) (HRUL) directs JLARC to review the equity of transportation funding in light of new revenues and because such a study has not been conducted in 30 years. Monitor. (14101570D)

**HJ 118** (Austin) (HRUL) requests the Department of Conservation and Recreation to study changes to Virginia's Impounding Structure Regulations that may result in cost savings to owners of dams without jeopardizing public safety. Support. (14103207D)

### **Legislation Provided for Discussion**

**HB 921** (Sickles) (HCCT) provides that the board of supervisors for a county with the urban county executive form of government (Fairfax County) may hire an independent auditor to oversee the school board financial management and report back to the board of supervisors. Monitor. (14103507D)

**SB 522** (Saslaw) (STRAN) designates the entire length of Interstate Route 495 (Capital Beltway) in Virginia the "Disabled American Veterans Highway." Support. (14100217D)

**SB 418** (Hanger) (SFIN)/**SB 512** (Wagner) (SFIN) adds solar equipment to the definition of certified pollution control equipment and facilities that are exempt from state and local taxation pursuant to Article X, Section 6 of the Constitution of Virginia. Monitor. (14101551D/14100699D)

### **Hybrid Vehicle Tax Bills**

**HB 4** (Surovell) (HFIN) repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014. Monitor. (14100097D)

**HB 47** (Kory) (HFIN) repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014. Monitor. (14101147D)

**HB 72** (Pogge) (HFIN) eliminates the \$64 annual license tax on hybrid electric motor vehicles. Monitor. (14100225D)

**HB 623** (Watts) (HFIN) replaces the \$64 annual license tax on electric, hybrid electric, and alternative fuel motor vehicles with a \$64 annual road usage fee on (i) electric motor vehicles and (ii) any other motor vehicle that has a combined city/highway fuel economy rating equal to or greater than 40 miles per gallon or 40 miles per gallon of gasoline-equivalent (MPGe), according to standards and regulations of the U.S. Environmental Protection Agency. Monitor. (14102321D)

**HB 975** (Rust) (HFIN) repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. Monitor. (14102017D)

**SB 127** (Newman) (SFIN) repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2013. Monitor. (14104011D-S1)

### **Legislation Requiring Further Review**

**HB 83** (Krupicka) (HPE) provides that an unexpired Virginia driver's license remains valid for purposes of voter identification at the polls notwithstanding the fact that it has been suspended or revoked under certain circumstances. (14100941D)

**HB 164** (Albo) (HCT) authorizes the chief of the Metropolitan Washington Airports Authority police department, or his designee, to conduct criminal background checks through the Central Criminal Records Exchange and the Federal Bureau of Investigation on applicants who have been offered employment with the Authority. The applicant's criminal history record information obtained by the chief must otherwise be kept confidential. The bill also establishes criteria that the Authority must consider in determining whether an applicant's criminal conviction directly relates to the position offered. (14102397D)

**HB 208** (Marshall, III, D.) (HCCT) amends the existing vested rights statute by clarifying that structures that meet certain conditions shall be considered nonconforming. Additional changes make clear that a requirement under existing law to bring certain structures into compliance with the Uniform Statewide Building Code shall not affect the nonconforming status of those structures. (14101012D)

**HB 290** (Albo) (HGL) makes technical changes to the provisions of the Virginia Public Procurement Act related to job order contracting. (14100639D)

**HB 311** (LeMunyon) (HTRAN) creates proposed Title 33.2 (Highways and Other Surface Transportation Systems) as a revision of existing Title 33.1 (Highways, Bridges and Ferries), as well as portions of Titles 15.2 (Counties, Cities and Towns), 56 (Public Service Companies), and 58.1 (Taxation). Proposed Title 33.2 consists of 32 chapters divided into four subtitles: Subtitle I (General Provisions and Transportation Entities); Subtitle II (Modes of Transportation: Highways, Bridges, Ferries, Rail, and Public Transportation); Subtitle III (Transportation Funding and Development); and Subtitle IV (Local and Regional Transportation). This bill organizes the laws in a more logical manner, removes obsolete and duplicative provisions, and improves the structure and clarity of statutes pertaining to highways, bridges, ferries, rail and public transportation, transportation funding, and local and regional transportation. This bill has a delayed effective date of October 1, 2014. This bill is a recommendation of the Virginia Code Commission. (14100786D)

**HB 426** (LeMunyon) (HTRAN) requires the Commonwealth Transportation Board to include in the next update of its Six-Year Improvement Program a project to add at least two non-high-occupancy vehicle lanes in each direction to I-66 inside the Capital Beltway. (14103134D)

**HB 450** (Bell, Robert) (HHWI) provides that no person shall be employed in a position that involves direct contact with a patient of, or person or child receiving services from, a nursing home, home health organization, hospice, assisted living facility, adult day care, child welfare agency, or family day home approved by a family day system until the results of a criminal

history background check have been received, unless the person works under the direct supervision of a person for whom a background check has been performed. (14100756D)

**HB 475** (McQuinn) (HTRAN) provides that any locality may by ordinance allow pedestrians over the age of 18 who are part of, or working on behalf of, a § 501(c)(3) organization, to enter one or more roadways for the purpose of soliciting contributions that are devoted to charitable or community betterment purposes. (14102642D)

**HB 486** (Hugo) (HHWI) requires individuals currently required to report suspected child abuse or neglect to also report suspected cases of human trafficking of a child and specifies the duties of local departments of social services and courts with regard to investigating complaints of suspected human trafficking of a child. (14102854D)

**HB 490** (Albo) (HCT) requires health care providers, upon request of a patient or the patient's attorney to provide the patient with the metadata of the patient's electronic medical record. The bill defines "metadata" for the purposes of this provision. (14101009D)

**HB 494** (Lingamfelter) (HCCT) requires all localities to establish personnel policies covering the use of public property by officers and employees of the locality. Among other things, the personnel policies shall prohibit the use of telephones, personal computers, and related devices and peripheral equipment that are the property of the locality for (i) personal use, to the extent that such use interferes with the employees' productivity or work performance, or (ii) political activities. (14100273D)

**HB 513** (Morris) (HCCT) provides that any appointee of a local governing body to a local board, commission, or committee, whether pursuant to § 15.2-1411 or any other provision of the Code, shall serve at the pleasure of the local governing body and may be removed at any time. (14102507D)

**HB 665** (Brink) (HPE)/ **SB 191** (Edwards) (SPE)/**SB 247** (McEachin) (SPE) prohibits the cancellation of the registration of an active voter identified on the basis of interstate cross-check lists as registered in another state without corroboration that he has moved from Virginia. Voters identified as having moved will be given notice before the voter's registration is canceled. The bill also provides a timetable for the general registrars to process names of such voters. (14102311D/ 14100644D/14101026D)

**HB 766** (Bulova) (HCCT) adds energy and water conservation and management services to those powers available to service districts. (14103400D)

**HB 775** (Futrell) (14101399D) creates the Virginia Disaster Relief Fund, to be administered by the Virginia Department of Emergency Management. The bill provides that moneys in the Fund shall be used solely for the purpose of helping Virginia households recover from a natural or man-made disaster and that the Fund shall aid voluntary nonprofit and faith-based organizations, local recovery groups, and local governments to satisfy a disaster household's unmet needs. (14101399D)

**HB 813** (Carr) (HCT) provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer. (14101726D)

**HB 814** (Carr) (HCT) provides that a cellular phone or other wireless telecommunications device is a tracking device when it is used to track the movement of a person and that such use requires a warrant issued by a judicial officer. (14101727D)

**HB 894** (Peace) (HAPP) expands eligibility for the auxiliary grant program to include individuals who reside in supportive housing licensed by the Department of Behavioral Health and Developmental Services, and directs the Commissioner for Aging and Rehabilitative Services to promulgate regulations for licensure of auxiliary grant service coordination providers for individuals with blindness or physical disabilities and the State Board of Behavioral Health and Developmental Services to promulgate regulations for licensure of auxiliary grant service coordination providers for individuals with mental illness or intellectual disabilities. (14101579D)

**HB 990** (Fowler) (HGL) provides that relocation assistance and real property acquisition policies of the Commonwealth apply in the case of transportation projects funded in whole or in part with state or federal funds unless compliance would jeopardize the receipt and expenditure of all or a portion of federal funds that would otherwise be available for transportation projects. The bill also raises the authorized payment to a displaced homeowner from \$22,500 to \$31,000 and reduces from 180 to 90 the number of days that may pass between displacement and negotiations for the acquisition of property before such payment is authorized. The bill also increases from \$5,250 to \$7,200 the maximum payment permitted to a person leasing or renting a comparable replacement dwelling for a period of 42 months. The bill contains a partial delayed effective date. (14101417D)

**HB 1067** (Orrock) (HAG) substitutes the terms "private animal shelter" for "animal shelter" and "public animal shelter" for "pound." The bill also amends the definitions of "animal shelter" and "home-based rescue." (14101177D)

**HB 1070** (Taylor) (HAG) increases membership on the Litter Control and Recycling Fund Advisory Board from five to six persons, with the new member designated to represent the craft brewery industry. (14101367D)

**HB 1089** (Morris) (HCCT) clarifies the definition of agricultural products. (14103550D)

**SB 147** (Stuart) (STRAN) requires VDOT to post notice on its website and provide for public comment prior to undertaking a safety-related or congestion management transportation project and when a project is expanded or substantially altered. The bill also requires VDOT to hold a public hearing upon request. (14100926D)



**SB 190** (Garrett) (SCT) removes provision that unless otherwise modified by the court, a defendant who has been convicted of a fourth or subsequent DUI in 10 years shall remain on probation and under the terms of any suspended sentence for the same period as his operator's license was suspended, not to exceed three years. (14100733D)

**SB 284** (Howell) (SRSS) directs the Board of Social Services to promulgate regulations governing kinship care placements within 280 days. (14100666D)

**SB 461** (Vogel) (STRAN) provides that limitations imposed upon single project fees procured by competitive negotiation shall not apply to environmental, location, design, and inspection work regarding highways and bridges by the Commissioner of Highways, or architectural and engineering services for rail and public transportation projects by the Director of the Department of Rail and Public Transportation. (14103440D)

**SB 505** (Wagner) (STRAN) establishes financial and regulatory incentives for expanding the use of compressed natural gas (CNG) and liquefied natural gas (LNG) for transportation purposes in the Commonwealth. Vehicles fueled, wholly or partially, by natural gas are authorized to weigh up to 2,000 pounds more than the applicable weight limit, and the bill provides that limits on hauling hazardous materials over a bridge or through a tunnel do not apply to fuel required to propel the vehicle. The bill establishes a Natural Gas Vehicle Incentive Fund and grant programs through which moneys in the Fund may be expended for increasing public access to natural gas fueling stations, purchasing NGVs, or converting vehicles to natural gas. Revenues for the Fund come from numerous sources, including moneys allocated by the Commonwealth Transportation Board; registration fees for NGVs; clean special fuel license plate fees; revenues from taxes on pipeline transmission and distribution companies; and such other funds as may be appropriated. The bill exempts natural gas home refueling appliances from the sales and use tax, allows taxicabs fueled by natural gas to move to the front of an airport queue, allows trucks bearing clean special fuel stickers to use high-occupancy vehicle lanes, and provides for the reimbursement of tolls for operators of NGVs. The measure requires the Department of General Services' plan for the replacement of state-owned or operated vehicles with alternative-fueled vehicles to include a provision requiring the purchase of NGVs rather than conventional vehicles or other vehicles that operate using alternative fuels whenever the life-cycle cost for such vehicles is not more than 10 percent greater than for conventional vehicles. The measure exempts certain materials from VFOIA public records requirements. The measure excludes any person who is not a public service corporation and who provides CNG or LNG fueling service at retail from the meaning of the terms "public utility," "public service corporation," or "public service company." The ownership or operation of a facility at which such a fueling service is sold, and the selling of such service from that facility, does not render the person a public utility, public service corporation, or public service company solely because of that sale, ownership, or operation. The provision of CNG or LNG fueling service by a person who is not a public utility shall not constitute the retail sale of natural gas if the natural gas furnished in connection with the provision of such service is used solely for transportation purposes. A natural gas utility may establish a CNG home fueling appliance loan program under which it may offer to its

residential customers the option to lease a CNG home fueling appliance from the utility at amounts that are subsidized by the utility. (14100492D)

**SB 524** (Carrico) (SLG) provides for a portion of the revenues from local fines and penalties to be segregated and deposited in a special fund in those counties or cities in which the local fines and penalties collected exceed a threshold amount. If the local fines and penalties collected by a county's or city's district courts during the fiscal year exceed 65 percent of the total of all fines and penalties collected by such courts, then the requirement to segregate and deposit the local fines and penalties in a special fund is triggered. One-half of the local fines and penalties exceeding such 65 percent would be deposited into the local special fund. Local fines and penalties deposited into the special fund could be used for any purpose including the funding or financing of the operations or administration of police or sheriff's departments. The bill intends to create a mechanism to track local government appropriations of local fines and penalties in certain counties and cities. (14100301D)

### **Mental Health**

**HB 86** (Stolle) (HHWI) repeals the second enactment of the 2012 act that amended the criteria for the psychiatric admission of inmates from local correctional facilities to add mentally ill inmates for whom there exists a substantial likelihood that they will suffer serious harm due to their lack of capacity to protect themselves from harm. The second enactment provides that the use of this additional criterion shall expire on July 1, 2014. (14100503D)

**HB 241** (Yost) (HCT) provides that a person held pursuant to a temporary detention order shall be held for at least 24 hours but no more than 72 hours. Currently, a person may be held pursuant to a temporary detention order for up to 48 hours. (14102374D)

**HB 243** (Yost) (HCT) provides that in cases in which a facility for temporary detention has not been identified prior to the running of the time for emergency custody, the magistrate shall issue the temporary detention order if the person meets the criteria for temporary detention and the community services board certifies that it will continue to make good faith efforts to identify the facility of temporary detention until such time as a facility is identified or the temporary detention order expires for lack of execution. (14102374D)

**HB 599** (Herring) (HCT) directs the Department of Behavioral Health and Developmental Services to develop a plan for a registry of beds for individuals in need of emergency, voluntary or involuntary mental health care in the Commonwealth and to report to the Governor and the General Assembly by December 1, 2014. (14101998D)

**SB 200** (Howell) (SEH) provides that in cases in which a facility for temporary detention has not been identified prior to the running of the time for emergency custody, the magistrate shall issue the temporary detention order if the person meets the criteria for temporary detention and the community services board certifies that it will continue to make good faith efforts to identify the facility of temporary detention until such time as a facility is identified or the temporary detention order expires for lack of execution. (14102038D)

**PPTA/PPEA**

**HB 346** (James) (HTRAN) provides that no comprehensive agreement providing for the lease, operation, or transfer of ownership of a qualifying transportation facility under the Public-Private Transportation Act with a total value of more than \$1 billion and having a substantial negative impact on the tax revenues of an affected jurisdiction or substantially increasing the taxes, fees, or expenses that will be paid by residents of an affected jurisdiction may be executed by a state agency unless (i) approved by the Governor and (ii) a bill that includes a specific description of the proposed agreement and its anticipated expenditures and revenues is passed by the General Assembly. (14102629D)

**HB 349** (James) (HTRAN) provides that no comprehensive agreement providing for the lease, operation, or transfer of ownership of a qualifying transportation facility under the Public-Private Transportation Act or a qualified project under the Public-Private Education Facilities and Infrastructure Act with a total value of \$1 billion or more shall be executed by a state agency unless (i) approved by the Governor and (ii) a bill that includes a specific description of the proposed agreement and its anticipated expenditures and revenues is passed by the General Assembly. (14102552D)

**HB 978** (Rust) (HCL) defines a public utility within the Public-Private Transportation Act of 1995 and the Public-Private Education Facilities and Infrastructure Act of 2002. The bill contains an emergency clause. (14101425D)

**SB 165** (Locke) (STRAN) provides that no comprehensive agreement providing for the lease, operation, or transfer of ownership of a qualifying transportation facility under the Public-Private Transportation Act with a total value of more than \$1 billion and having a substantial negative impact on the tax revenues of an affected jurisdiction or substantially increasing the taxes, fees, or expenses that will be paid by residents of an affected jurisdiction may be executed by a state agency unless (i) approved by the Governor and (ii) a bill that includes a specific description of the proposed agreement and its anticipated expenditures and revenues is passed by the General Assembly. (14102237D)

**Stormwater**

**HB 58** (Hodges) (HAG) clarifies the appeals process for persons subject to state permit requirements under the Stormwater Management Act. The bill removes Virginia Stormwater Management Program (VSMP) authorities from the list of bodies whose actions may be appealed. For appeals of actions of the Department of Environmental Quality (the Department) or the State Water Control Board (the Board), the bill refers to applicable hearing procedures and provides that appeals include an opportunity with judicial review in accordance with certain standards. (14101064D)

**HB 261** (Scott) (HAG)/**SB 423** (Hanger) (SACNR) authorizes the State Water Control Board to adopt regulations that create a procedure for approving permits for individual parcels in a common plan of development, provide a General Permit for Discharges of Stormwater from Construction Activities that omits unneeded information on post-construction water quality standards, and provide reciprocity with other states regarding certification of best management

practices. The bill also allows the submission of an agreement in lieu of a permit where land-disturbing activity results from the construction of a single-family residence. (14101222D, 14101564D)

**HB 445** (Bulova) (HAG) establishes minimum procedural requirements for the adoption of all waste load allocations, including public notice, public comment opportunity, a stakeholders advisory group process, agency response to comments, and a public meeting. Historically, waste load allocations were established under various procedures on a case-by-case basis. The bill requires that a comprehensive listing of all total maximum daily load waste load allocations adopted or approved by the State Water Control Board prior to July 1, 2014, be set forth in the Water Quality Management Planning Regulation (9VAC25-720). The bill also provides that any amendment prior to July 1, 2025, of the Water Quality Management Planning Regulation waste load allocations for nitrogen or phosphorus related to chlorophyll-a water quality criteria for multiple James River basin facilities shall be undertaken in accordance with the Administrative Process Act. (14103437D)

**HB 649** (Ransone) (HAG) allows the submission of an agreement in lieu of a Virginia Stormwater Management Plan where certain land-disturbing activity is the result of the construction of a single-family residence. (14101931D)

**HB 697** (Poindexter) (HAG) delays the date that local governments will have to assume responsibility for administering the Stormwater Management Program from July 1, 2014, to July 1, 2015. (14102222D)

**HB 1071** (Farriss) (HAG) delays the date that local governments will have to assume responsibility for administering the Stormwater Management Program from July 1, 2014, to July 1, 2015.) (14103513D)

**HB 1117** (Wright) (HAG)/**SB 530** (Hanger) (SACNR) delays the date that local governments will have to assume responsibility for administering the Stormwater Management Program from July 1, 2014, to July 1, 2015. (14103687D, 14101563D)

**HB 1173** (Hodges) (Committee referral pending) allows any locality that does not operate a municipal separate storm sewer system (MS4) to opt out of establishing Virginia Stormwater Management Programs. Localities that notify the Department of Environmental Quality of their decision to opt out shall have their stormwater programs managed by the Department. (14103701D)

**SB 425** (Hanger) (SACNR) clarifies the appeals process for persons subject to state permit requirements under the Stormwater Management Act. The bill removes Virginia Stormwater Management Program (VSMP) authorities from the list of bodies whose actions may be appealed. For appeals of actions of the Department of Environmental Quality (the Department) or the State Water Control Board (the Board), the bill refers to applicable hearing procedures and provides that appeals include an opportunity with judicial review in accordance with certain standards. (14101740D)

**SB 469** (Smith) (SACNR) delays the date on which local governments are required to assume responsibility for administering the Stormwater Management Program from July 1, 2014, to July 1, 2015, in those localities in which less than 11 percent of the land area drains to the Chesapeake Bay. (14102851D)

**Conflict of Interest/Ethics Bills**

**HB 15** (Marshall, R.G.) (HRUL) requires the disclosure on statements of economic interests for legislators and certain state and local government officers of gifts in excess of \$100 made to immediate family members if such gift is made by a business, governmental entity, or individual that has transacted or is transacting business with the Commonwealth or its agencies, departments, or political subdivisions within 12 months from the date of the gift. "Immediate family member" is defined, for the purposes of gifts, to include (i) the filer's spouse; (ii) dependents residing with the filer; (iii) the filer's or his spouse's parent, grandparent, child, grandchild, brother, and sister; and (iv) any person habitually cohabiting with the filer in a relationship analogous to a marriage. The bill requires that legislators disclose gifts in excess of \$100 accepted during a regular session of the General Assembly within five business days of the acceptance of the gift. The bill also requires the disclosure on statements of economic interests for legislators and certain state and local government officers of liabilities owed by businesses in which the filer or an immediate family member holds an ownership interest. (14100091D)

**HB 204** (Krupicka) (HRUL) centralizes the filing of economic interest disclosure forms in the Office of the Secretary of the Commonwealth. Currently only state officers and employees file such statements with the Secretary; local officers and employees file with the clerk of the locality, members of the Senate file with the Clerk of the Senate, and members of the House of Delegates file with the Clerk of the House. The bill also requires the electronic filing of (i) monthly gift reports beginning on July 15, 2015, and (ii) quarterly material change in financial status reports beginning on July 1, 2015. Under the bill, the Secretary of the Commonwealth must establish and maintain a searchable electronic database comprising the disclosure forms and reports and available to the public through the Internet. Beginning July 1, 2015, all disclosure forms and reports shall be required to be filed electronically. In addition, the bill establishes a ban on a single gift with a value greater than \$100 or combination of gifts with an aggregate value greater than \$500 from a single donor within a single filing period. Gifts that consist of educational programs or professional development are not included in determining the total value of gifts received. (14101108D)

**HB 625** (Watts) (HRUL) removes the exception from disclosure of gifts from a personal friend of the filer. The bill also includes the immediate family members of the officer or employee under the prohibition against accepting gifts for services performed within the scope of or that reasonably tend to influence the officer or employee in the performance of his duties. In addition, the bill (i) limits any payment for or reimbursement for actual travel, lodging, or subsistence expenses incurred in connection with such appearance, speech, or article to the per diem deduction allowable under § 162 of the Internal Revenue Code and (ii) provides for a mandatory fine of \$2,500 for certain violations. (14102239D)

**HB 636** (Campbell) (HRUL) centralizes the filing of economic interest disclosure statements in the Office of the Secretary of the Commonwealth. Currently only state officers and employees file such statements with the Secretary; local officers and employees file with the clerk of the locality, members of the Senate file with the Clerk of the Senate, and members of the House of Delegates file with the Clerk of the House. In addition, the bill requires the Secretary of the Commonwealth to establish and maintain a searchable electronic database comprising all disclosure statements and available to the public through the Internet. The bill also provides for civil penalties for late and incomplete disclosure filings to be assessed and collected by the Secretary. (14103360D)

**HB 713** (Campbell) (HRUL) requires the Secretary of the Commonwealth to establish a central database online and available to the public for statements of economic interests required by law to be filed by state and local government officers and employees and General Assembly members. The bill also sets civil penalties for failure to file and incomplete filing of such statements. (14102296D)

**HB 746** (Kory) (HRUL) requires the disclosure on statements of economic interests for legislators and certain state and local government officers of gifts in excess of \$100 made to immediate family members if the gift is made by a business, governmental entity, or individual that has transacted or is transacting business with the Commonwealth or its agencies, departments, or political subdivisions within 12 months from the date of the gift. "Immediate family member" is defined, for the purposes of gifts, to include (i) the filer's spouse; (ii) dependents residing with the filer; and (iii) the filer's or his spouse's parent, grandparent, child, grandchild, brother, and sister. In addition, the bill provides circumstances for consideration in determining whether the individual providing a gift is a personal friend whose gifts do not require disclosure. The bill requires that legislators disclose gifts in excess of \$1,000 accepted during a regular session of the General Assembly within five business days of the acceptance of the gift. The bill also requires the disclosure on statements of economic interests for legislators and certain state and local government officers of liabilities owed by businesses in which the filer or an immediate family member holds a greater than three percent equity ownership interest. (14100293D)

**SB 21** (Smith) (SRUL) lowers the value above which state and local government officers and members of the General Assembly must disclose specific economic interests on their Statements of Economic Interests from \$10,000 to \$5,000. (14100772D)

**SB 23** (Alexander) (SRUL) requires the disclosure on statements of economic interests for legislators and certain state and local government officers of gifts in excess of \$1,000 made to immediate family members if such gift is made by a registered lobbyist or a business, governmental entity, or individual that has transacted or is transacting business with the Commonwealth or its agencies, departments, or political subdivisions within 12 months from the date of the gift. "Immediate family member" is defined, for the purposes of gifts, to include (i) the filer's spouse; (ii) dependents residing with the filer; and (iii) the filer's or his spouse's parent, child, and grandchild. (14100107D)

**SB 143** (Edwards) (SRUL) creates the Virginia Conflict of Interest and Ethics Advisory Council to furnish advisory opinions, conduct training seminars and educational programs, and publish such educational materials and other appropriate information regarding the State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act. The Council is required to report annually on its activities and findings, including recommendations for any legislative changes. (14100302D)

**SB 265** (Ebbin) (SRUL) provides for centralized filing of disclosure forms under both Acts with the Secretary of the Commonwealth and development of a searchable electronic database. The bill also requires disclosure of gifts to immediate family members and makes other clarifying changes. (14100763D)

**SB 274** (Favola) (SRUL) limits the total value of all gifts received by a state official or employee and by a legislator to no more than \$100 in a single calendar year. Gifts given by relatives do not count toward that limit. Meals at which a majority of the time was spent discussing work related to the legislator or state or local official or employee's role as a legislator or state or local government official or employee, and gifts given by nonprofit organizations do not count toward the limit, but are still required to be disclosed. Gifts received by immediate family do count toward the limit if they are given for the purpose of influencing the state officer or employee or the legislator. The bill makes changes to the disclosure forms necessary to reflect this limit. The bill also requires the office with which disclosure forms are filed to designate an ethics expert in that office to respond to questions from the persons required to disclose. (14101582D)

**SB 410** (McWaters) (SRUL) establishes a ban on gifts or aggregate of gifts that are reasonably expected to be in excess of \$100 in value for certain state and local government officers and employees and members of the General Assembly from any single source except a relative or personal friend. The gift ban also applies to the immediate family members of an officer, employee or member of the General Assembly. In addition, the bill (i) removes the current disclosure requirement for gifts over \$50, and (ii) provides circumstances for consideration in determining whether the individual providing a gift is a personal friend. (14103345D)

#### **Legislation to be Monitored by Staff; State Revenue/Policy Implications**

**HB 90** (Marshall) (HCT) allows the Governor to declare a state of emergency in response to a federal government shutdown, which is defined as a partial or total discontinuance of federal governmental services due to a failure by the President and Congress to approve the necessary funding for the operations of the federal government. During the period that the state of emergency is in effect, no public utility shall terminate a customer's service for nonpayment if the State Corporation Commission determines that such customer is a federal government employee or contractor or will be disproportionately adversely affected by the federal government shutdown. The bill provides that the Governor, during the state of emergency, may request that the Supreme Court declare a judicial emergency in which all judicial proceedings or other court matters involving creditor process be suspended in cases where the defendant is

a federal government employee or contractor or the Supreme Court determines that the defendant will be disproportionately adversely affected by the federal government shutdown. (14100372D)

**HB 127** (Scott) (HAG) allows persons to hunt big game with muzzleloading pistols of a caliber of .45 or greater where and in those seasons when the use of muzzleloading rifles is permitted. The bill authorizes the Board of Game and Inland Fisheries to adopt regulations that specify the types of muzzleloading pistols and projectiles and propellants that can be used. The bill contains technical amendments. (14101210D)

**HB 173** (Farrell) (HCT) provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer. (14100584D)

**HB 209** (Marshall, III, D.) (HCCT) provides that localities may mandate the submission of preliminary subdivision plats for tentative approval only for plats involving 50 or more lots. (14101774D)

**HB 227** (Cole) (HCCT) authorizes localities and water and sewer authorities to establish and operate programs under which they agree to repair, replace, or maintain the water or sewer line of a customer's residential dwelling. The bill also exempts such agreements from requirements applicable to providers of home service contracts. (14100999D)

**HB 229** (Cole) (HED) expands eligibility for services through the Comprehensive Services for At-Risk Youth and Families program to students placed in public school special educational programs established by a school division for the purpose of providing special education when the public school special educational program is able to provide services comparable to those of an approved private school special educational program, and the student would require placement in an approved private school special educational program but for the availability of the public school special educational program. (14101766D)

**HB 276** (Krupicka) (HCT) authorizes any current or former Governor, Lieutenant Governor, or Attorney General of the Commonwealth, any current or former member of the General Assembly, or any current or former mayor or person elected as a member of the governing body of a locality in the Commonwealth to celebrate the rites of marriage anywhere in the Commonwealth without the necessity of bond or order of authorization. The bill also directs that the marriage license application allow the parties to, upon payment of a fee, designate an officiant to celebrate the rites of such marriage, who shall subscribe to the certificate of marriage before a notary public or other person authorized by law to administer oaths. (14102415D)

**HB 312** (Toscano) (HCT) provides that in any civil action to rescind a deed, contract, or other instrument, the plaintiff is entitled to reasonable attorney fees and costs associated with bringing such action where the court finds, by clear and convincing evidence, that the



instrument was obtained by fraud or undue influence on the part of the defendant. (14101658D)

**HB 522** (Bell, Richard) (HHWI) requires community policy and management teams to establish policies and procedures for appeals of decisions made by local family assessment and planning teams regarding services to be provided to the youth and family pursuant to an individual family services plan. (14101244D)

**HB 549** (Filler-Corn) (HGL) provides that for the award of transportation construction projects, certain specified factors other than price may be considered. (14103268D)

**HB 564** (Watts) (HPE) provides that if a voter's name as listed in the pollbook matches or is reasonably similar to the name listed on the form of identification presented and the name stated by the voter, the voter shall be permitted to vote. The bill does not eliminate the other qualifications for being permitted to vote. (14101477D)

**HB 572** (DeSteph) (HAG) adds to the standard coastal wetland zoning ordinance a requirement that a local wetlands board give a permit applicant credit toward local in-lieu fees in the amount of the fee he has paid to the Virginia Wetlands Restoration Trust Fund or another dedicated wetlands restoration fund. The bill makes technical changes. (14101797D)

**HB 654** (Scott) (HAG) allows the use of a hydrologic unit system or dataset other than the National Watershed Boundary Dataset and allows the adjustment of the hydrologic unit boundaries of such dataset based on the availability of more accurate information. (14102463D)

**HB 668** (Brink) (HHWI) Requires local departments of social services and child-placing agencies to provide independent living services to any person between 18 and 21 years of age who is transitioning from a commitment to the Department of Juvenile Justice to self-sufficiency when such individual was in the custody of the local department of social services immediately prior to his commitment, provides written notice of his intent to receive independent living services, and enters into a written agreement for independent living services with the local board of social services or child-placing agency within 60 days of his release. Currently, local departments and child-placing agencies may but are not required to provide independent living services to such individuals. (14102302D)

**HB 669** (Herring) (HPE) provides that a voter's failure to provide the date, or any part of the date, on which he signed the statement on the back of the return envelope shall not render that ballot void or provide officers of election with a basis for rejection. (14102601D)

**HB 673** (Poindexter) (HAG) directs the Board to set the fee for coverage of one-acre to five-acre single-family residential projects under a General Permit for Discharges of Stormwater from Construction Activities at the amount charged for similar projects of less than one acre.)

**HB 838** (Keam) (HPE) provides that an absentee ballot will not be voided solely because the envelope containing the ballot was imperfectly sealed so long as the outside envelope

containing the ballot and its envelope has been sealed and there is evidence that a good faith effort has been made to seal the ballot envelope. (14102623D)

**HB 1033** (Orrock) (HGL)/**SB 323** (Watkins) (SGL) requires the Division of Risk Management, with the approval of the Governor, to establish a risk management insurance plan to provide protection against claims made against a landowner on whose property a dam owned, maintained, or operated by a soil and water conservation district has been situated. The plan would protect the landowner against liability for damage to the property of others or injury to persons resulting from the failure of the dam. (14103013D, 14103033D)

**HB 1075** (Jones) (HCCT) provides that certain audit requirements shall not apply to a town with a population of less than 3,500 that does not have a separate school division for any fiscal year during which such town's financial transactions did not exceed the sum of \$25,000. However, the Auditor of Public Accounts may require an audit if he deems it to be necessary to determine the propriety of the entity's financial transactions. The bill also provides that no audit shall be required for certain political subdivisions, the members of whose governing body are not elected by popular vote, for any fiscal year during which such entity's financial transactions did not exceed the sum of \$25,000. The current threshold is \$5,000. (14103169D)

**HJ 96** (LeMunyon) (HRUL) directs the Virginia Freedom of Information Advisory Council to study all exemptions contained in the Virginia Freedom of Information Act to determine the continued applicability or appropriateness of such exemptions and whether the Virginia Freedom of Information Act should be amended to eliminate any exemption from the Virginia Freedom of Information Act that the Virginia Freedom of Information Advisory Council determines is no longer applicable or appropriate. The bill requires the FOIA Council to report its findings and recommendations by December 1, 2016. (14102437D)

**SB 134** (Favola) (SRSS) requires local departments of social services and child-placing agencies to provide independent living services to any person between 18 and 21 years of age who is transitioning from a commitment to the Department of Juvenile Justice to self-sufficiency when such individual was in the custody of the local department of social services immediately prior to his commitment, provides written notice of his intent to receive independent living services, and enters into a written agreement for independent living services with the local board of social services or child-placing agency within 60 days of his release. Currently, local departments and child-placing agencies may but are not required to provide independent living services to such individuals. (14100489D)

**SB 152** (Stuart) (SGL) requires the first seller of a residential property (developer) that is located in a dam break inundation zone to disclose to any prospective purchaser of the property that the property is located in such a zone and that the failure of the dam may represent a threat to public health and safety. (14101558D)

**SB 369** (Favola) (SGL) increases the membership of the State Executive Council for Comprehensive Services for At-Risk Youth and Families by adding a third private provider representative and a member who may be either a representative of a child advocacy group or

organization or a representative of a mental health advocacy group with a specialization in children's mental health. The bill also provides that the members of the Council who are parent representatives may not be a current member of a county board of supervisors or city council or a county administrator or city manager. (14103452D)

**SB 513** (Wagner) (STRAN) creates the Hampton Roads Transportation Authority to manage regional transportation planning in Planning District 23. The bill also moves the responsibility for approval of projects and the priority of such projects pursuant to the Hampton Roads Transportation Fund from the Hampton Roads Planning Organization to the Hampton Roads Transportation Authority effective July 1, 2015. (14101065D)

### **Financial Exploitation of Vulnerable Individuals**

**HB 469** (Yost) (HCT) provides that it is unlawful for any person who knows or should know that another person suffers from a physical disability or social isolation to, through the use of that other person's physical disability or social isolation, take, obtain, or convert money or other thing of value belonging to that other person with the intent to permanently deprive him thereof. A violation is punishable as larceny. (14102352D)

**HB 471** (Yost) (HCT)/ **SB 462** (Barker) (SCT) increases to a Class 3 felony the penalty for financial exploitation of mentally incapacitated persons. Currently, the crime is punishable as larceny. (14102353D/14102261D)

**HB 619** (Mason) (HCT) increases the penalty for computer fraud when the value of the property or services obtained is \$200 or more from a Class 5 felony to a Class 4 felony where the victim is age 65 or older. (14101332D)

**HB 627** (Watts) (HCT) provides that a person is guilty of a Class 1 misdemeanor if he sells or offers for sale any product or service to a person who he knows or should know suffers from an incapacity with the intent to (i) defraud, mislead, or deceive the incapacitated person as to the nature, quality, or identity of the product or service sold or offered for sale or (ii) coerce, intimidate, or harass the incapacitated person into purchasing the product or service. The bill defines the term "incapacity." (14103062D)

### **Legislation Provided for Information**

**HB 1** (Comstock) (HAPP)/**SB 4** (Howell)(SCT) creates a new subfund in the Criminal Injuries Compensation Fund to be known as the Sexual and Domestic Violence Subfund. The Subfund consists of all funds, from whatever source, in the Commonwealth related to sexual and domestic violence prevention, intervention, and prosecution. The bill also directs the Workers' Compensation Commission to appoint a coordinator to administer and oversee the use of the funds. (14100790D/14100667D)

**HB 84** (Marshall) (HTRAN) removes the three legislative members of the Northern Virginia Transportation Authority. (14101730D)

**HB 150** (Minchew) (HMP) provides that regional jail authorities enjoy sovereign immunity in the performance of government functions. (14102528D)

**HB 193** (Minchew) (HGL) removes the requirement that a public body approve by a majority vote of the members present at a meeting the remote participation in the meeting by one of its members. The bill instead requires the public body to approve by a majority vote a policy allowing participation of its members by electronic communication. Once adopted, the public body shall apply this policy uniformly to its entire membership, without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting. (14102244D)

**HB 237** (Ramadan) (HTRAN) establishes the Telework Grant Program, to be administered by the Department of Rail and Public Transportation, to administer grants in the amount of \$250 for individuals who telework at least 20 hours per week for at least 45 weeks of a calendar year. (14100910D)

**HB 252** (Surovell) (HRUL) Provides that any officer, agent, or employee of the Commonwealth or of any political subdivision who, without lawful authorization, uses or permits the use of public assets for private or personal purposes unrelated to the duties and office of the accused or any other legitimate government interest when the value of such use exceeds \$1,000 in any 12-month period is guilty of a Class 4 felony. Currently, only full-time officers, agents, or employees can be guilty of the crime. (14100204D)

**HB 253** (McDougle) (SCT) extends civil liability protection to members of, or consultants to, boards or committees established (i) under the requirements of a national accrediting organization granted authority by the Centers for Medicare and Medicaid Services or (ii) pursuant to guidelines approved or adopted by statewide or local associations representing licensed health care providers for acts or omissions done in the performance of their duties as members of, or consultants to, such boards or committees. Under current law, the board or committee may only be established pursuant to federal or state law, or to Joint Commission on Accreditation Healthcare Organization requirements. (14101786D)

**HB 420** (Minchew) (HCT) subjects anyone who works for or is elected to any government body to the penalties for misuse of public assets. Currently, only full-time persons or officers are subject to the penalty. (14102201D)

**HB 422** (Davis) (HCCT) prohibits local governing bodies from establishing provisions that would require a wage floor of any other employee benefit or compensation, above what is otherwise required by state or federal law, to be provided by a contractor to its employees as part of a local government contract. Any such provisions previously adopted by a local governing body that did not receive the approval of the General Assembly shall be considered null and void. (14102313D)

**HB 427** (LeMunyon) (HTRAN) requires that periodic quantitative ratings of primary or secondary highway segments by VDOT include any commonly-referred-to names of the segments and relevant zip codes. (14100657D)

**HB 488** (Hugo) (HTRAN) adds the Town of Clifton to the list of towns without their own police departments that may permit operation of golf carts and utility vehicles on their highways. (14101069D)

**HB 602** (Head) (HCCT) allows localities to adopt ordinances in conformity with current laws concerning providing alcohol to underage persons. (14101618D)

**HB 744** (Kory) (HTRAN) allows localities by ordinance to prohibit interfering with or impeding storm water runoff into drains or culverts on VDOT-controlled highway rights-of-way. (14100717D)

**HB 771** (Hugo) (HTRAN)/**SB 180** (McWaters) (STRAN) provides for a course in mature driver motor vehicle crash prevention and provides that such course is an option for the court in adjudicating defendants. The bill also lowers the age at which drivers are required to appear before the DMV for renewal from 80 to 75 and requires that licenses issued to persons age 75 or older be valid for no more than five years. The bill contains a delayed effective date. (14102085D/14102126D)

**HB 856** (Fariss) (HAG) removes the requirement that a permit is required from the Department of Environmental Quality to transport hazardous waste. (14101328D)

**HB 904** (Hugo) (HTRAN) requires VDOT, at least 30 days prior to any public hearing regarding a transportation project, to provide by regular mail notice of pending transportation projects to all owners of property within the area affected by such project. (14103457D)

**HB 915** (Poindexter) (HAG) requires that any permit or lease for oil or gas exploration or extraction on state-owned uplands allow the use of hydraulic fracturing. (14102956D)

**HB 968** (James) (HAG) changes the definition of the "bona fide prospective purchaser" of brownfield property to include not only the person who acquires or proposes to acquire ownership of a brownfield property but also the tenant of such person. The bill conforms Virginia's definition with the federal definition. (14101331D)

**HB 1006** (Byron) (HAG) directs the Department of Conservation and Recreation to utilize a storm-based approach in order to derive the Probable Maximum Precipitation (PMP) level for locations in the Commonwealth. By updating the PMP, it is anticipated that dam owners will have significant cost savings in spillway construction and remediation efforts. The bill contains a contingency clause indicating that it will not take effect unless funding is available to carry out the purpose of the legislation. The bill also allows owners of impoundment structures regulated under Virginia's Impounding Structure Regulations (4VAC50-20) to apply for a provisional license from the Department of Conservation and Recreation that shall allow

impoundment structures to continue to function with no upgrades until the storm-based analysis has been completed. (14102322D)

**HB 1080** (Garrett) (HCCT)/**SB 407** (Newman) (SLG) reconstitutes the five-member task force appointed by the Governor to review state mandates as the nine-member Joint Task Force for Local Mandate Review, with the additional four appointments to be made by the General Assembly. (14103586D/14102513D)

**HJ 122** (LeMunyon) (HTRAN) requests the Secretary of Transportation and VDOT to create and implement statewide transportation technology goals and a five-year plan of action. Such goals and plan are to be directed to enhancing the efficiency, safety, and convenience of all modes of transportation throughout the Commonwealth. (14102202D)

**SB 26** (Alexander) (STRAN) increases time periods for public comment and submission of competing proposals and transparency in agreements pursuant to the Public-Private Transportation Act of 1995. The bill also requires a presentation to the Transportation Committees, Senate Finance Committee, and House Appropriations Committee of the General Assembly for projects in excess of \$1 billion. (14100633D)

**SB 48** (Stuart) (SACNR) prohibits the drilling for oil and gas in the Eastern Virginia Groundwater Management Area. When the General Assembly enacted the Groundwater Management Act in 1973, it declared that the continued, unrestricted usage of groundwater is contributing and will contribute to pollution and the shortage of groundwater, thereby jeopardizing the public welfare, safety, and health. The Act recognized that the state has the right to the reasonable control of all groundwater resources in order to conserve, protect, and beneficially utilize the groundwater of the Commonwealth. The bill would apply to groundwater and the associated aquifers in the coastal plain of Virginia. The bill would also require the Department of Environmental Quality to adopt regulations protecting surface and ground water resources before the Department of Mines, Minerals and Energy issues a drilling permit in those areas of Tidewater where such activity is allowed. (14100454D)

**SB 59** (Stuart) (SCT) provides that the responsibility for maintaining the files of executed administrative search warrants, investigation warrants, and inspection warrants lies with the clerk of the circuit court of the city or county in which the search or investigation was made. Currently, the issuing magistrate or judge is responsible for maintaining such warrants. The bill is a recommendation of the Judicial Council. (14101442D)

**SB 91** (Alexander) (STRAN) requires comprehensive agreements under the Public-Private Transportation Act of 1995 to include a provision providing for reduced rates for commuters who use the facility at least 20 times per month during a 12-month period. (14100730D)

**SB 156** (Miller) (STRAN) requires VDOT or the toll facility operator at all-electronic toll facilities to either pay maintenance fees associated with E-ZPass transponders and attributed to residents living within a 50 mile radius or have the same fees for drivers with transponders as those without. (14101011D)

**SB 293** (Puckett) (SCT) punishes reckless driving that causes the death or serious physical injury of a law-enforcement officer, emergency medical services personnel, highway worker, or firefighter engaged in his duties as a Class 6 felony with a \$2,500 mandatory minimum fine. The bill further requires the court to suspend the offender's driver's license for one year. In addition, the court may impose a civil penalty of up to \$10,000 and the proceeds shall be deposited into the general fund. (14100631D)

**SB 582** (Garrett) (SACNR) exempts owners of impounding structures who by July 1, 2014, have not begun the upgrading of their facilities or have been unable to comply with the Department of Conservation and Recreation's Impounding Structure Regulations until an analysis by the Department of the costs of such compliance is completed and the General Assembly has considered the findings and provided policy guidance. The analysis is to be completed by December 1, 2014, and the findings reported to the committees of oversight. Owners of impounding structures who, prior to July 1, 2014, have contracted for services in order to comply with the regulations and the Dam Safety Act will be required to continue to meet the requirements of the regulations and the Act. (14103324D)

### **Elections**

**HB 31** (Lingamfelter) (HPE) adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2015, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party's primaries held from April 1 of that year and through March 31 of the following year. (14100048D)

**HB 45** (Cole) (HPE) makes technical changes to House of Delegates Districts 2, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 25, 26, 29, 30, 31, 32, 33, 42, 43, 44, 45, 47, 49, 50, 51, 52, 55, 59, 60, 64, 67, 75, 87, 93, 94, 95, 96, and 99 in order to eliminate split voting precincts and otherwise facilitate administration of legislative elections by local officials. All districts remain within one percent deviation of the ideal population. (14101173D)

**HB 55** (Cole) (HPE) adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2015, will be designated as independent unless they provide a political party designation in writing or electronically to the general registrar. Voters may change their party affiliation or independent status at any time before an election until the registration records are closed. The bill does not change Virginia's present primary laws, and all registered voters remain eligible to participate in the primary of a political party that chooses to nominate by primary. (14101559D)

**HB 76** (Simon) (HPE)/**HB 919** (Sickles) (HPE) permits the representative or legal counsel of a person whose provisional vote is being considered to attend the meeting of the electoral board to determine the validity of that provisional vote, without requiring the person whose provisional vote is being considered to be in attendance. (14101079D/14101356D)

**HB 105** (Cole) (HPE) saves time and resources for electoral boards in accounting for write-in votes after the election. The bill eliminates the percentage threshold, instead requiring only that the total number of write-in votes cast for a particular office be greater than the total number of votes cast for the candidate receiving the most votes for that office before certain actions are required of the electoral board. (14101767D)

**HB 194** (Taylor) (HPE) provides that no political party shall determine its candidates for statewide or General Assembly district office by a method that prohibits absentee ballots from being cast by uniformed-service voters or otherwise eligible voters who are employed overseas under a contract with the U.S. Department of Defense. (14102553D)

**HB 645** (Campbell) (HPE) extends to elections for constitutional officers the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections. (14102299D)

**SB 319** (Vogel) (SPE) changes the date of primary elections held in the month of June from the second Tuesday in June to the third Tuesday in June and changes candidate filing deadlines to reflect that change of date. (14103323D)

**SB 361** (Saslaw) (SPE) strikes "from day to day" to allow the electoral board to adjourn, for example, from Wednesday to Friday for the review of provisional ballots. Present law allows the electoral board to adjourn from day to day up to seven days after the election to ascertain the results. (14102187D)

### **Studies**

**HJ 22** (Minchew) (HRUL) requests the State Board of Elections to study the evolution of the role, duties, and responsibilities of general registrars in the Commonwealth. The study shall be conducted by a work group consisting of at least one member of the State Board of Elections, members of the local electoral boards, general registrars, and other persons as the State Board of Elections deems necessary. (14102947D)

**HJ 24** (Webert) (HRUL) requests the State Board of Elections to study the compensation of general registrars in the Commonwealth and the potential impacts of increases in the rate of compensation. The study shall be conducted by a work group consisting of at least one member of the State Board of Elections, members of the local electoral boards, general registrars, and other persons as the State Board deems necessary. (14102084D)



**HJ 34** (Lingamfelter) (HURL) directs the Joint Legislative Audit and Review Commission to study the effectiveness of requiring seat belts on every school bus in the Commonwealth. (14102644D)

**SJ 16** (Howell) (SRUL) establishes a joint subcommittee to study mental health and the criminal justice system, including (i) the training provided to law-enforcement officers and other first responders under the crisis intervention team program, (ii) the need for crisis receiving centers at the local level, and (iii) the need for mental health treatment beds or other appropriate alternatives for jail diversion at the regional or local level, including the current and projected future availability of beds in state and private hospitals and local and regional jails and other housing arrangements where appropriate. (14102654D)

**SJ 47** (Deeds) (SRUL) establishes a new joint subcommittee to study the delivery of mental health services, including laws governing the provision of mental health services and the system of emergency, short-term, forensic, and long-term mental health services in the Commonwealth. (14101821D)

**SJ 56** (Edwards) (SRUL) directs the Joint Legislative Audit and Review Commission to study and identify policy and funding options to expand the Virginia Preschool Initiative. (14103474D)

#### **Commonwealth Transportation Board**

**HB 70** (Marshall, III, D) (HRUL) vests the Joint Commission on Transportation Accountability with the power and duty to make performance reviews of state agencies with transportation responsibilities to ensure that funds appropriated to those agencies are being used for their intended purposes and in accord with legislative intent. The bill also directs the Commission, prior to the 2015 Session, to study the costs and benefits of coordinating traffic light signals. (14101213D)

**HB 145** (Hugo) (HTRAN) provides for removal of members of the Commonwealth Transportation Board by the Governor for malfeasance, misfeasance, incompetence, or gross neglect of duty. (14100909D)

**HB 146** (Hugo) (HTRAN) increases the size of the Commonwealth Transportation Board by six members (from 18 to 24). Three of the new members are to be members of the House of Delegates: two from the majority party and one from the minority party. The three other new members are to be members of the Virginia Senate: two from the majority party and one from the minority party. (14101481D)

**HB 169** (Webert) (HTRAN) increases from 18 to 22 the membership of the Commonwealth Transportation Board by adding four citizen members to be appointed by the Governor, subject to confirmation by the General Assembly. Of the four new members, one is to be from the Hampton Roads highway construction district, one is to be from the Northern Virginia highway construction district, and two are to be from rural areas. (14101451D)

**Education**

**HB 21** (Marshall) (HED) requires every school board in the Commonwealth to designate at least one qualified person for every school in the district who, upon application with the school board, may carry a concealed handgun on school property. The bill requires all designated persons, including certain school division employees, certain school volunteers who carry valid concealed handgun permits, and certain retired law-enforcement officers, to be certified and trained by the Virginia Center for School Safety or the National Rifle Association in the storage, use, and handling of a concealed handgun. The bill also outlines the training requirements for designated persons as designed by the Department of Criminal Justice Services. (14100777D)

**HB 28** (Comstock) (HED)/**HB 137** (Ramadan) (HED)/**HB 144** (Hugo) (HED) provides that the board of visitors or other governing body of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, must establish rules and regulations requiring that by the start of the 2019-2020 academic year at least 75 percent of students admitted and enrolled at the institution are domiciled in Virginia. (14100891D/14102408D/14102408D)

**HB 34** (Kory) (HED) requires local school boards to set the daily school calendar so that programs of instruction at public high schools start no earlier than 8:00 a.m. The bill has a delayed effective date of July 1, 2016. (14101793D)

**HB 35** (Kory) (HED)/**HB 42** (Habeeb) (HED)/**HB 386** (Comstock) (HED)/**HB 610** (Robinson) (HED) makes local school boards responsible for setting the school calendar and determining the opening date of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill contains technical amendments. (14100328D, 14101046D, 14101103D, 14101025D)

**HB 318** (Kory) (HED) abolishes the A-to-F grading system for measuring individual school performance. (14100852D)

**SB 155** (Miller) (SEH) requires at least 30 minutes of physical activity per day during the regular school year for students in grades kindergarten through eight. This requirement becomes effective beginning with the 2016-2017 school year. (14102161D)

**SB 160** (Miller) (SEH) requires each non-interscholastic youth sports program utilizing public school property to establish policies and procedures based on either the local school division's guidelines or the Board of Education's guidelines regarding the identification and handling of suspected concussions in student-athletes. The bill also directs the Board of Education to review and revise the Board's guidelines on concussions as necessary. (14100520D)

**SB 172** (Stuart) (SEH) requires each non-interscholastic youth sports program utilizing public school property to either (i) establish policies and procedures based on either the local school division's guidelines or the Board of Education's guidelines regarding the identification and

handling of suspected concussions in student-athletes or (ii) follow the policies and procedures regarding the identification and handling of suspected concussions required of local school divisions in existing law. The bill also directs the Board of Education to review and revise the Board's guidelines on concussions as necessary. (14101793D)

### **Legislative Committee Actions of January 24, 2014**

Members Present:     Legislative Chairman McKay  
                              Chairman Bulova  
                              Supervisor Cook  
                              Supervisor Foust  
                              Supervisor Frey  
                              Supervisor Gross  
                              Supervisor Herrity  
                              Supervisor Hudgins  
                              Supervisor Hyland  
                              Supervisor Smyth

#### **Specific Issues**

Member Budget Amendments: The Committee received a summary of member budget amendments as well as the proposed amendments announced by Governor McAuliffe.

Cost of Competing: The Committee reviewed a letter to Governor McAuliffe from a number of regional Chambers of Commerce requesting support for full restoration of the Cost of Competing Adjustment for school support positions in the biennium budget.

#### **Specific Legislation**

Fairfax County Legislative Summary The Committee discussed the status of legislation on which the Committee had previously taken positions. The Committee's positions on these bills are noted in the attached tracking chart.

#### **Historical Positions of the Board**

##### **OPPOSE**

**HB 1159** (Rasoul) (HCT) includes the mayor or chief executive officer of a locality, school superintendent, and any member of a local governing body, planning commission, or school board in the current prohibition against knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$50 from any bidder, offeror, or private entity who has submitted a bid or proposal pursuant to the Virginia Public Procurement Act, the Public-Private Transportation Act, or the Public-Private Education Facilities and Infrastructure Act during the bidding period. The restrictions only apply if the stated or expected value of the contract is \$5 million or more and do not apply to contracts awarded as the result of competitive sealed bidding. Furthermore, no bidder, offeror, or private entity who has submitted a bid or proposal under such acts shall offer or promise to make such a gift to the mayor or chief executive officer of a locality, school superintendent, or any member of a local governing body, planning commission, or school board. Any violation shall be subject to a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. Oppose; Board does not make procurement decisions. (14102976D)

**HB 1230** (Sickles) (HAPP) creates a Line of Duty Death and Health Benefits Fund and provides for the funding of Line of Duty claims. The bill also establishes an advisory review board to assist the Comptroller in the review of claims involving a claimant who has not received a disability determination from the Virginia Retirement System, Social Security Administration, Workers' Compensation Commission, or any recognized retirement system or who is, as of the time the claim for benefits had been filed, working in an alternative position. Oppose diversion of communications sales and use tax revenues. (14103501D)

**MONITOR**

**HB 346** (James) (HTRAN) provides that no comprehensive agreement providing for the lease, operation, or transfer of ownership of a qualifying transportation facility under the Public-Private Transportation Act with a total value of more than \$1 billion and having a substantial negative impact on the tax revenues of an affected jurisdiction or substantially increasing the taxes, fees, or expenses that will be paid by residents of an affected jurisdiction may be executed by a state agency unless (i) approved by the Governor and (ii) a bill that includes a specific description of the proposed agreement and its anticipated expenditures and revenues is passed by the General Assembly. Monitor. (14102629D)

**HB 349** (James) (HTRAN) provides that no comprehensive agreement providing for the lease, operation, or transfer of ownership of a qualifying transportation facility under the Public-Private Transportation Act or a qualified project under the Public-Private Education Facilities and Infrastructure Act with a total value of \$1 billion or more shall be executed by a state agency unless (i) approved by the Governor and (ii) a bill that includes a specific description of the proposed agreement and its anticipated expenditures and revenues is passed by the General Assembly. Monitor. (14102552D)

**New Bills-2014 General Assembly**

**HB 497** (Head) (HFIN) permits a taxpayer to appeal to the Tax Commissioner or request a written ruling from him with regard to the classification of the business for BPOL tax purposes, regardless of whether the locality has conducted an audit, issued an assessment, or taken any other action. Monitor. (14103423D)

**HB 772** (Habeeb) (HFIN)/**SB 483** (Stuart) (SFIN) provides that if a taxpayer agrees, a third party who pays the delinquent taxes due on the taxpayer's real property may be assigned the tax lien on the property. Oppose. (14101545D, 14102468D)

**HB 1203** (Hugo) (HCCT) requires that the final step in an employee grievance procedure adopted by a local governing body be either a hearing before an administrative hearing officer agreed upon by both parties or a hearing before an impartial panel. Oppose. (14103412D)

**HB 1095** (Peace) (HAPP) creates the Innovation and Technology Transportation Fund to fund pilot programs and fully developed initiatives pertaining to high-tech infrastructure

improvements with five percent of the annual amount allocated by the Commonwealth Transportation Board. Amend to allow up to five percent to be allocated rather than five percent. (14102196D)

**HB 1219** (Marshall, R.) (HCT) provides that any zoning ordinance of a locality that violates or unreasonably restricts the free exercise of rights guaranteed under the United States Constitution or the Constitution of Virginia shall be null and void and shall constitute a violation. Any enforcement by a locality of such ordinance shall be deemed a violation. In any litigation in which the constitutionality of a zoning ordinance or its enforcement is at issue, the ordinance shall not be given a presumption of constitutionality or presumption of validity. In any litigation involving a challenge under this statute, the burden of establishing compliance with the statute shall be on the locality. Any locality that violates the statute shall be liable to aggrieved persons in amounts equal to the fines and penalties that the locality seeks to impose on such aggrieved persons, plus actual damages including reasonable attorney fees. Any locality that willfully violates this statute, or whose interpretation or enforcement of ordinances willfully operates in violation of this statute, shall be liable to the aggrieved person for treble damages, plus reasonable attorney fees. Any official or employee of a locality that willfully violates this statute, or whose interpretation or enforcement of duties willfully operates in violation of the statute, may be personally liable to aggrieved persons in the amount equal to the fines and penalties that such official or employee seeks or sought to impose on such aggrieved persons plus actual damages and attorney fees. The Attorney General of Virginia shall establish a procedure whereby persons, including officials and employees of localities, may report violations. No locality may take disciplinary action against any official or employee for reporting such violations. The Attorney General (i) shall have authority to institute legal proceedings in the courts of the respective locality and (ii) may intervene in any proceeding to enforce this statute against any locality. Oppose. (14103146D)

**HB 1253** (Jones) (HTRAN) creates the Hampton Roads Transportation Accountability Commission to manage regional transportation planning in Planning District 23. The bill moves the responsibility for approval of projects and the priority of such projects pursuant to the Hampton Roads Transportation Fund from the Hampton Roads Planning Organization to the new Commission. Amend to remove language relating to NVTA. (14103556D)

**SB 513** (Wagner) (STRAN) creates the Hampton Roads Transportation Authority to manage regional transportation planning in Planning District 23. The bill also moves the responsibility for approval of projects and the priority of such projects pursuant to the Hampton Roads Transportation Fund from the Hampton Roads Planning Organization to the Hampton Roads Transportation Authority effective July 1, 2015. Amend to remove language relating to NVTA. (14101065D)

**HB 1254** (Marshall, R.) (HAPP) places limitations and conditions on funding by the NVTA mass transit and highway projects to ensure comparative analysis of project costs and benefits. Oppose (14103801D)

**SB 116** (Watkins) (SFloor) allows an attorney to record a corrective affidavit to correct an obvious description error contained in a recorded deed, deed of trust, or mortgage. Obvious description errors include (i) errors transcribing courses and distances, (ii) errors incorporating a recorded plat or deed reference, (iii) errors in listing a lot number or designation, and (iv) omitted exhibits that supply the legal description of the property. Before a corrective affidavit may be recorded, all parties to the deed, deed of trust, or mortgage and the title insurance company must be provided with a copy of the affidavit, and such parties have 30 days to object in writing to the recordation of the corrective affidavit. Amend to provide for notification to a locality for all types of subdivision plats. (14101903D)

**SB 608** (Carrico) (SCT) provides for the issuance of concealed handgun permits that do not expire to Virginia residents upon payment of a one-time fee of \$100, except that the fee for a person currently holding an unexpired permit is \$50. Currently, the fee for issuing such permits is \$50, and the permits must be renewed every five years with an additional \$50 fee charged each time. Such lifetime permits will include a photograph of the permittee. The bill also centralizes the issuance of concealed handgun permits with the Department of State Police, instead of current law which provides that the circuit court clerk for the jurisdiction where the applicant resides issues such permits. The Department of State Police must issue a permit within 45 business days of receipt of a completed application, unless the applicant is disqualified, and a replacement permit within 30 business days of receipt of a notarized statement from the permittee that the permit was lost or stolen. Permittees must notify the Department of State Police within 30 business days of any change in their address. The bill also requires the Department of State Police to conduct periodic background checks during the lifetime of any permit issued in the Commonwealth. The bill provides for a process by which a person whose permit application was denied or whose permit was revoked may appeal such determination. The Department of State Police will submit a report containing statistical information regarding the issuance of concealed handgun permits annually to the General Assembly. The bill also requires the Department of State Police to charge a fee of \$25 for the issuance of a permit to certain retired non-Virginia law-enforcement personnel (currently no fee is charged), \$200 for the issuance of a nonresident permit (currently \$100), \$10 for the issuance of a replacement permit (currently \$10 due to an address change or \$5 for a lost or destroyed permit), and \$50 for the transference of a nonresident permit into a resident permit. Finally, the bill provides that any person who knowingly possesses a revoked or suspended permit is guilty of a Class 1 misdemeanor and is guilty of a Class 6 felony if he is simultaneously in possession of a concealed handgun. The bill does not alter current penalties for carrying a concealed handgun without a permit. The bill has a delayed effective date of January 1, 2015. Oppose. Same as HB 736 (Lingamfelter). Bill allows lifetime concealed handgun permits, which could allow existing permit holders to maintain the permit even if they become legally ineligible in the future. (14103073D)

### **Privacy and Electronic Devices**

**HB 173** (Farrell) (HCT) provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue

of and under a warrant issued by a proper officer. Amend to limit to the suspect's personally owned devices. (14100584D)

**HB 813** (Carr) (HCT) provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer. Amend to limit to the suspect's personally owned devices. (14101726D)

### **Human Services**

**HB 1** (Comstock) (HAPP)/**SB 4** (Howell) (SCT) creates a new subfund in the Criminal Injuries Compensation Fund to be known as the Sexual and Domestic Violence Subfund. The Subfund consists of all funds, from whatever source, in the Commonwealth related to sexual and domestic violence prevention, intervention, and prosecution. The bill also directs the Workers' Compensation Commission to appoint a coordinator to administer and oversee the use of the funds. (14100790D/14100667D) Monitor.

**HB 657** (Bell, R.) (HCT) permits a victim of kidnapping, criminal sexual assault, or family offenses to testify via two-way closed-circuit television if the court finds that the victim is unable to testify in open court because he will suffer severe emotional trauma. Currently, only child victims who are under 16 years old at the time of trial and who were under 14 years old at the time of the offense and child witnesses who are under 14 years old at the time of trial may testify in this manner. Support. (14100841D)

**HB 890** (Peace) (HHWI) allows family-services specialists and qualified equivalent workers to perform tasks previously limited to social workers. The bill expands the authority of the Adult Protective Services Unit to establish minimum standards of training and educational opportunities for all workers in the field of adult protective services, which minimum standards currently apply to social workers. The bill changes the Department of Medical Assistance Services (DMAS) employment requirement for a baccalaureate degree from "social work" positions to "family-services-specialist" positions. The bill adds family-services specialists to the list of individuals required to report suspicions of child abuse or neglect. The bill contains an emergency clause. Support. (14101234D)

**SB 284** (Howell) (SRSS) directs the Board of Social Services to promulgate regulations governing kinship care placements within 280 days. Monitor. (14100666D)

**SB 400** (Reeves) (SRSS) provides that a child placed in kinship foster care shall not be removed from the physical custody of the kinship foster parent, provided the child has been living with the kinship foster parent for six consecutive months and the placement continues to meet approval standards for foster care, unless the kinship foster parent consents to the removal; removal is agreed upon at a family partnership meeting; removal is ordered by a court of competent jurisdiction; or removal is warranted pursuant to § 63.2-1517 of the Code of Virginia. Oppose. VDSS has a work group now underway to define kinship care. (14100563D)



**SB 624** (Newman) (SCT) provides that school board employees that render certain acts of emergency care, including emergency first aid, cardiopulmonary resuscitation (CPR), or use of an automated external defibrillator (AED), shall not be liable for ordinary negligence that results from the certain acts of emergency care. The bill contains an emergency clause. Amend to include school health aides in liability protections. (14103162D)

**SB 627** (Newman) (SRSS) requires the Department of Behavioral Health and Developmental Services to, before transferring any training center resident to another training center or to community-based care, provide written certification to the training center resident or his legally authorized representative that the receiving facility provides quality of care equal to or higher than that provided in the resident's current training center and that all permissible placement options have been disclosed. Monitor. (14103681D)

**SB 662** (Favola) (SRSS) allows Fairfax County to continue using a local sliding scale to determine copayment responsibilities for families receiving child-care subsidy. The local sliding scale imposes copayments in an amount between 2.5 and 10 percent of the families' countable monthly income. The statewide fee scale established by the Department of Social Services imposes copayments in an amount between five and 10 percent of the families' countable monthly income. Support. (14103514D)

#### Land Use and Eminent Domain

**SB 665** (Petersen) (SCT) recognizes the property right of quiet and peaceful enjoyment and provides that just compensation is owed to the owner of property subject to condemnation when quiet and peaceful enjoyment is taken or damaged. This bill is in response to the decision of the Supreme Court of Virginia in *Byler v. VEPCO*, 284 Va. 501, 731 S.E.2d 916 (2012). Oppose. (14103040D)

**SB 666** (Petersen) (SCT) requires the court, in certain condemnation proceedings, to award costs, including reasonable attorney fees, to the owner of property taken by condemnation. Under current law, awarding costs is discretionary and such costs exclude attorney fees. Oppose. (14103041D)

#### Elections

**HB 1231** (Sickles) (HPE) provides that voting machines purchased by a locality after July 1, 2014, shall not allow wireless communications at any time. Currently, wireless communication between and among voting machines is prohibited only while polls are open on election day. Monitor. (14102390D)

#### Studies

**HJ 174** (Byron) (HRUL) directs the Department of Taxation to conduct a study on tax restructuring. Oppose. Study assumes the elimination of BPOL, and does not include local government representation. (14103853D)

### **Legislation Requiring Further Review**

**HB 208** (Marshall, III, D.) (HCCT) amends the existing vested rights statute by clarifying that structures that meet certain conditions shall be considered nonconforming. Additional changes make clear that a requirement under existing law to bring certain structures into compliance with the Uniform Statewide Building Code shall not affect the nonconforming status of those structures. (14101012D)

**HB 296** (Villanueva) (HCCT) requires localities to take steps to align transportation infrastructure and facilities with affordable, accessible housing and community services when developing the transportation component of the comprehensive plan for the physical development of the territory. The bill is a recommendation of the Virginia Disability Commission. (14100343D)

**HB 312** (Toscano) (HCT) provides that in any civil action to rescind a deed, contract, or other instrument, the plaintiff is entitled to reasonable attorney fees and costs associated with bringing such action where the court finds, by clear and convincing evidence, that the instrument was obtained by fraud or undue influence on the part of the defendant. (14101658D)

**HB 475** (McQuinn) (HTRAN) provides that any locality may by ordinance allow pedestrians over the age of 18 who are part of, or working on behalf of, a § 501(c)(3) organization, to enter one or more roadways for the purpose of soliciting contributions that are devoted to charitable or community betterment purposes. (14102642D)

**HB 513** (Morris) (HCCT) provides that any appointee of a local governing body to a local board, commission, or committee, whether pursuant to § 15.2-1411 or any other provision of the Code, shall serve at the pleasure of the local governing body and may be removed at any time. (14102507D)

**HB 494** (Lingamfelter) (HCCT) requires all localities to establish personnel policies covering the use of public property by officers and employees of the locality. Among other things, the personnel policies shall prohibit the use of telephones, personal computers, and related devices and peripheral equipment that are the property of the locality for (i) personal use, to the extent that such use interferes with the employees' productivity or work performance, or (ii) political activities. (14100273D)

**HB 572** (DeSteph) (HAG) adds to the standard coastal wetland zoning ordinance a requirement that a local wetlands board give a permit applicant credit toward local in-lieu fees in the amount of the fee he has paid to the Virginia Wetlands Restoration Trust Fund or another dedicated wetlands restoration fund. The bill makes technical changes. (14101797D)

**HB 665** (Brink) (HPE)/ **SB 191** (Edwards) (SPE)/**SB 247** (McEachin) (SPE) prohibits the cancellation of the registration of an active voter identified on the basis of interstate cross-check lists as registered in another state without corroboration that he has moved from

Virginia. Voters identified as having moved will be given notice before the voter's registration is canceled. The bill also provides a timetable for the general registrars to process names of such voters. (14102311D/ 14100644D/14101026D)

**HB 978** (Rust) (HCL) defines a public utility within the Public-Private Transportation Act of 1995 and the Public-Private Education Facilities and Infrastructure Act of 2002. The bill contains an emergency clause. (14104280D-H1)

**HB 990** (Fowler) (HGL) provides that relocation assistance and real property acquisition policies of the Commonwealth apply in the case of transportation projects funded in whole or in part with state or federal funds unless compliance would jeopardize the receipt and expenditure of all or a portion of federal funds that would otherwise be available for transportation projects. The bill also raises the authorized payment to a displaced homeowner from \$22,500 to \$31,000 and reduces from 180 to 90 the number of days that may pass between displacement and negotiations for the acquisition of property before such payment is authorized. The bill also increases from \$5,250 to \$7,200 the maximum payment permitted to a person leasing or renting a comparable replacement dwelling for a period of 42 months. The bill contains a partial delayed effective date. (14101417D)

**HB 1211** (Gilbert) (HCT)/ **SB 649** (Norment) (SCT) establishes the Virginia Conflict of Interest and Ethics Advisory Council composed of 14 members: four appointments each by the Speaker of the House of Delegates, Senate Committee on Rules, and Governor; one designee of the Attorney General and one representative of the Virginia Association of Counties and Virginia Municipal League. The Council will elect its chairman and vice-chairman and choose its executive director. The Council will review and post online the disclosure forms filed by lobbyists and persons subject to the conflict of interests acts and provide formal opinions and informal advice, education, and training. The bill requires the filing of the disclosure forms twice a year. It provides that the Division of Legislative Services will staff the Council, and the House and Senate Clerks will transmit complaints of conflict law violations to the ethics advisory panels of the House of Delegates and Senate. The bill prohibits tangible gifts with a value of more than \$250 from lobbyists to certain executive officers and employees and to legislators. A number of disclosure provision thresholds are reduced from \$10,000 to \$5,000 and gifts to immediate family members are made subject to disclosure. (14103866D/14100967D)

**SB 534** (Barker) (SRSS) provides that a local director of social services or his designee may consent to (i) surgical or medical treatment of a minor in the custody of the local department of social services in certain situations and (ii) the collection of forensic evidence on behalf of a minor in the custody of the local department in cases in which the minor is believed to be the victim of sexual assault. (14102783D)

**SB 671** (Favola) (SACNR) requires electric generating stations seeking a Virginia Water Protection Permit to submit an estimate of the amount of water that will be withdrawn and consumed for the lifecycle of the fuel used by the proposed generating station. (14104068D)

**Privacy and Electronic Devices**

**HB 17** (Marshall) (HCT) provides that a cellular phone or other wireless telecommunications device is a tracking device when it is used to track the movement of a person and that such use requires a warrant issued by a judicial officer. The bill also provides that the "location data" of a customer of an electronic communication service or a remote computing service may only be retrieved from the provider by warrant or consent of the customer. Location data is defined as any data or information that tracks, either at a point in time or over a period of time, the location of a subscriber to or customer of a provider of electronic communication service or a remote computing service as determined by the location of an electronic device to which the subscriber or customer has legal title, claim, right, custody, or ultimate control. (14100125D)

**HB 814** (Carr) (HCT) provides that a cellular phone or other wireless telecommunications device is a tracking device when it is used to track the movement of a person and that such use requires a warrant issued by a judicial officer. (14101727D)

**Stormwater**

**HB 261** (Scott) (HAG) authorizes the State Water Control Board to adopt regulations that create a procedure for approving permits for individual parcels in a common plan of development, provide a General Permit for Discharges of Stormwater from Construction Activities that omits unneeded information on post-construction water quality standards, and provide reciprocity with other states regarding certification of best management practices. The bill also allows the submission of an agreement in lieu of a permit where land-disturbing activity results from the construction of a single-family residence. (14101222D)

**HB 445** (Bulova) (HAG) establishes minimum procedural requirements for the adoption of all waste load allocations, including public notice, public comment opportunity, a stakeholders advisory group process, agency response to comments, and a public meeting. Historically, waste load allocations were established under various procedures on a case-by-case basis. The bill requires that a comprehensive listing of all total maximum daily load waste load allocations adopted or approved by the State Water Control Board prior to July 1, 2014, be set forth in the Water Quality Management Planning Regulation (9VAC25-720). The bill also provides that any amendment prior to July 1, 2025, of the Water Quality Management Planning Regulation waste load allocations for nitrogen or phosphorus related to chlorophyll-a water quality criteria for multiple James River basin facilities shall be undertaken in accordance with the Administrative Process Act. (14103437D)

**Staff "Watch List"/May Have State Revenue/Policy Implications**

**HB 127** (Scott) (HAG) allows persons to hunt big game with muzzleloading pistols of a caliber of .45 or greater where and in those seasons when the use of muzzleloading rifles is permitted. The bill authorizes the Board of Game and Inland Fisheries to adopt regulations that specify the types of muzzleloading pistols and projectiles and propellants that can be used. The bill contains technical amendments. (14101210D)

**HB 209** (Marshall, III, D.) (HCCT) provides that localities may mandate the submission of preliminary subdivision plats for tentative approval only for plats involving 50 or more lots. (14101774D)

**HB 345** (Taylor) (HFIN) provides that the motor fuels tax on non-liquid alternative fuels shall be the percentage tax on a gallon of gasoline multiplied by the average wholesale cost of the amount of the alternative fuel required to produce the energy content of a gallon of unleaded gasoline, for each such amount of alternative fuel. (14102580D)

**HB 497** (Head) (HFIN) permits a taxpayer to appeal to the Tax Commissioner or request a written ruling from him with regard to the classification of the business for BPOL tax purposes, regardless of whether the locality has conducted an audit, issued an assessment, or taken any other action. (14103423D)

**HB 510** (Morris) (HAPP) prohibits state agencies and state officials, officers, and employees from disbursing, allotting, collateralizing, encumbering, committing, or otherwise using federal moneys or funds unless there is in effect an appropriation enacted by the General Assembly that specifically describes or defines the federal moneys or funds and how they are to be used. (14100037D)

**SB 524** (Carrico) (SLG) provides for a portion of the revenues from local fines and penalties to be segregated and deposited in a special fund in those counties or cities in which the local fines and penalties collected exceed a threshold amount. If the local fines and penalties collected by a county's or city's district courts during the fiscal year exceed 65 percent of the total of all fines and penalties collected by such courts, then the requirement to segregate and deposit the local fines and penalties in a special fund is triggered. One-half of the local fines and penalties exceeding such 65 percent would be deposited into the local special fund. Local fines and penalties deposited into the special fund could be used for any purpose including the funding or financing of the operations or administration of police or sheriff's departments. The bill intends to create a mechanism to track local government appropriations of local fines and penalties in certain counties and cities. (14100301D)

**SB 606** (Watkins) (SFIN) allows lane-mile payments of \$12,529 for a county with a charter that borders four cities, which elects to withdraw from the secondary system after June 30, 2014. The bill also allows the Commissioner of Highways to enter into agreements with such counties that withdraw for traffic control. (14103868D)

### **Stormwater**

**HB 1173** (Hodges) (HAG) allows any locality that does not operate a municipal separate storm sewer system (MS4) to opt out of establishing Virginia Stormwater Management Programs. Localities that notify the Department of Environmental Quality of their decision to opt out shall have their stormwater programs managed by the Department. (14103701D)

**SB 425** (Hanger) (SACNR) clarifies the appeals process for persons subject to state permit requirements under the Stormwater Management Act. The bill removes Virginia Stormwater

Management Program (VSMP) authorities from the list of bodies whose actions may be appealed. For appeals of actions of the Department of Environmental Quality (the Department) or the State Water Control Board (the Board), the bill refers to applicable hearing procedures and provides that appeals include an opportunity with judicial review in accordance with certain standards. (14101740D)

**SB 469** (Smith) (SACNR) delays the date on which local governments are required to assume responsibility for administering the Stormwater Management Program from July 1, 2014, to July 1, 2015, in those localities in which less than 11 percent of the land area drains to the Chesapeake Bay. (14102851D)

### **Utilities Regulation**

**HB 848** (Loupassi) (HLC) authorizes investor-owned electric utilities to recover the costs of new underground distribution facilities through a rate adjustment clause. Eligible facilities will replace existing overhead distribution facilities of 69 kilovolts or less. A utility shall not seek any annual incremental increase in the level of investments in such facilities that exceeds five percent of the utility's distribution rate base. In determining whether to approve a rate adjustment clause for such facilities, the State Corporation Commission is directed to liberally construe the provisions of Title 56 and to give due consideration to the public policy goals of increased electric service reliability and reduced outage times associated with the replacement of existing overhead distribution facilities with new underground facilities. None of the costs of such new facilities shall be allocated to customers in the large general service rate class. (14102014D)

**HB 949** (Hugo) (HLC) authorizes a natural gas utility to recover eligible costs of eligible natural gas supply infrastructure projects. A plan for recovery of such costs may provide the utility with an option to receive the gas or sell the gas at market prices. The measure also (i) provides that the transportation of natural gas by pipeline, without providing service to end users within the territory, shall not be considered operating in the territory of another certificate holder; (ii) bars the State Corporation Commission from approving the construction of a natural gas compressor station in an area without the locality's certification only if the area is zoned exclusively for residential use; and (iii) expands the definition of a strategic natural gas facility to include a natural gas transmission company that adds design day deliverability or designed send out of at least 100,000 dekatherms per day in the aggregate. The bill exempts open season capacity acquisitions or releases between a public service company and an affiliated interest from the requirement that the Commission approve contracts entered into by a public service company. (14103407D)

**HB 1059** (Kilgore) (HLC) limits the portion of the costs incurred by an investor-owned electric utility between July 1, 2007, and December 31, 2013, in developing a nuclear power facility or an offshore wind project that are recoverable through a rate adjustment clause to 30 percent of such amount. The remaining 70 percent of such costs will be recoverable only through existing base rates in the test periods under review in the utility's next biennial review filed after July 1, 2014. All of the costs incurred after December 31, 2013, will be recoverable through a rate adjustment clause as may be approved by the State Corporation Commission. The measure also

amends a provision that currently states that nothing precludes the Commission from determining the reasonableness or prudence of any cost incurred or projected to be incurred by a utility. As revised, contradictory provisions that limit the Commission's ability to make such determinations will control. (14103508D)

### **Regulation of Telephone Companies**

**HB 106** (Byron) (HLC) establishes a procedure by which certain telephone companies may elect to be regulated as competitive telephone companies. In order to make such an election, a telephone company shall be either an incumbent local exchange telephone company for which the State Corporation Commission (SCC) has found its incumbent service territory to be competitive or a competitive local exchange telephone company. A competitive telephone company will be exempt from the Securities Act and the Utility Transfer Act. The SCC shall continue to have jurisdiction over wholesale telephone services and issues, including the payment of switched network access rates or other intercarrier compensation, interconnection, porting, and numbering. A competitive telephone company in its incumbent territory will continue to be obligated to extend or expand its facilities to furnish retail voice service and facilities when the person, firm, or corporation does not have service available from one or more alternative providers of wireline or terrestrial wireless communications services at prevailing market rates. The SCC will continue not to have power to regulate contracts between telephone companies and the Commonwealth and its agencies. (14101725D)

**HB 774** (Hugo) (HLC)/ **SB 584** (Saslaw) (HLC) establishes a procedure by which certain telephone companies may elect to be regulated as competitive telephone companies. A competitive telephone company will be exempt from the Securities Act and the Utility Transfer Act. The SCC shall continue to have jurisdiction over wholesale telephone services and issues, including the payment of switched network access rates or other intercarrier compensation, interconnection, porting, and numbering. A competitive telephone company in its incumbent territory will continue to be obligated to extend or expand its facilities to furnish retail voice service and facilities when the person, firm, or corporation does not have service available from one or more alternative providers of wireline or terrestrial wireless communications services at prevailing market rates. A competitive telephone company shall have the obligation to provide access to emergency 911 service to its end-user retail customers. The SCC will continue not to have power to regulate contracts between telephone companies and the Commonwealth and its agencies. (14103178D/14103197D)

### **Procurement**

**HB 769** (Hugo) (HGL) provides, under certain conditions, that when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of any project paid for in whole or in part by state funds, or when overseeing or administering such procurement, neither the Commonwealth Transportation Board nor any state transportation agency nor any construction manager acting on behalf of such entities shall, in their bid specifications, project agreements, or other controlling documents, provide an incentive in the scoring of such bids that favors entities entering into project labor agreements. The bill sets out exceptions to this requirement. (14100905D)

### **School Resource Officers**

**HB 21** (Marshall, R.) (HED) requires every school board in the Commonwealth to designate at least one qualified person for every school in the district who, upon application with the school board, may carry a concealed handgun on school property. The bill requires all designated persons, including certain school division employees, certain school volunteers who carry valid concealed handgun permits, and certain retired law-enforcement officers, to be certified and trained by the Virginia Center for School Safety or the National Rifle Association in the storage, use, and handling of a concealed handgun. The bill also outlines the training requirements for designated persons as designed by the Department of Criminal Justice Services. (14100777D)

**HB 66** (Ramadan) (HED) requires each local school board to place a school resource officer in each public elementary and secondary school. All costs resulting from the requirement shall be paid from the Lottery Proceeds Fund. (14100922D)

### **Legislation Provided for Information**

**HB 54** (Hodges) (HAG) removes the cap on the fair market value that the owner of livestock or poultry that has been killed or injured by dogs is entitled to receive as compensation, provided certain procedures are followed. Currently, such compensation cannot exceed \$400 per animal or \$10 per fowl. (14104088D-H1)

**HB 70** (Marshall, III, D) (HRUL) vests the Joint Commission on Transportation Accountability with the power and duty to make performance reviews of state agencies with transportation responsibilities to ensure that funds appropriated to those agencies are being used for their intended purposes and in accord with legislative intent. The bill also directs the Commission, prior to the 2015 Session, to study the costs and benefits of coordinating traffic light signals. (1410213D)

**HB 164** (Albo) (HCT) authorizes the chief of the Metropolitan Washington Airports Authority police department, or his designee, to conduct criminal background checks through the Central Criminal Records Exchange and the Federal Bureau of Investigation on applicants who have been offered employment with the Authority. The applicant's criminal history record information obtained by the chief must otherwise be kept confidential. The bill also establishes criteria that the Authority must consider in determining whether an applicant's criminal conviction directly relates to the position offered. (14102397D)

**HB 193** (Minchew) (HGL) removes the requirement that a public body approve by a majority vote of the members present at a meeting the remote participation in the meeting by one of its members. The bill instead requires the public body to approve by a majority vote a policy allowing participation of its members by electronic communication. Once adopted, the public body shall apply this policy uniformly to its entire membership, without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting. (14102244D)



**HB 237** (Ramadan) (HTRAN) establishes the Telework Grant Program, to be administered by the Department of Rail and Public Transportation, to administer grants in the amount of \$250 for individuals who telework at least 20 hours per week for at least 45 weeks of a calendar year. (14100910D)

**HB 305** (O'Bannon) (SEH) requires the Department of Health to seek reimbursement for the cost of immunizations and a fee for the administration of immunizations in cases in which immunizations are provided to children covered by a health insurance plan other than Medicare, Medicaid, CHIP or CHAMPUS. (14103955D-H1)

**HB 410** (Anderson) requires each non-interscholastic youth sports program utilizing public school property to (i) establish policies and procedures regarding the identification and handling of suspected concussions in student-athletes, based on either the local school division's policies and procedures or the Board's Guidelines for Policies on Concussions in Student-Athletes, or (ii) follow the local school division's policies and procedures regarding the identification and handling of suspected concussions in student-athletes. (14103959D-H1)

**HB 426** (LeMunyon) (HTRAN) requires the Commonwealth Transportation Board to include in the next update of its Six-Year Improvement Program a project to add at least two non-high-occupancy vehicle lanes in each direction to I-66 inside the Capital Beltway. (14103134D)

**HB 427** (LeMunyon) (HTRAN) requires that periodic quantitative ratings of primary or secondary highway segments by VDOT include any commonly-referred-to names of the segments and relevant zip codes. (14100657D)

**HB 488** (Hugo) (HTRAN) adds the Town of Clifton to the list of towns without their own police departments that may permit operation of golf carts and utility vehicles on their highways. (14101069D)

**HB 490** (Albo) (HCT) requires health care providers, upon request of a patient or the patient's attorney to provide the patient with the metadata of the patient's electronic medical record. The bill defines "metadata" for the purposes of this provision. (14101009D)

**HB 549** (Filler Corn) (HGL) provides that for the award of transportation construction projects, certain specified factors other than price may be considered. (14103268D)

**HB 775** (Futrell) (HMP) creates the Virginia Disaster Relief Fund, to be administered by the Virginia Department of Emergency Management. The bill provides that moneys in the Fund shall be used solely for the purpose of helping Virginia households recover from a natural or man-made disaster and that the Fund shall aid voluntary nonprofit and faith-based organizations, local recovery groups, and local governments to satisfy a disaster household's unmet needs. (14101399D)

**HB 744** (Kory) (HTRAN) allows localities by ordinance to prohibit interfering with or impeding storm water runoff into drains or culverts on VDOT-controlled highway rights-of-way. (14100717D)

**HB 771** (Hugo) (HTRAN)/**SB 180** (McWaters) (STRAN) provides for a course in mature driver motor vehicle crash prevention and provides that such course is an option for the court in adjudicating defendants. The bill also lowers the age at which drivers are required to appear before the DMV for renewal from 80 to 75 and requires that licenses issued to persons age 75 or older be valid for no more than five years. The bill contains a delayed effective date. (14102085D/14102126D)

**HB 904** (Hugo) (HTRAN) requires VDOT, at least 30 days prior to any public hearing regarding a transportation project, to provide by regular mail notice of pending transportation projects to all owners of property within the area affected by such project. (14103457D)

**HB 948** (Filler-Corn) (HGL)/ **SB 461** (Vogel) (HGL) provides that limitations imposed upon single project fees procured by competitive negotiation shall not apply to environmental, location, design, and inspection work regarding highways and bridges by the Commissioner of Highways, or architectural and engineering services for rail and public transportation projects by the Director of the Department of Rail and Public Transportation. (14103439D/14103440D)

**HB 1098** (Anderson) (HTRAN) requires the Secretary of Transportation and VDOT to establish a smart transportation pilot zone (modeled on the Smart Road managed by the Virginia Tech Transportation Institute in Montgomery County) in either the Northern Virginia or the Hampton Roads highway construction district. (14102205D)

**HB 1198** (Surovell) (HED) requires each local school board to maintain an inventory of all school buildings over 50 years old and determine, in consultation with the Department of Historic Resources, whether each building on the inventory is eligible to be listed on the National Register of Historic Places, the Virginia Landmarks Register, or both. The bill provides that prior to demolishing, transferring, or selling a school building that has been determined to be eligible for the National Register of Historic Places, the Virginia Landmarks Register, or both, the local school board shall solicit public comment and consider alternatives such as renovation, rehabilitation, and adaptive reuse. (14100959D)

**HB 1237** (Gilbert) (HAG) allows hunting on Sundays under certain circumstances. A person may hunt waterfowl, subject to restrictions imposed by the Director of the Department of Game and Inland Fisheries, and a landowner and his immediate family or a person with written permission may hunt or kill any wild bird or wild animal, including nuisance species, if they hunt on the landowner's property. However, the aforementioned hunting activities cannot occur within 200 yards of a house of worship. The bill prohibits the hunting of deer with dogs on Sunday. (14102270D)

**HB 1244** (Rust) (HTRAN) The Department of Transportation shall consider the results of the ongoing transportation demand study concerning Potomac River crossings between Virginia and Maryland and with those results study the costs, feasibility, and transportation impacts of a new Potomac River crossing between the Point of Rocks Bridge (U.S. Route 15) in Virginia and Route 301 in Maryland. The ongoing study will provide a common set of data which Virginia, the District of Columbia, and Maryland can be utilized to plan for the ease of congestion and increased multi-modal mobility among the three jurisdictions. If this study reveals the need for such an additional crossing, the Department shall provide the members of the General Assembly, the Chairmen of the House and Senate Transportation Committees, and the Secretary of Transportation a recommendation and analysis of the preferred site or sites for such crossing by December 1, 2015. (14104164D)

**HJ 122** (LeMunyon) (HTRAN) requests the Secretary of Transportation and VDOT to create and implement statewide transportation technology goals and a five-year plan of action. Such goals and plan are to be directed to enhancing the efficiency, safety, and convenience of all modes of transportation throughout the Commonwealth. (14102202D)

**SB 156** (Miller) (STRAN) requires VDOT or the toll facility operator at all-electronic toll facilities to either pay maintenance fees associated with E-ZPass transponders and attributed to residents living within a 50 mile radius or have the same fees for drivers with transponders as those without. (14101011D)

**SB 209** (McWaters) (SACNR) provides that when sand or other material is placed on state-owned bottomlands seaward of the mean low-water mark in order to provide beach nourishment or storm protection or as a result of a dredging project, the deposited material shall be deemed accretion. The public has a right of use and maintenance of the area as previously existed on the adjacent land above the mean low-water mark. (14104182D-S1)

**SB 505** (Wagner) (STRAN) establishes financial and regulatory incentives for expanding the use of compressed natural gas (CNG) and liquefied natural gas (LNG) for transportation purposes in the Commonwealth. (14100492D)

**SB 519** (Wagner) authorizes a natural gas utility to recover eligible costs of eligible natural gas supply infrastructure projects. A plan for recovery of such costs may provide the utility with an option to receive the gas or sell the gas at market prices. The measure also (i) provides that the transportation of natural gas by pipeline, without providing service to end users within the territory, shall not be considered operating in the territory of another certificate holder; (ii) bars the State Corporation Commission from approving the construction of a natural gas compressor station in an area without the locality's certification only if the area is zoned exclusively for residential use; and (iii) expands the definition of a strategic natural gas facility to include a natural gas transmission company that adds design day deliverability or designed send out of at least 100,000 dekaTherms per day in the aggregate. The bill exempts open season capacity acquisitions or releases between a public service company and an affiliated interest from the requirement that the Commission approve contracts entered into by a public service company. (14104187D-S1)

**SB 636** (Campbell) (SEH) centralizes the filing of economic interest disclosure statements in the Office of the Secretary of the Commonwealth. Currently only state officers and employees file such statements with the Secretary; local officers and employees file with the clerk of the locality, members of the Senate file with the Clerk of the Senate, and members of the House of Delegates file with the Clerk of the House. In addition, the bill requires the Secretary of the Commonwealth to establish and maintain a searchable electronic database comprising all disclosure statements and available to the public through the Internet. The bill also provides for civil penalties for late and incomplete disclosure filings to be assessed and collected by the Secretary. (14103360D)

**SB 637** (Campbell) (SEH) increases the fee paid to special justices for hearings for involuntary commitment from \$86.25 to \$150 and for certification hearings and orders for judicial authorization of treatment from \$43.25 to \$75 and increases fees paid to attorneys appointed in involuntary commitment from \$75 to \$120 and for guardianship cases from \$43.25 to \$75. (14102330D)

**SB 645** (McEachin) (SGL) provides that for the award of transportation construction projects, certain specified factors other than price may be considered. The bill also provides that construction may be procured using either competitive sealed bidding or competitive negotiation and requires the public body to set forth in writing that the method selected is practicable or fiscally advantageous to the public. In addition, the bill establishes instances where the determination of the public body is presumed to be appropriate. Under current law, construction may only be procured by competitive bidding except under certain circumstances. (14103352D)

#### **Commonwealth Transportation Board**

**HB 145** (Hugo) (HTRAN) provides for removal of members of the Commonwealth Transportation Board by the Governor for malfeasance, misfeasance, incompetence, or gross neglect of duty. (14100909D)

**HB 146** (Hugo) (HTRAN) increases the size of the Commonwealth Transportation Board by six members (from 18 to 24). Three of the new members are to be members of the House of Delegates: two from the majority party and one from the minority party. The three other new members are to be members of the Virginia Senate: two from the majority party and one from the minority party. (14101481D)

**HB 169** (Webert) (HTRAN) increases from 18 to 22 the membership of the Commonwealth Transportation Board by adding four citizen members to be appointed by the Governor, subject to confirmation by the General Assembly. Of the four new members, one is to be from the Hampton Roads highway construction district, one is to be from the Northern Virginia highway construction district, and two are to be from rural areas. (14101451D)

### **Education and Schools**

**HB 786** (Wilt) (HED) provides that no school board employee shall be dismissed or placed on probation solely on the grounds that (i) he possessed an unloaded firearm that is in a closed container in or upon his vehicle or in the locked trunk of his vehicle, a knife having a metal blade in or upon his motor vehicle, or an unloaded shotgun or rifle in a firearms rack in or upon his motor vehicle or (ii) the employee, who has a valid concealed handgun permit, possessed a concealed handgun while in his motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school. (14102127D)

**HB 1182** (Rasoul) (HED) exempts from the A-to-F school grading system schools for which the Board of Education has approved an alternative accreditation plan to meet the graduation and completion index benchmark. (14100323D)

**HB 1229** (Landes) (HED) delays the implementation of the A-to-F school grading system by one year and requires the Subcommittee on Education Reform of the House Committee on Education to meet at the call of the chairman of the Committee during the 2014 interim to study, review, and make recommendations on the Board of Education's implementation of the system and report its finding and recommendations to the Board and the General Assembly. (14103758D)

**HB 1242** (O'Quinn) (HED) requires the tie breaker of any elected school board to be elected in the same manner as the members of the school board. Currently tie breakers for elected school boards are appointed by the school board. (14103156D)

**HB 1255** (Taylor) (HED) requires local school boards to purchase electronic textbooks on an as needed basis. (14104166D)

**HB 1262** (Miller) (HED) requires that the A-F grading system for schools in the Commonwealth account for state and federal accreditation. (14104184D)

**SB 240** (Carrico) (SEH) makes it a Class 3 misdemeanor for any principal, assistant principal, or supervisor employed by a local school board who fails to or refuses to release a child into the custody of the child's custodial parent or other legal custodian, unless such failure or refusal is necessitated by a critical event or emergency governed by the school crisis, emergency management, and medical emergency response plan. (14100038D)

### **Elections**

**HB 31** (Lingamfelter) (HPE) adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2015, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must

notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party's primaries held from April 1 of that year and through March 31 of the following year. (14100048D)

**HB 55** (Cole) (HPE) adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2015, will be designated as independent unless they provide a political party designation in writing or electronically to the general registrar. Voters may change their party affiliation or independent status at any time before an election until the registration records are closed. The bill does not change Virginia's present primary laws, and all registered voters remain eligible to participate in the primary of a political party that chooses to nominate by primary. (14101559D)

**HB 83** (Krupicka) (HPE) provides that an unexpired Virginia driver's license remains valid for purposes of voter identification at the polls notwithstanding the fact that it has been suspended or revoked under certain circumstances. (14100941D)

**HB 645** (Campbell) (HPE) extends to elections for constitutional officers the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such. Currently, this requirement applies only to federal, statewide, and General Assembly elections. (14102299D)

**HB 670** (Herring) (HPE) provides that a voter's failure to provide his full middle name or his middle initial in the statement on the back of the return envelope shall not render that absentee ballot void or provide officers of election with a basis for rejection, unless the voter also failed to provide his full first name. The bill also provides that a signature that is reasonably similar to the voter's legal name is sufficient for purposes of casting an absentee ballot. (14102602D)

**HB 669** (Herring) (HPE) provides that a voter's failure to provide the date, or any part of the date, on which he signed the statement on the back of the return envelope shall not render that ballot void or provide officers of election with a basis for rejection. (14102601D)

**HB 838** (Keam) (HPE) provides that an absentee ballot will not be voided solely because the envelope containing the ballot was imperfectly sealed so long as the outside envelope containing the ballot and its envelope has been sealed and there is evidence that a good faith effort has been made to seal the ballot envelope. (14102623D)

**SB 333** (Ebbin) (SPE) provides that a voter's failure to provide his full middle name or his middle initial in the statement on the back of the return envelope shall not render that absentee ballot void or provide officers of election with a basis for rejection, unless the voter also failed to provide his full first name. The bill also provides that a signature that is reasonably similar to the voter's legal name is sufficient for purposes of casting an absentee ballot. (14102068D)

**SB 558** (Black) (SPE) provides that a local electoral board may appoint a person 16 or 17 years of age as an officer of election, provided such person is a citizen of the United States, a

resident of the Commonwealth, and, to the extent practicable, a resident of the precinct he is appointed to serve. The bill provides that persons so appointed shall not serve as chief or assistant chief officer or be appointed in such number as to constitute the majority of the officers in any precinct. (14100280D)

**Financial Exploitation of Vulnerable Individuals**

**HB 469** (Yost) (HCT) provides that it is unlawful for any person who knows or should know that another person suffers from a physical disability or social isolation to, through the use of that other person's physical disability or social isolation, take, obtain, or convert money or other thing of value belonging to that other person with the intent to permanently deprive him thereof. A violation is punishable as larceny. (14102352D)

**HB 471** (Yost) (HCT) increases to a Class 3 felony the penalty for financial exploitation of mentally incapacitated persons. Currently, the crime is punishable as larceny. (14102353D)

**HB 619** (Mason) (HCT) increases the penalty for computer fraud when the value of the property or services obtained is \$200 or more from a Class 5 felony to a Class 4 felony where the victim is age 65 or older. (14101332D)

**HB 627** (Watts) (HCT) provides that a person is guilty of a Class 1 misdemeanor if he sells or offers for sale any product or service to a person who he knows or should know suffers from an incapacity with the intent to (i) defraud, mislead, or deceive the incapacitated person as to the nature, quality, or identity of the product or service sold or offered for sale or (ii) coerce, intimidate, or harass the incapacitated person into purchasing the product or service. The bill defines the term "incapacity." (14103062D)

Attachments: Supplementary documents dated January 17 and January 24, 2014

cc: Susan Datta, Chief Financial Officer  
David J. Molchany, Deputy County Executive  
Patricia Harrison, Deputy County Executive  
Robert A. Stalzer, Deputy County Executive  
David P. Bobzien, County Attorney  
Catherine A. Chianese, Assistant County Executive and Clerk to the Board  
Richmond Team  
Tom Biesiadny, Director, Department of Transportation  
Gail Langham, Deputy County Attorney

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January 28, 2014

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**FAIRFAX COUNTY  
LEGISLATIVE SUMMARY**

***2014 GENERAL ASSEMBLY***

January 25, 2014

# Fairfax County Legislative Summary 2014 General Assembly

## Board of Supervisors Report Key

Bill No. – Patron, (District No.) Bill Title	Committee/Floor Actions	
<p><a href="#"><b>HB 589</b></a> - Watts (39) Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County.</p>	<p>1/10/2006 House: Referred to Committee on Transportation</p>	<p><b>12/5/2005</b></p>
<p><b>Initiate</b> (067916260) <b>Summary:</b> Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."</p>		

**Bold** = Date Position taken by full Board of Supervisors  
 [ ] = Date position taken by BOS Legislative Committee

**Bold = Board Position**, [ ] = BOS Legislative Committee Position (LD No. is version of bill on which position was taken)  
**Summary** -- Reflects latest version of summary available on the Legislative Information System Web Site (If not noted otherwise, reflects summary as introduced)

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<a href="#">HB 433</a> LeMunyon, J	Retail Sales and Use Tax; food purchased for human consumption.
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Study; recurrent flooding; report.

# *Fairfax County Initiatives*

## *Bills Introduced at Fairfax County's Request*

Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 906</a> - Krupicka (45) Electric utility regulation; net energy metering by municipalities, etc.	1/8/2014 House: Referred to Committee on Commerce and Labor	<b>12/3/2013</b>
<p><b>Initiate</b> (14103405D) - Regional initiative.</p> <p><b>Summary:</b> Authorizes municipal renewable energy net metering projects. Participating municipalities are authorized to aggregate the electric energy load of their governmental buildings, facilities, and any other governmental operations requiring the consumption of electric energy for the purpose of net energy metering from a renewable energy generating facility. To be eligible, the generation facility for the municipal renewable energy net metering project shall use as its sole energy source solar power, wind power, or aerobic or anaerobic digester gas and landfill gas; not have an aggregate generation capacity of more than five megawatts unless a utility elects a higher capacity; be located on land owned, leased, or operated by the municipality; be interconnected and operated in parallel with an electric utility's transmission and distribution facilities; and be used primarily to provide energy to metered accounts of the municipality. The aggregated municipal net metered accounts may be served by multiple meters that are located at separate sites. The measure also requires the State Corporation Commission, by July 1, 2015, to establish a program of multifamily net energy metering, which will allow a customer or customers that operate a renewable energy generating facility in a condominium, apartment complex, or homeowners association served by a common distribution circuit to be an eligible multifamily net metering customer-generator. The generation facility for multifamily net metering shall use as its total source of fuel renewable energy; not have an aggregate generation capacity of more than 500 kilowatts; be located on land owned or controlled by the eligible condominium, apartment complex, or homeowners association or on customers' property within the condominium, apartment complex, or homeowners association; be interconnected and operated in parallel with an electric utility's transmission and distribution facilities; and be used primarily to provide energy to metered accounts of the eligible multifamily net metering customer-generator. Each eligible multifamily net metering customer-generator shall own the energy transmitted by the renewable energy system until drawn from the grid at each eligible multifamily net metering customer-generator's residence. Eligible multifamily net metering customer-generators are exempt from the monthly standby charge assessed on other eligible customer-generators.</p>		
<a href="#">HJ 40</a> - Albo (42) Study; JLARC; Medicaid-funded transportation services in the Commonwealth; report.	12/31/2013 House: Referred to Committee on Rules	<b>12/3/2013</b>
<p><b>Initiate</b> (14101865D)</p> <p><b>Summary:</b> Directs the Joint Legislative Audit and Review Commission (JLARC) to review the Commonwealth's contract with Logisticare for Medicaid-funded transportation services, identify remedies and alternatives available to the Commonwealth to resolve the issues surrounding Logisticare's questionable performance, and review the Department of Medical Assistance Services's oversight of the Commonwealth's contract with Logisticare. The resolution provides that the Commonwealth's contract with Logisticare not be renewed or extended prior to the completion of this study. The resolution requests that JLARC report its findings no later than the first day of the 2015 Regular Session.</p>		

**Bold** – Indicates BOS formal action  
 [ ] Indicates BOS Legislative Committee Action

***Fairfax County Positions***  
***(Oppose or Amend)***

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 2</a> - Stolle (83) Commonwealth Transportation Board; allocations within highway construction districts.</p>	<p>11/18/2013 House: Referred to Committee on Transportation</p>	<p>[1/17/2014]</p>
<p>[Amend] (14100798D) - Amend to provide that the CTB can consider other criteria, including those set forth in NVTAs authorizing statute.  <b>Summary:</b> Allocations within highway construction districts. Provides that funding allocations for the Northern Virginia highway construction district and the Hampton Roads highway construction district be made by giving priority to the projects expected to provide the greatest congestion reduction relative to the cost of the project and that funding allocations for the seven other highway construction districts be made by giving priority to either (i) the projects expected to provide the greatest congestion reduction relative to the cost of the project or (ii) the projects that promote economic development and promote commerce and trade. The bill provides for the choice to be made by each locality within the seven highway construction districts and for each highway construction district to determine the majority choice and submit it to the Commonwealth Transportation Board. Allocations by the Board using the priorities in the bill will begin July 1, 2015.</p>		
<p><a href="#">HB 3</a> - Cline (24) Transportation funding; all provisions of 2013 Session omnibus bill to expire on July 1, 2014.</p>	<p>11/18/2013 House: Referred to Committee on Finance 1/17/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100669D)  <b>Summary:</b> 2013 Session omnibus transportation bill (HB 2313); expiration date. Provides that all provisions of the 2013 Session omnibus transportation bill (HB 2313), which established state taxes and fees and regional taxes and fees in Hampton Roads and Northern Virginia, expire on July 1, 2014. HB 2313 provided for the revenues from such taxes and fees to be used primarily for transportation funding in the Commonwealth.</p>		
<p><a href="#">HB 8</a> - Ware, Jr. (65) Concealed handgun permits; decreases local law-enforcement background investigation fee.</p>	<p>11/18/2013 House: Referred to Committee on Militia, Police and Public Safety</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100634D) - Estimated fiscal impact to the County is approximately \$225,000.  <b>Summary:</b> Fees for concealed handgun permits. Decreases the local law-enforcement background investigation fee from \$35 to \$10, which includes any amount assessed by the FBI for providing criminal history record information. The total amount assessed for processing an application for a permit is thereby decreased from \$50 to \$25.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 40</a> - Marshall (13) Motor fuels tax rates; repeals provision that will increase tax, etc.</p>	<p>12/2/2013 House: Referred to Committee on Finance 1/17/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100800D) <b>Summary:</b> Motor fuels tax rates. Repeals the provision in the 2013 transportation funding bill (HB 2013) that will increase the motor fuels tax if the United States Congress has not enacted legislation granting the Commonwealth the authority to compel remote sellers to collect state and local retail sales and use tax for sales made in the Commonwealth by January 1, 2015.</p>		
<p><a href="#">HB 41</a> - Marshall (13) Northern Virginia Transportation Authority; selection of projects.</p>	<p>12/2/2013 House: Referred to Committee on Transportation 1/23/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100799D) <b>Summary:</b> Provides that the Commonwealth Transportation Board shall select the transportation projects to be funded by the Northern Virginia Transportation Authority.</p>		
<p><a href="#">HB 65</a> - Marshall, III (14) Motor vehicle sales and use tax; definition of sale price.</p>	<p>12/6/2013 House: Referred to Committee on Finance</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100075D) - Estimated to reduce Commonwealth Transportation Fund revenues by \$130 million per year. <b>Summary:</b> Excludes from the sale price for determining motor vehicle sales and use tax the amount of any credit given by the seller for any motor vehicle taken as a trade-in.</p>		
<p><a href="#">HB 68</a> - Marshall, III (14) Transportation funding; date change on certain scheduled increases in sales and use tax revenue.</p>	<p>12/6/2013 House: Referred to Committee on Finance</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100077D) <b>Summary:</b> Transportation funding. Changes the dates on which certain scheduled increases in sales and use tax revenue to the Highway Maintenance and Operating Fund would not take place if Congress does not enact a law permitting states to require certain out-of-state retailers to collect and remit state sales and use tax from fiscal years 2016 and 2017. Under current law, scheduled increases for fiscal years 2016 and 2017 would not occur if Congress does not enact such law by January 1, 2015. The bill would halt the increase for only fiscal year 2017 if Congress does not act by January 1, 2016.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 87</a> - Cole (88) Transportation; Commonwealth priority of projects and funding.</p>	<p>12/11/2013 House: Referred to Committee on Transportation</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100843D) <b>Summary:</b> Commonwealth priority of projects and funding. Provides that all state funds expended on transportation projects be for (i) projects expected to provide congestion reduction or (ii) projects that increase safety for travelers.</p>		
<p><a href="#">HB 94</a> - Head (17) Business permits, etc.; assistance and documentation required from localities.</p>	<p>12/13/2013 House: Referred to Committee on Counties, Cities and Towns</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14101049D) - Board has historically opposed creating costly, written individual guidance for each applicant. <b>Summary:</b> Assistance and documentation required from localities. Provides that in any instance in which a person is seeking a business permit, a license, or an application for any similar local government approval from a locality, the locality shall provide documentation and instructions that outline all steps necessary to obtain the permit, license, or approval. The locality shall also specify any further permit, license, or other approval that may be required to complete the original project or business activity and shall disclose the expected time required by the locality for the completion of each step of the process to obtain the permit, license, or other approval.</p>		
<p><a href="#">HB 114</a> - Cole (88) Private or religious schools; possession of firearm, etc., on school property.</p>	<p>12/17/2013 House: Referred to Committee on Militia, Police and Public Safety</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100934D) <b>Summary:</b> Possession of firearm, etc., on school property; private or religious schools. Eliminates the crimes of possession on the property of a private or religious elementary, middle, or high school; a school bus owned or operated by such school; or any property being used for functions or extracurricular activities sponsored by such school of a stun weapon, knife, or other weapon (currently a Class 1 misdemeanor) or a firearm (currently a Class 6 felony). The bill does not affect the criminal penalties for the possession of such weapons on public school property.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 135</a> - Bell (58) Home-produced or farm-produced products; sale of products by certain farm operations.</p>	<p>12/18/2013 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/20/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100017D) - Board has historically opposed. See also SB 176 (Black). <b>Summary:</b> Home-produced or farm-produced products. Allows the sale of food products made from any fruit, grain, herbs, honey, meat, milk, mushrooms, nuts, poultry, seafood, or vegetables by a farm operation employing 10 or fewer people or by a private home, so long as (i) the sale is made directly to consumers and (ii) the product is labeled with the producer's name and address, the product's ingredients, and a disclosure statement indicating the product is not subject to Virginia's food safety laws or regulations.</p>		
<p><a href="#">HB 148</a> - Minchew (10) Motor vehicle sales and use tax; reduces sale price by value of any trade-in.</p>	<p>12/20/2013 House: Referred to Committee on Finance</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102404D) - Estimated to reduce Commonwealth Transportation Fund revenues by \$130 million per year. <b>Summary:</b> Motor vehicle sales and use tax; sale price. Reduces the sale price by the value of any trade-in, in determining the amount of motor vehicle sales and use tax owed.</p>		
<p><a href="#">HB 156</a> - Minchew (10) Real and personal property tax; exemption for religious bodies.</p>	<p>12/20/2013 House: Referred to Committee on Finance 1/22/2014 Subcommittee recommends reporting with amendment(s) (8-Y 2-N)</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102059D) - Estimated loss of \$162,000 to the County. See also HB 361 (Anderson) and SB 175 (Black). <b>Summary:</b> Real property tax exemption for religious bodies. Clarifies the meaning of real property used exclusively for religious worship for determining the real property tax exemption for religious bodies.</p>		
<p><a href="#">HB 173</a> Electronic devices; search without warrant prohibited.</p>	<p>12/23/2013 House: Referred to Committee for Courts of Justice</p>	<p>[1/24/2014]</p>
<p>[Amend] (14100584D) - Amend to limit to suspect's personally owned devices. <b>Summary:</b> Search of electronic device without warrant prohibited. Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 234</a> - Bell (58) VIEW Program; screening and assessment for use of illegal substances.	12/28/2013 House: Referred to Committee on Health, Welfare and Institutions 1/23/2014 Subcommittee recommends reporting with amendment(s) (7-Y 0-N).	[1/17/2014]
<p>[Oppose] (14101318D) - Board has historically opposed.</p> <p><b>Summary:</b> Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department of Social Services shall require drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.</p>		
<a href="#">HB 268</a> - Orrock, Sr. (54) Agricultural operations; local regulation of certain activities.	12/30/2013 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2014 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (17-Y 5-N)	[1/17/2014]
<p>[Oppose] (14101999D) - See HB 71 (Pogge) and SB 51 (Stuart).</p> <p><b>Summary:</b> Protects customary agritourism activities at agricultural operations from local bans in the absence of substantial impacts on the public welfare and requires localities to take certain factors into account when regulating agritourism activities. The bill requires a basis in health, safety, or public welfare for a local ordinance that restricts any of several activities: the conduct of agritourism activities, the sale of agricultural or silvicultural products or related items, the preparation or sale of foods that otherwise comply with state law, and other customary activities. Localities are prohibited from subjecting those listed activities to a special-use permit requirement, and in most situations localities are prevented from stringently regulating the sound produced by the listed activities.</p>		
<a href="#">HB 325</a> - Marshall (13) Electronic communications; right to privacy, civil action.	1/2/2014 House: Referred to Committee for Courts of Justice	[1/17/2014]
<p>[Amend] (14103276D) - Amend to exempt personal communications on employer's computers, networks or other devices.</p> <p><b>Summary:</b> Right to privacy in electronic communications; civil action. Provides that a person has a right to privacy in the content and metadata of the person's electronic communications, including emails, text messages, telephone calls, location data, mobile or cellular phone signals, or other forms of electronic communications. A person may maintain a civil action for the unauthorized use of a digital image or profile generated through the aggregation or analysis of the content or metadata of his electronic communications for advertising purposes or for the purposes of trade. The bill also creates a civil cause of action for a person whose transmissions of messages, data, signals, or other communications made through the Internet and other electronic service providers that are not intended for public disclosure have been intercepted, monitored, examined, or otherwise</p>		

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<p>accessed without lawful authority against the person who intercepted, monitored, examined, or otherwise accessed such transmissions and any person who facilitated or allowed such interception, monitoring, examination, or access.</p>		
<p><a href="#">HB 361</a> - Anderson (51) Real property tax exemption for religious bodies.</p>	<p>1/3/2014 House: Referred to Committee on Finance 1/22/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102746D) - Estimated loss of \$162,000 to the County. See HB 156 (Minchew) and SB 175 (Black). <b>Summary:</b> Clarifies the meaning of real property used exclusively for religious worship for determining the real property tax exemption for religious bodies.</p>		
<p><a href="#">HB 371</a> - Head (17) License tax, local; tax on net income of businesses.</p>	<p>1/3/2014 House: Referred to Committee on Finance</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102439D) - Board has historically opposed. <b>Summary:</b> Local license tax. Requires that beginning with the 2015 license year, the optional local license (BPOL) tax would be imposed on the Virginia taxable income of corporations and the net income of sole proprietorships and pass-through entities. Under current law, the optional BPOL tax is imposed on the gross receipts or gross revenues of businesses.</p>		
<p><a href="#">HB 405</a> - Bell (58) Suspected abuse or neglect of a child; reports to law enforcement.</p>	<p>1/3/2014 House: Referred to Committee for Courts of Justice</p>	<p>[1/17/2014]</p>
<p>[Amend] (14102913D) - Amend to remove requirements for additional paperwork that requires signatures of investigating personnel on new forms that are duplicative and burdensome. See SB 332 (Howell). <b>Summary:</b> Requires the local department of social services to complete a written report on a form provided by the Board of Social Services for such purpose for each case in which a local law-enforcement agency is notified of a case of suspected child abuse or neglect.</p>		
<p><a href="#">HB 425</a> - LeMunyon (67) Northern Virginia Transportation Authority; increases membership.</p>	<p>1/4/2014 House: Referred to Committee on Transportation 1/23/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100776D) <b>Summary:</b> Northern Virginia Transportation Authority; membership. Increases Authority membership from 17 to 20 by the addition of one senator and two House members.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 433</a> - LeMunyon (67) Retail Sales and Use Tax; food purchased for human consumption.	1/4/2014 House: Referred to Committee on Finance	[1/17/2014]
<p>[Oppose] (14103230D) - Estimated loss of \$3M-\$8M for the County.  <b>Summary:</b> Sales and use tax; food purchased for human consumption. Phases out over a five-year period the state and local sales and use tax on food purchased for human consumption. Under current law, the local tax rate on food is 1% and the state tax rate on such food is 1.5%, with a 1% tax dedicated to localities based on school age population and the remaining one-half percent tax dedicated to the transportation trust fund. The bill dedicates state sales and use tax revenue to hold harmless localities and the transportation trust fund.</p>		
<a href="#">HB 434</a> - LeMunyon (67) Machinery and tools, merchants' capital, and BPOL taxes; maximum rates established.	1/4/2014 House: Referred to Committee on Finance	[1/17/2014]
<p>[Oppose] (14100780D) - Board has historically opposed.  <b>Summary:</b> Machinery and tools, merchants' capital and BPOL taxes; maximum rates established. Prohibits a locality from increasing its business machinery and tools tax, merchants' capital tax, and local license (BPOL) fees and taxes above the locality's rates in effect as of January 1, 2014.</p>		
<a href="#">HB 435</a> - LeMunyon (67) Machinery and tools, merchants' capital, and BPOL taxes; maximum rates and income tax credits.	1/4/2014 House: Referred to Committee on Finance	[1/17/2014]
<p>[Oppose] (14102075D) - The Board has historically opposed restrictions on local taxing authority.  <b>Summary:</b> Machinery and tools, merchants' capital and BPOL taxes; maximum rates and income tax credits. Prohibits a locality from increasing its merchants' capital tax, local license (BPOL) fees and taxes, and taxes on machinery and tools used in a business above the locality's rates in effect as of January 1, 2014, and establishes refundable income tax credits for the same taxes beginning with taxable year 2014.</p>		
<a href="#">HB 521</a> - Bell (20) Comprehensive Services for At-Risk Youth and Families; members of state and local advisory team.	1/6/2014 House: Referred to Committee on Health, Welfare and Institutions 1/16/2014 House: Reported from Health, Welfare and Institutions with amendment (11-Y 10-N) 1/21/2014 House: VOTE: PASSAGE (68-Y 22-N) 1/22/2014 Senate: Referred to Committee on Rehabilitation and Social Services	[1/17/2014]
<p>[Oppose] (14101242D)  <b>Summary:</b> Comprehensive services for at-risk youth and families; state and local advisory team; membership.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>Provides that nonstate agency members of state and local advisory teams established to advise the State Executive Council for Comprehensive Services for At-Risk Youth and Families shall be limited to no more than two consecutive terms.</p>		
<p><a href="#">HB 525</a> - Pogge (96) Real property tax; notice of assessment.</p>	<p>1/6/2014 House: Referred to Committee on Finance 1/22/2014 House subcommittee recommends reporting with amendment(s) (10-Y 0-N)</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100684D) - Board has historically opposed. <b>Summary:</b> Requires every notice of assessment to set forth (i) the new and prior two appraised values of land and appraised value of improvements, and the assessed values of such if different from the appraised values; (ii) the new tax rate and the rates for the prior two tax years; (iii) the total new tax levy and the tax levies for the prior two years; and (iv) the percentage changes in such levies. Under current law, such information is required for the current year and the prior year.</p>		
<p><a href="#">HB 558</a> - Minchew (10) State recordation taxes and fees; makes substantive and technical changes.</p>	<p>1/6/2014 House: Referred to Committee on Finance</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14103316D) <b>Summary:</b> State recordation taxes and fees. Makes substantive and technical changes to state recordation taxes and fees, including defining the value of property for recordation tax purposes as the value determined by a licensed appraiser within the six months prior to the date of recordation, provided an affidavit is submitted to the clerk of the court stating, among other things, the name, state of licensing, and license number of the appraiser and stating the appraised value of the property as provided in the appraisal report. If no such appraisal was performed, then the value for recordation tax purposes would be the current assessed value of the property as shown on the local tax assessor's records. Under current law, the value for recordation tax purposes is the fair market value of the property at the time of recordation.</p>		
<p><a href="#">HB 635</a> - LaRock (33) Northern Virginia Transportation Authority; use of revenues.</p>	<p>1/7/2014 House: Referred to Committee on Transportation 1/23/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102920D) <b>Summary:</b> Use of revenues by the Northern Virginia Transportation Authority. Requires that 70 percent of the revenues received by the Authority under <math>\hat{\Delta}</math> 15.2-4838.1 be used by the Authority solely to fund transportation projects selected by the Authority that are contained in the regional transportation plan in accordance with <math>\hat{\Delta}</math> 15.2-4830 and that have been rated in accordance with <math>\hat{\Delta}</math> 33.1-13.03:1.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 647</a> - LaRock (33) Metropolitan Washington Airports Authority.	1/7/2014 House: Referred to Committee on Appropriations	[1/17/2014]
<p>[Oppose] (14102892D)  <b>Summary:</b> Places limits and conditions on use of Commonwealth revenues to support Phase II of the Dulles Corridor Metrorail Project.</p>		
<a href="#">HB 653</a> - LaRock (33) Northern Virginia Transportation Authority; allocations.	1/7/2014 House: Referred to Committee on Transportation 1/23/2014 House: Subcommittee recommends laying on the table by voice vote	[1/17/2014]
<p>[Oppose] (14102843D)  <b>Summary:</b> Allocations by Northern Virginia Transportation Authority. Limits allocations by the Northern Virginia Transportation Authority for transit, rail, and public transportation projects to no more than 25 percent of its total allocations.</p>		
<a href="#">HB 658</a> - LaRock (33) Northern Virginia highway construction district; CTB allocations.	1/7/2014 House: Referred to Committee on Transportation	[1/17/2014]
<p>[Oppose] (14102835D)  <b>Summary:</b> CTB allocations to Northern Virginia highway construction district. Limits transit, rail, and public transportation allocations by the Commonwealth Transportation Board to the Northern Virginia highway construction district to no more than 25 percent of total allocations.</p>		
<a href="#">HB 682</a> - Herring (46) Central registry of records; extends time records must be kept by Department of Social Services.	1/7/2014 House: Referred to Committee on Health, Welfare and Institutions 1/23/2014 House: Subcommittee recommends laying on the table by voice vote	
<p>[Amend] (14102925D) - Amend to apply to all records maintained by the local social services agency, not only complaints of child sexual abuse.  <b>Summary:</b> Central registry of records; time records must be kept. Extends from one year to three years the required period for which the Department of Social Services must maintain records of reports and investigations of unfounded complaints of child sexual abuse before purging.</p>		
<a href="#">HB 685</a> - Torian (52) Communications sales and use tax revenues; changes distribution.	1/7/2014 House: Referred to Committee on Finance	[1/17/2014]
<p>[Oppose] (14100851D) - Loss of revenue to County of \$25 million per year. See SB 586 (Colgan).</p>		

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Bills	General Assembly Actions	Date of BOS Position
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**Summary:** Distribution of communications sales and use tax revenues. Changes the distribution of communications sales and use tax revenues beginning with the month of August 2014 by providing that (i) first, each town would receive the same proportion of such revenues it received in fiscal year 2013-2014 and (ii) all of the remaining revenues would be distributed pro rata to those counties and cities that received a distribution in fiscal year 2013-2014, based upon the population of the county or city as shown by the most recent United States census. Currently, communications sales and use tax revenues are essentially distributed according to each locality's share of telecommunications and television cable funds (local consumer utility tax on landlines and wireless, E-911, business license tax in excess of 0.5 percent, cable franchise fee, video programming excise tax, local consumer utility tax on cable television) collected throughout the Commonwealth in fiscal year 2006.

**HB 714** - Campbell (6)  
Concealed handgun permit; no fees required for renewal.

1/7/2014 House: Referred to Committee on Militia, Police and Public Safety

[1/17/2014]

[Oppose] (14103390D) - Potential revenue loss of \$100,000.

**Summary:** Renewal of concealed handgun permit; no fees required. Provides that a person who has previously been issued a concealed handgun permit does not have to pay any fees to renew such permit.

**HB 736** - Lingamfelter (31)  
Concealed handgun permits, lifetime; Department of State Police to issue, penalty.

1/7/2014 House: Referred to Committee on Militia, Police and Public Safety

[1/17/2014]

[Oppose] (14103073D) - See also SB 608 (Carrico). Bill allows lifetime concealed handgun permits, which could allow existing permit holders to maintain the permit even if they become legally ineligible in the future.

**Summary:** Lifetime concealed handgun permits; Department of State Police to issue; penalty. Provides for the issuance of concealed handgun permits that do not expire to Virginia residents upon payment of a one-time fee of \$100, except that the fee for a person currently holding an unexpired permit is \$50. Currently, the fee for issuing such permits is \$50, and the permits must be renewed every five years with an additional \$50 fee charged each time. Such lifetime permits will include a photograph of the permittee.

**HB 772** - Habeeb (8)  
Real property tax liens; assignment to third party.

1/7/2014 House: Referred to Committee on Finance

[1/24/2014]

[Oppose] (14101545D) - See also SB 483 (Stuart).

**Summary:** Real property tax liens. Provides that if a taxpayer agrees, a third party who pays the delinquent taxes due on the taxpayer's real property may be assigned the tax lien on the property.

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 778</a> - Wilt (26) School boards; administration of student surveys and questionnaires.</p>	<p>1/7/2014 House: Referred to Committee on Education</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102752D) - Board has historically opposed. <b>Summary:</b> Prohibits school boards from administering surveys and questionnaires requesting of students (i) sexual information, (ii) mental health information, (iii) medical information, (iv) information on student health risk behaviors, (v) information on controlled substance use, or (vi) other information that the school board deems to be sensitive in nature without written, informed parental consent for the student's participation.</p>		
<p><a href="#">HB 792</a> - LeMunyon (67) Residential zoning; restrictions in Planning District 8.</p>	<p>1/7/2014 House: Referred to Committee on Counties, Cities and Towns 1/23/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102506D) <b>Summary:</b> Residential zoning restrictions in Planning District 8. Requires localities in Planning District 8 (Northern Virginia) to include provisions in their zoning ordinances that limit the number of residential units with 500 square feet or less of living space to no more than 100 residential units per 100,000 population in the locality. Zoning changes required to accommodate such units must be at a location in which the zoning prior to January 1, 2014, was at least 12 residential dwellings per acre.</p>		
<p><a href="#">HB 813</a> - Carr (69) Search of electronic device without warrant prohibited.</p>	<p>1/7/2014 House: Referred to Committee for Courts of Justice</p>	<p>[1/24/2014]</p>
<p>[Amend] (14101726D) - Amend to limit to suspect's personally owned devices. <b>Summary:</b> Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 824</a> - Minchew (10) Northern Virginia Transportation Authority; bonding authority not effective until July 1, 2018.</p>	<p>1/8/2014 House: Referred to Committee on Transportation 1/23/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14103475D) <b>Summary:</b> Northern Virginia Transportation Authority. Provides that the Authority's bonding authority shall not be effective until July 1, 2018. After such date, the Authority, prior to issuance of bonds, shall demonstrate in the context of a bond validation lawsuit that the transportation projects proposed for funding with the sought bond proceeds have been thoroughly analyzed and provide the greatest degree of congestion reduction relative to cost.</p>		
<p><a href="#">HB 826</a> - Minchew (10) Uniform Statewide Building Code; inspection &amp; enforcement by counties &amp; towns for existing building.</p>	<p>1/8/2014 House: Referred to Committee on General Laws 1/21/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102462D) - Board has historically opposed. See SB 313 (Vogel). <b>Summary:</b> Uniform Statewide Building Code; inspection and enforcement. Provides that if any locality elects to enforce Part III of the Building Code, it shall also enforce the unsafe structures provisions for tenant complaints and enforce the elevator, escalator, or related conveyance inspections. The bill also provides that where a county provides enforcement of Parts I and II of the Building Code in a town, and elects to inspect and enforce Part III of the Building Code, the county is also required to inspect and enforce Part III of the Building Code in any such town situated in the county that has also adopted Part III, upon entering into a nonmonetary agreement with the town for such enforcement, unless the town elects to inspect and enforce Part III. The bill contains technical amendments.</p>		
<p><a href="#">HB 973</a> - Cline (24) Traffic lights; use of photo-monitoring systems.</p>	<p>1/8/2014 House: Referred to Committee on Transportation</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14101944D) - Board has historically opposed. <b>Summary:</b> Use of photo-monitoring systems for traffic lights; repeal. Repeals the authority for localities to operate a photo-monitoring system for traffic light enforcement, colloquially known as a "photo red" program.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 1051</a> - Knight (81) Constitutional officers; locality shall not reduce funding for personnel, etc.	1/8/2014 House: Referred to Committee on Counties, Cities and Towns	[1/17/2014]
<p>[Oppose] (14102402D) - See SB 124 (Lucas).  <b>Summary:</b> Constitutional officers. Includes electronic or other systems among those items that a local governing body shall provide for the use of clerks of all courts of record as in the governing body's judgment may be reasonably necessary for the proper conduct of such offices. The bill also provides that a locality shall not reduce funding to a constitutional officer for personnel or other operational expenses except by separate ordinance after a public hearing. A local governing body shall not reduce funding to a constitutional officer for personnel or other operational expenses if such constitutional officer certifies that such reduction in funding would impair the ability of such constitutional officer to perform their statutory duties. Furthermore, the governing body or the chief administrative officer of a locality may not transfer locally funded personnel or electronic or other systems from a constitutional officer to a state agency without the written approval of such constitutional officer. The bill contains a technical amendment.</p>		
<a href="#">HB 1084</a> - Morris (64) Permits and approvals, certain; damages for unconstitutional grant or denial by locality.	1/9/2014 House: Referred to Committee for Courts of Justice	[1/17/2014]
<p>[Oppose] (14103494D)  <b>Summary:</b> Damages for unconstitutional grant or denial by locality of certain permits and approvals. Provides that any applicant aggrieved by the grant or denial by a locality of any approval or permit, however described or delineated, where such grant included, or denial was based upon, an unconstitutional condition pursuant to the United States Constitution or Constitution of Virginia, shall be entitled to an award of damages, reasonable attorney fees, and court costs and to an order remanding the matter to the locality with a direction to grant or issue such permits or approvals without such conditions. The bill also provides that once an unconstitutional condition has been proven by the aggrieved applicant to have been a factor in the grant or denial of the approval or permit, the court shall presume, absent clear and convincing evidence to the contrary, that such applicant's acceptance of or refusal to accept the unconstitutional condition was the controlling basis for such impermissible grant or denial.</p>		
<a href="#">HB 1095</a> - Peace (97) Innovation and Technology Transportation Fund; created.	1/9/2014 House: Referred to Committee on Appropriations	[1/24/2014]
<p>[Amend] (14102196D) - Amend to allow up to five percent to be allocated rather than five percent.  <b>Summary:</b> Innovation and Technology Transportation Fund. Creates the Innovation and Technology Transportation Fund to fund pilot programs and fully developed initiatives pertaining to high-tech infrastructure</p>		

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Bills	General Assembly Actions	Date of BOS Position
improvements with five percent of the annual amount allocated by the Commonwealth Transportation Board.		
<b>HB 1100</b> - Yancey (94) CTB Six-Year Improvement Program; requirements.	1/10/2014 House: Referred to Committee on Transportation	[1/17/2014]
<p>[Amend] (14102186D) - Amend to provide that the CTB can consider other criteria, including those set forth in NVTAs authorizing statute.</p> <p><b>Summary:</b> CTB Six-Year Improvement Program. Requires that the Commonwealth Transportation Board's Six-Year Improvement Program give priority to either projects that are expected to provide the greatest congestion reduction relative to the cost of the project or projects that promote economic development and promote commerce and trade within the highway construction district where they are located.</p>		
<b>HB 1153</b> - Pogge (96) Real property tax; assessments, appeal to court.	1/14/2014 House: Referred to Committee for Courts of Justice	[1/17/2014]
<p>[Oppose] (14103805D)</p> <p><b>Summary:</b> Real property tax assessments; appeal to court. Permits courts to grant reasonable attorney fees to taxpayers who prevail in appeals of real property tax assessments on residential property.</p>		
<b>HB 1159</b> - Rasoul (11) Political contributions; prohibitions during procurement process.	1/15/2014 House: Referred to Committee for Courts of Justice 1/15/2014 House: Referred to Committee for Courts of Justice	[1/24/2014]
<p>[Oppose] (14102976D) - Board does not make procurement decisions. Board has historically opposed.</p> <p><b>Summary:</b> Includes the mayor or chief executive officer of a locality, school superintendent, and any member of a local governing body, planning commission, or school board in the current prohibition against knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$50 from any bidder, offeror, or private entity who has submitted a bid or proposal pursuant to the Virginia Public Procurement Act, the Public-Private Transportation Act, or the Public-Private Education Facilities and Infrastructure Act during the bidding period. The restrictions only apply if the stated or expected value of the contract is \$5 million or more and do not apply to contracts awarded as the result of competitive sealed bidding. Furthermore, no bidder, offeror, or private entity who has submitted a bid or proposal under such acts shall offer or promise to make such a gift to the mayor or chief executive officer of a locality, school superintendent, or any member of a local governing body, planning commission, or school board. Any violation shall be subject to a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 1203</a> - Hugo (40) Localities; provision of grievance procedure.	1/17/2014 House: Referred to Committee on Counties, Cities and Towns	[1/24/2014]
<p>[Oppose] (14103412D)  <b>Summary:</b> Local employee grievance procedure. Requires that the final step in an employee grievance procedure adopted by a local governing body be either a hearing before an administrative hearing officer agreed upon by both parties or a hearing before an impartial panel.</p>		
<a href="#">HB 1219</a> - Marshall (13) Unconstitutional acts and ultra vires enforcement by localities; remedies.	1/17/2014 House: Referred to Committee for Courts of Justice	[1/24/2014]
<p>[Oppose] (14103146D)  <b>Summary:</b> Unconstitutional acts and ultra vires enforcement by localities. Provides that any zoning ordinance of a locality that violates or unreasonably restricts the free exercise of rights guaranteed under the United States Constitution or the Constitution of Virginia shall be null and void and shall constitute a violation. Any enforcement by a locality of such ordinance shall be deemed a violation. In any litigation in which the constitutionality of a zoning ordinance or its enforcement is at issue, the ordinance shall not be given a presumption of constitutionality or presumption of validity. In any litigation involving a challenge under this statute, the burden of establishing compliance with the statute shall be on the locality. Any locality that violates the statute shall be liable to aggrieved persons in amounts equal to the fines and penalties that the locality seeks to impose on such aggrieved persons, plus actual damages including reasonable attorney fees. Any locality that willfully violates this statute, or whose interpretation or enforcement of ordinances willfully operates in violation of this statute, shall be liable to the aggrieved person for treble damages, plus reasonable attorney fees. Any official or employee of a locality that willfully violates this statute, or whose interpretation or enforcement of duties willfully operates in violation of the statute, may be personally liable to aggrieved persons in the amount equal to the fines and penalties that such official or employee seeks or sought to impose on such aggrieved persons plus actual damages and attorney fees. The Attorney General of Virginia shall establish a procedure whereby persons, including officials and employees of localities, may report violations. No locality may take disciplinary action against any official or employee for reporting such violations. The Attorney General (i) shall have authority to institute legal proceedings in the courts of the respective locality and (ii) may intervene in any proceeding to enforce this statute against any locality.</p>		
<a href="#">HB 1230</a> - Sickles (43) Line of Duty Act; funding and review.	1/17/2014 House: Referred to Committee on Appropriations	[1/24/2014]
<p>[Oppose] (14103501D) - Oppose diversion of communications sales and use tax revenues. Board has historically opposed.  <b>Summary:</b> Creates a Line of Duty Death and Health Benefits Fund and provides for the funding of Line of Duty claims. The bill also establishes an advisory review board to assist the Comptroller in the review of claims involving a claimant who has not received a disability determination from the Virginia Retirement System,</p>		

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Social Security Administration, Workers' Compensation Commission, or any recognized retirement system or who is, as of the time the claim for benefits had been filed, working in an alternative position.

<a href="#">HB 1253</a> - Jones (76) Hampton Roads Transportation Accountability Commission created.	1/17/2014 House: Referred to Committee on Transportation	[1/24/2014]
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[Amend] (14103556D) - Amend to remove language relating to NVTA.

**Summary:** Creates the Hampton Roads Transportation Accountability Commission to manage regional transportation planning in Planning District 23. The bill moves the responsibility for approval of projects and the priority of such projects pursuant to the Hampton Roads Transportation Fund from the Hampton Roads Planning Organization to the new Commission.

<a href="#">HB 1254</a> - Marshall (13) Northern Virginia Transportation Authority; use of revenues.	1/17/2014 House: Referred to Committee on Appropriations	[1/24/2014]
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[Oppose] (14103801D)

**Summary:** Northern Virginia Transportation Authority. Places limitations and conditions on funding by the Authority of mass transit and highway projects to ensure comparative analysis of project costs and benefits.

<a href="#">HJ 174</a> - Byron (22) Study; tax restructuring; report.	1/17/2014 House: Referred to Committee on Rules	[1/24/2014]
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[Oppose] (14103853D) - Study assumes the elimination of BPOL, and does not include local government representation.

**Summary:** Directs the Department of Taxation to conduct a study on tax restructuring.

<a href="#">SB 51</a> - Stuart (28) Agricultural operations; local regulation of certain activities.	12/17/2013 Senate: Referred to Committee on Local Government 1/21/2014 Senate: Reported from Local Government (14-Y 0-N) 1/21/2014 Senate: Rereferred to Agriculture, Conservation and Natural Resources	[1/17/2014]
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[Oppose] (14102000D) - See HB 71 (Pogge) and HB 268 (Orrock).

**Summary:** Protects customary agritourism activities at agricultural operations from local bans in the absence of substantial impacts on the public welfare and requires localities to take certain factors into account when regulating agritourism activities. The bill requires a basis in health, safety, or public welfare for a local ordinance that restricts any of several activities: the conduct of agritourism activities, the sale of agricultural or silvicultural products or related items, the preparation or sale of foods that otherwise comply with state law, and other customary activities. Localities are prohibited from subjecting those listed activities to a special-use

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permit requirement, and in most situations localities are prevented from stringently regulating the sound produced by the listed activities.

<p><b>SB 53</b> - Stuart (28) Regulation of stormwater; waiver of charges for places of worship.</p>	<p>12/17/2013 Senate: Referred to Committee on Local Government 1/14/2014 Senate: Reported from Local Government (11-Y 0-N) 1/14/2014 Senate: Rereferred to Agriculture, Conservation and Natural Resources</p>	<p>[1/17/2014]</p>
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[Oppose] (14100928D) - Board has historically opposed.  
**Summary:** Requires a locality that adopts a system of stormwater management service charges to provide for a waiver of at least 50 percent of such charge to any church, synagogue, or other place of worship.

<p><b>SB 116</b> - Watkins (10) Deeds, deeds of trust, and mortgages; correcting errors, affidavit.</p>	<p>12/30/2013 Senate: Referred to Committee for Courts of Justice</p>	<p>[1/24/2014]</p>
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[Amend] (14101903D) - Amend to provide for notification to a locality for all types of subdivision plats.  
**Summary:** Correcting errors in deeds, deeds of trust, and mortgages; affidavit. Allows an attorney to record a corrective affidavit to correct an obvious description error contained in a recorded deed, deed of trust, or mortgage. Obvious description errors include (i) errors transcribing courses and distances, (ii) errors incorporating a recorded plat or deed reference, (iii) errors in listing a lot number or designation, and (iv) omitted exhibits that supply the legal description of the property. Before a corrective affidavit may be recorded, all parties to the deed, deed of trust, or mortgage and the title insurance company must be provided with a copy of the affidavit, and such parties have 30 days to object in writing to the recordation of the corrective affidavit.

<p><b>SB 124</b> - Lucas (18) Constitutional officers; locality shall not reduce funding for personnel, etc.</p>	<p>12/30/2013 Senate: Referred to Committee on Local Government</p>	<p>[1/17/2014]</p>
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[Oppose] (14102745D) - See HB 1051 (Knight).  
**Summary:** Constitutional officers. Includes electronic or other systems among those items that a local governing body shall provide for the use of clerks of all courts of record as in the governing body's judgment may be reasonably necessary for the proper conduct of such offices. The bill also provides that a locality shall not reduce funding to a constitutional officer for personnel or other operational expenses except by separate ordinance after a public hearing. A local governing body shall not reduce funding to a constitutional officer for personnel or other operational expenses if such constitutional officer certifies that such reduction in funding would impair the ability of such constitutional officer to perform their statutory duties. Furthermore, the governing body or the chief administrative officer of a locality may not transfer locally funded personnel or electronic or other systems from a constitutional officer to a state agency without the written approval of such constitutional officer. The bill contains a technical amendment.

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 175</u></b> - Black (13) Real and personal property tax; exemption for religious bodies.</p>	<p>1/2/2014 Senate: Referred to Committee on Finance</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102137D) - Estimated loss of \$162,000 to the County. See HB 156 (Minchew) and HB 361 (Anderson). <b>Summary:</b> Real property tax exemption for religious bodies. Clarifies the meaning of real property used exclusively for religious worship for determining the real property tax exemption for religious bodies.</p>		
<p><b><u>SB 194</u></b> - Black (13) Eminent domain; date of valuation, inverse condemnation proceeding.</p>	<p>1/2/2014 Senate: Referred to Committee for Courts of Justice</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102130D) <b>Summary:</b> Eminent domain; date of valuation; inverse condemnation proceeding. Provides that the "date of valuation" of property in an eminent domain proceeding may be the date on which an action is taken by the petitioner which substantially affects the use and enjoyment of the property by the owner. The bill also adds the language "or damage" to the provision of the Code directing the court to reimburse a plaintiff for the costs of an inverse condemnation proceeding if a judgment is entered for the plaintiff to correspond with the language of the amendment to Article 1, Section 11 of the Constitution of Virginia, which became effective on January 1, 2013.</p>		
<p><b><u>SB 313</u></b> - Vogel (27) Uniform Statewide Building Code; inspection &amp; enforcement by counties &amp; towns for existing building.</p>	<p>1/6/2014 Senate: Referred to Committee on General Laws and Technology</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14102811D) - Board has historically opposed. See HB 826 (Minchew) <b>Summary:</b> Uniform Statewide Building Code; inspection and enforcement. Provides that if any locality elects to enforce Part III of the Building Code, it shall also enforce the unsafe structures provisions for tenant complaints and enforce the elevator, escalator, or related conveyance inspections. The bill also provides that where a county provides enforcement of Parts I and II of the Building Code in a town, and elects to inspect and enforce Part III of the Building Code, the county is also required to inspect and enforce Part III of the Building Code in any such town situated in the county that has also adopted Part III, upon entering into a nonmonetary agreement with the town for such enforcement, unless the town elects to inspect and enforce Part III. The bill contains technical amendments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">SB 332</a> - Howell (32) Suspected abuse or neglect of a child; reports to law enforcement.	1/6/2014 Senate: Referred to Committee on Rehabilitation and Social Services 1/24/2014 Senate: Reported from Rehabilitation and Social Services (12-Y 0-N)	[1/17/2014]
<p>[Amend] (14102915D) - Amend to remove requirements for additional paperwork that requires signatures of investigating personnel on new forms that are duplicative and burdensome. See HB 405 (Bell, R.B.).</p> <p><b>Summary:</b> Requires the local department of social services to complete a written report on a form provided by the Board of Social Services for such purpose for each case in which a local law-enforcement agency is notified of a case of suspected child abuse or neglect.</p>		
<a href="#">SB 400</a> - Reeves (17) Kinship foster care; removal.	1/7/2014 Senate: Referred to Committee on Rehabilitation and Social Services	[1/24/2014]
<p>[Oppose] (14100563D) - VDSS has a work group now underway to define kinship care.</p> <p><b>Summary:</b> Provides that a child placed in kinship foster care shall not be removed from the physical custody of the kinship foster parent, provided the child has been living with the kinship foster parent for six consecutive months and the placement continues to meet approval standards for foster care, unless the kinship foster parent consents to the removal; removal is agreed upon at a family partnership meeting; removal is ordered by a court of competent jurisdiction; or removal is warranted pursuant to <math>\hat{A}</math> 63.2-1517 of the Code of Virginia.</p>		
<a href="#">SB 430</a> - Watkins (10) Alcoholic beverage control; farm brewery license created, local regulation of certain activities.	1/7/2014 Senate: Referred to Committee on Rehabilitation and Social Services 1/24/2014 Senate: Reported from Rehabilitation and Social Services with substitute (11-Y 1-N)	[1/17/2014]
<p>[Oppose] (14103430D)</p> <p><b>Summary:</b> Alcoholic beverage control; farm brewery license created; local regulation of certain activities. Creates a new farm brewery license and sets out the privileges of this new license and the state and local license tax. The bill defines farm brewery. The bill also limits application of local zoning ordinances to farm breweries in the same manner as farm wineries and specifically provides that no local ordinance shall impose minimum parking, road access, or road upgrade requirements on any licensed farm brewery. The bill contains numerous technical amendments.</p>		
<a href="#">SB 431</a> - Watkins (10) Voluntary Remediation Program; removes cap on registration fees.	1/7/2014 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/16/2014 Senate: Reported from Agriculture, Conservation and Natural Resources (13-Y 0-N) 1/22/2014 Read third time and passed Senate (38-Y 0-N) 1/24/2014 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources	[1/17/2014]
<p>[Oppose] (14103231D)</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Summary:</b> Remediation fees. Removes the \$5,000 cap on registration fees collected by the Department of Environmental Quality from persons conducting voluntary remediation on contaminated properties. The fees defray the costs of administering the voluntary remediation program. The bill also exempts the Virginia Waste Management Board from the regulatory requirements of the Administrative Process Act (APA) so that new regulations needed to adjust the fee schedule will be in place by July 1, 2014. The bill requires any subsequent adjustment to the fee schedule to be in compliance with the APA.</p>		
<p><b>SB 443</b> - Norment, Jr. (3) Judges; increase and decrease of number in certain courts.</p>	<p>1/7/2014 Senate: Referred to Committee for Courts of Justice 1/22/2014 Senate: Reported from Courts of Justice with substitute (13-Y 2-N) 1/22/2014 Senate: Rereferred to Finance</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14101809D) - Bill reduces number of judges for Fairfax County Juvenile and Domestic Relations court by one. <b>Summary:</b> Number of circuit and district court judges. Increases and decreases the number of circuit, general district, and juvenile court judges authorized for each judicial circuit and district in accordance with a study report issued by the National Center for State Courts. These adjustments are recommended by the Judicial Council and by the Committee on District Courts.</p>		
<p><b>SB 483</b> - Stuart (28) Real property tax liens; assignment to third party.</p>	<p>1/8/2014 Senate: Referred to Committee on Finance</p>	<p>[1/24/2014]</p>
<p>[Oppose] (14102468D) - See also HB 772 (Habeeb). <b>Summary:</b> Real property tax liens. Provides that if a taxpayer agrees, a third party who pays the delinquent taxes due on the taxpayer's real property may be assigned the tax lien on the property.</p>		
<p><b>SB 493</b> - Puckett (38) Line of Duty Act; funding and review.</p>	<p>1/8/2014 Senate: Referred to Committee for Courts of Justice 1/13/2014 Senate: Rereferred to Finance</p>	<p>[1/17/2014]</p>
<p>[Oppose] (14100723D) - See also SB 289 (Carrico). <b>Summary:</b> Creates a Line of Duty Death and Health Benefits Fund and provides for the funding of Line of Duty claims. The bill also establishes an advisory review board to assist the Comptroller in the review of claims involving a claimant who has not received a disability determination from the Virginia Retirement System, Social Security Administration, Workers' Compensation Commission, or any recognized retirement system or who is, as of the time the claim for benefits had been filed, working in an alternative position.</p>		
<p><b>SB 513</b> - Wagner (7) Hampton Roads Transportation Authority; created.</p>	<p>1/8/2014 Senate: Referred to Committee on Transportation 1/22/2014 Senate: Reported from Transportation with substitute (13-Y 0-N 1-A)</p>	<p>[1/24/2014]</p>
<p>[Amend] (14101065D) - Amend to remove language relating to NVT.A. <b>Summary:</b> Hampton Roads Transportation Authority created. Creates the Hampton Roads Transportation Authority to manage regional transportation planning in Planning District 23. The bill also moves the</p>		

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Bills	General Assembly Actions	Date of BOS Position
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responsibility for approval of projects and the priority of such projects pursuant to the Hampton Roads Transportation Fund from the Hampton Roads Planning Organization to the Hampton Roads Transportation Authority effective July 1, 2015.

<b>SB 578</b> - Obenshain (26) Attorney fees; court may award in certain land use cases.	1/10/2014 Senate: Referred to Committee on Local Government 1/21/2014 Senate: Reported from Local Government (11-Y 0-N) 1/21/2014 Senate: Rereferred to Courts of Justice	[1/17/2014]
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[Oppose] (14103510D) - Board has historically opposed. See HB 519 (Morris).

**Summary:** Attorney fees in certain land use cases. Provides that a court, in addition to any other relief provided, and for good cause, may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action successfully challenging an ordinance, administrative act, or other local action related to planning, subdivision of land, zoning, or other land use activity.

<b>SB 608</b> - Carrico, Sr. (40) Concealed handgun permits, lifetime; Department of State Police to issue, penalty.	1/13/2014 Senate: Referred to Committee for Courts of Justice	[1/24/2014]
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[Oppose] (14103717D) - See also HB 736 (Lingamfelter). Bill allows lifetime concealed handgun permits, which could allow existing permit holders to maintain the permit even if they become legally ineligible in the future.

**Summary:** Lifetime concealed handgun permits; Department of State Police to issue; penalty. Provides for the issuance of concealed handgun permits that do not expire to Virginia residents upon payment of a one-time fee of \$100, except that the fee for a person currently holding an unexpired permit is \$50. Currently, the fee for issuing such permits is \$50, and the permits must be renewed every five years with an additional \$50 fee charged each time. Such lifetime permits will include a photograph of the permittee.

<b>SB 624</b> - Newman (23) Emergency care; school board employees.	1/16/2014 Senate: Referred to Committee for Courts of Justice	[1/24/2014]
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[Amend] (14103162D) - Amend to include school health aides in liability protections.

**Summary:** Provides that school board employees that render certain acts of emergency care, including emergency first aid, cardiopulmonary resuscitation (CPR), or use of an automated external defibrillator (AED), shall not be liable for ordinary negligence that results from the certain acts of emergency care. The bill contains an emergency clause.

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<p><b>SB 665</b> - Petersen (34) Eminent domain; limitations, property right of quiet and peaceful enjoyment.</p>	<p>1/17/2014 Senate: Referred to Committee for Courts of Justice</p>	<p>[1/24/2014]</p>
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[Oppose] (14103040D)  
**Summary:** Limitations on eminent domain; right of quiet and peaceful enjoyment. Recognizes the property right of quiet and peaceful enjoyment and provides that just compensation is owed to the owner of property subject to condemnation when quiet and peaceful enjoyment is taken or damaged. This bill is in response to the decision of the Supreme Court of Virginia in Byler v. VEPCO, 284 Va. 501, 731 S.E.2d 916 (2012).

<p><b>SB 666</b> - Petersen (34) Eminent domain; costs; attorney fees.</p>	<p>1/17/2014 Senate: Referred to Committee for Courts of Justice</p>	<p>[1/24/2014]</p>
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[Oppose] (14103041D)  
**Summary:** Requires the court, in certain condemnation proceedings, to award costs, including reasonable attorney fees, to the owner of property taken by condemnation. Under current law, awarding costs is discretionary and such costs exclude attorney fees.

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*Fairfax County Positions*  
*(Support)*

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 67</a> - Ramadan (87) Commonwealth Transportation Board; increases total membership.	12/6/2013 House: Referred to Committee on Transportation	[1/17/2014]
<p>[Support] (14100911D) - Board has historically supported.  <b>Summary:</b> Composition of Commonwealth Transportation Board. Increases the total membership of the Commonwealth Transportation Board to 22 members by doubling the representation for the Richmond, Hampton Roads, and Northern Virginia highway construction districts.</p>		
<a href="#">HB 95</a> - Head (17) Legal notices; advertisement by locality on websites, radio, or television.	12/13/2013 House: Referred to Committee on Counties, Cities and Towns 1/23/2014 Subcommittee failed to recommend reporting (3-Y 7-N)	[1/17/2014]
<p>[Support] (14100795D)  <b>Summary:</b> Legal notices; advertisement by locality. Allows localities with a population of 50,000 or greater to meet certain notice requirements by utilizing their websites, radio, or television instead of a newspaper of general circulation.</p>		
<a href="#">HB 113</a> - Marshall (13) Opportunity Educational Institution; abolished.	12/16/2013 House: Referred to Committee on Education	[1/17/2014]
<p>[Support] (14100815D) - Board opposed creation of Opportunity Educational Institution in 2013.  <b>Summary:</b> Separation of powers; Opportunity Educational Institution abolished. Abolishes the Opportunity Educational Institution.</p>		
<a href="#">HB 199</a> - Landes (25) Local government expenditures or reductions; DLS to identify legislation affecting.	12/26/2013 House: Referred to Committee on Rules	[1/17/2014]
<p>[Support] (14101787D)  <b>Summary:</b> Legislation affecting local government expenditures or reductions. Requires the Division of Legislative Services to identify and forward to the Commission on Local Government (Commission) joint resolutions introduced calling for a study of local government expenditures or revenues. The bill also authorizes the Department of Planning and Budget and the Department of Taxation to forward to the Commission bills introduced requiring additional local government expenditures or a reduction in local government revenues.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 277</a> - Krupicka (45) Pedestrians; crossing highways.	12/31/2013 House: Referred to Committee on Transportation 1/20/2014 Subcommittee failed to recommend reporting (3-Y 3-N)	[1/17/2014]
<p>[Support] (14100643D) - Board has historically supported.  <b>Summary:</b> Pedestrians crossing highways. Clarifies the duties of vehicles to stop to allow pedestrians to cross highways at marked crosswalks.</p>		
<a href="#">HB 295</a> - Villanueva (21) Livable Home Tax Credit; increases total amount granted for program.	12/31/2013 House: Referred to Committee on Finance	[1/17/2014]
<p>[Support] (14100342D) - Consistent with past County support for the program. See also SB 57 (Marsden).  <b>Summary:</b> Livable Home Tax Credit. Increases the total amount of tax credits granted for the Livable Home Tax Credit program in any fiscal year from \$1 million to \$2 million and increases the total amount of tax credits made available through the program allocated for purchase or construction of new residences from \$500,000 to \$1 million and the total amount allocated for retrofitting or renovation of existing residences from \$500,000 to \$1 million. The bill is a recommendation of the Virginia Disability Commission.</p>		
<a href="#">HB 335</a> - Bell (58) Family abuse protective orders; motor vehicles.	1/2/2014 House: Referred to Committee for Courts of Justice 1/14/2014 HCT Criminal Subcommittee recommends reporting with amendments. (8-Y 0-N) 1/20/2014 House: Reported from Courts of Justice with amendment (21-Y 0-N) 1/24/2014 House: Read third time and passed House BLOCK VOTE (95-Y 0-N) 1/24/2014 House: VOTE: BLOCK VOTE PASSAGE (95-Y 0-N)	[1/17/2014]
<p>[Support] (14101578D) - See SB 151 (Stuart).  <b>Summary:</b> Modifies the provision specifying that the court may grant the petitioner temporary exclusive possession or use of a motor vehicle owned by the petitioner or jointly owned by the parties to provide that the court may direct a respondent to maintain insurance, registration, and taxes on a motor vehicle and enjoin the respondent from terminating such insurance, registration, and taxes.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 379</a> - Surovell (44) Commonwealth Transportation Board; changes composition of membership.</p>	<p>1/3/2014 House: Referred to Committee on Transportation</p>	<p>[1/17/2014]</p>
<p>[Support] (14100964D) - Board has historically supported. <b>Summary:</b> Commonwealth Transportation Board (CTB); composition. Changes the composition of the CTB so that one member will be appointed from each of Virginia's congressional districts and three will be at-large appointees. The four ex officio members remain unchanged. The bill also replaces the term "metropolitan statistical areas" with "metropolitan planning areas with populations greater than 200,000."</p>		
<p><a href="#">HB 384</a> - Dance (63) Local mandates; identification of sources of funding.</p>	<p>1/3/2014 House: Referred to Committee on General Laws</p>	<p>[1/17/2014]</p>
<p>[Support] (14102585D) <b>Summary:</b> Requires the assessment performed by state agencies to include the identification of sources of funding for the mandate.</p>		
<p><a href="#">HB 417</a> - Simon (53) Virginia Human Rights Act; public employment, prohibited discrimination, sexual orientation.</p>	<p>1/4/2014 House: Referred to Committee on General Laws 1/23/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Support] (14101075D) - Board has historically supported. See also HB 562 (Villanueva) and SB 248 (McEachin). <b>Summary:</b> Virginia Human Rights Act; public employment; prohibited discrimination; sexual orientation. Prohibits discrimination in employment based on sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 477</a> - Villanueva (21) Electronic summons system; fees.	1/6/2014 House: Referred to Committee for Courts of Justice 1/20/2014 Subcommittee recommends reporting with amendment(s) (8-Y 1-N)	[1/17/2014]
<p>[Support] (14100958D) - Would be helpful in the implementation of the County's e-summons project.  <b>Summary:</b> Allows counties and cities to assess a fee not to exceed \$5 as part of the costs in each criminal or traffic case in district or circuit court to be used for the implementation and maintenance of an electronic summons system.</p>		
<a href="#">HB 499</a> - Yost (12) Real property tax; nonjudicial sale of certain delinquent property.	1/6/2014 House: Referred to Committee on Finance 1/15/2014 HFIN Subcommittee 1 recommends reporting (10-Y 1-N). 1/20/2014 House: Reported from Finance (21-Y 0-N) 1/23/2014 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/23/2014 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 1/24/2014 Senate: Referred to Committee on Finance	[1/17/2014]
<p>[Support] (14102360D)  <b>Summary:</b> Reduces the number of years of delinquency in payment of taxes from five years to three years before a locality may sell real property that (i) measures less than 4,000 square feet or (ii) is determined to be unsuitable for building.</p>		
<a href="#">HB 527</a> - Pogge (96) Group homes; zoning.	1/6/2014 House: Referred to Committee on Counties, Cities and Towns 1/17/2014 House: Reported from Counties, Cities and Towns (22-Y 0-N) 1/22/2014 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/22/2014 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 1/23/2014 Senate: Referred to Committee on Local Government	[1/17/2014]
<p>[Support] (14101873D) - Conforms state law with federal law.  <b>Summary:</b> Provides that for purposes of zoning, a residential facility in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident or nonresident staff persons, shall be considered residential occupancy by a single family. Currently, such facilities are required to have one or more resident counselors or other staff persons to qualify for this zoning designation.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 562</a> - Villanueva (21) Virginia Human Rights Act; public employment, prohibited discrimination, sexual orientation.</p>	<p>1/6/2014 House: Referred to Committee on General Laws 1/23/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Support] (14102829D) - Board has historically supported. See also HB 417 (Simon) and SB 248 (McEachin). <b>Summary:</b> Virginia Human Rights Act; public employment; prohibited discrimination; sexual orientation. Prohibits discrimination in employment based on sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.</p>		
<p><a href="#">HB 626</a> - Watts (39) Highways systems; allocation of funds.</p>	<p>1/7/2014 House: Referred to Committee on Appropriations</p>	<p>[1/17/2014]</p>
<p>[Support] (14103061D) <b>Summary:</b> Allocation of funds among highways systems. Eliminates required allocations of up to \$500 million per year for bridge reconstruction and rehabilitation, high priority projects, and smart roadway technology projects.</p>		
<p><a href="#">HB 633</a> - Kilgore (1) Local fiscal impact bills; first day introduction.</p>	<p>1/7/2014 House: Referred to Committee on Rules</p>	<p>[1/17/2014]</p>
<p>[Support] (14102646D) - Position in Legislative Program. See also SB 523 (Ruff) and SB 574 (Garrett). <b>Summary:</b> Requires local fiscal impact bills to be introduced no later than the first day of the session.</p>		
<p><a href="#">HB 657</a> - Bell (58) Testimony using two-way closed-circuit television; certain offenses.</p>	<p>1/7/2014 House: Referred to Committee for Courts of Justice</p>	<p>[1/24/2014]</p>
<p>[Support] (14100841D) <b>Summary:</b> Permits a victim of kidnapping, criminal sexual assault, or family offenses to testify via two-way closed-circuit television if the court finds that the victim is unable to testify in open court because he will suffer severe emotional trauma. Currently, only child victims who are under 16 years old at the time of trial and who were under 14 years old at the time of the offense and child witnesses who are under 14 years old at the time of trial may testify in this manner.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 783</a> - Futrell (2) Elections; absentee voting by persons living fifteen miles from place of work.</p>	<p>1/7/2014 House: Referred to Committee on Privileges and Elections 1/23/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Support] (14102722D) <b>Summary:</b> Adds to the list of persons eligible to vote by absentee ballot those persons whose primary residence, as on the registration records, is a distance of fifteen miles or greater from their place of work. The bill requires that the application for the absentee ballot include the name of the applicant's business or employer, the physical address of his place of work, and the distance in miles between the physical address of his place of work and the physical address of his primary residence.</p>		
<p><a href="#">HB 852</a> - Gilbert (15) State Executive Council for Comprehensive Services for At-Risk Youth and Families; application.</p>	<p>1/8/2014 House: Referred to Committee on General Laws</p>	<p>[1/17/2014]</p>
<p>[Support] (14102709D) - Consistent with position in County's Human Services Issue Paper. See also similar bill SB 426 (Hanger). <b>Summary:</b> State Executive Council for Comprehensive Services for At-Risk Youth and Families; application of the Administrative Process Act. Provides that the State Executive Council in exercising certain powers and duties is subject to the Administrative Process Act.</p>		
<p><a href="#">HB 890</a> - Peace (97) Social worker.</p>	<p>1/8/2014 House: Referred to Committee on Health, Welfare and Institutions</p>	<p>[1/24/2014]</p>
<p>[Support] (14101234D) <b>Summary:</b> Allows family-services specialists and qualified equivalent workers to perform tasks previously limited to social workers. The bill expands the authority of the Adult Protective Services Unit to establish minimum standards of training and educational opportunities for all workers in the field of adult protective services, which minimum standards currently apply to social workers. The bill changes the Department of Medical Assistance Services (DMAS) employment requirement for a baccalaureate degree from "social work" positions to "family-services-specialist" positions. The bill adds family-services specialists to the list of individuals required to report suspicions of child abuse or neglect. The bill contains an emergency clause.</p>		
<p><a href="#">HB 912</a> - Herring (46) Virginia Initiative for Employment Not Welfare (VIEW); Workforce Development Pilot Program, report.</p>	<p>1/8/2014 House: Referred to Committee on Health, Welfare and Institutions</p>	<p>[1/17/2014]</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>[Support] (14102335D)  <b>Summary:</b> Virginia Initiative for Employment Not Welfare (VIEW); Workforce Development Pilot Program. Directs the Department of Social Services to establish a Workforce Development Pilot Program. The Program will allow participants to divide their employment requirement between work and up to 15 hours of educational and vocational programs where an assessment shows participation will improve their chances of achieving self-sufficiency. The existing employment requirements under the VIEW program will be waived for its participants.</p>		
<p><b>HB 918</b> - Sickles (43)                      Elections; separation of ballots.</p>	<p>1/8/2014 House: Referred to Committee on Privileges and Elections</p>	<p>[1/17/2014]</p>
<p>[Support] (14102386D)  <b>Summary:</b> Removes the requirement that mechanical voting devices and ballots approved for use in elections must be capable of segregating ballots containing write-in votes from all other ballots. The bill also repeals the requirement that separate ballot containers are to be provided in primary elections.</p>		
<p><b>HB 920</b> - Sickles (43)                      Highway systems; funding.</p>	<p>1/8/2014 House: Referred to Committee on Transportation                      1/23/2014 House: Referred from Transportation by voice vote                      1/23/2014 House: Referred to Committee on Appropriations</p>	<p>[1/17/2014]</p>
<p>[Support] (14101706D)  <b>Summary:</b> Funding among highway systems. Advances from July 1, 2020, to July 1, 2014, the expiration date of the annual allocation that can be made by the Commonwealth Transportation Board.</p>		
<p><b>HB 957</b> - Filler-Corn (41)                      Transportation commission membership.</p>	<p>1/8/2014 House: Referred to Committee on Transportation</p>	<p>[1/17/2014]</p>
<p>[Support] (14102370D)  <b>Summary:</b> Repeals House Bill 2152 (2013), which has a delayed effective date of July 1, 2014. The bill gives the Chairman of the Commonwealth Transportation Board or his designee equal voting weight on the Virginia Railway Express oversight board. The bill also provides that the Chairman of the Commonwealth Transportation Board or his designee shall be included for purposes of constituting a quorum on certain transportation commissions and shall have voting rights equal to the appointees of component governments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 979</a> - Surovell (44) Businesses, certain; local limitations on number.	1/8/2014 House: Referred to Committee on Commerce and Labor	[1/17/2014]
<p>[Support] (14100962D) - Board has historically supported.</p> <p><b>Summary:</b> Local limitations on number of certain businesses. Provides that a locality may by ordinance reasonably limit the number of motor vehicle title loan businesses, payday lenders, check cashers, and precious metals dealers that may be operated at any one time within its territorial limits. The ordinance may limit the number of such establishments based on a specific number of businesses per magisterial or election district or by limiting the number of such businesses within an established radius.</p>		
<a href="#">HB 1011</a> - Byron (22) Local Government, Commission on; local mandates.	1/8/2014 House: Referred to Committee on Counties, Cities and Towns 1/23/2014 Subcommittee recommends reporting with amendments(s) (10-Y 0-N). 1/24/2014 House: Reported from Counties, Cities and Towns with amendment (21-Y 0-N)	[1/17/2014]
<p>[Support] (14101897D) - See also SB 163 (Locke).</p> <p><b>Summary:</b> Commission on Local Government; local mandates. Extends from July 1, 2014, to July 1, 2016, the task force appointed by the Governor to review state mandates on localities.</p>		
<a href="#">HB 1068</a> - Orrock, Sr. (54) Temporary Assistance for Needy Families (TANF); eligibility, drug-related felonies.	1/8/2014 House: Referred to Committee on Health, Welfare and Institutions	[1/17/2014]
<p>[Support] (14102305D) - Board has historically supported.</p> <p><b>Summary:</b> Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance, provided that he complies with all obligations imposed by the court and the Department of Social Services, is actively engaged in or has completed substance abuse treatment, and participates in drug screenings.</p>		
<a href="#">HB 1250</a> - Ramadan (87) Hunting; in certain counties allowed on Sundays.	1/17/2014 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources	[1/17/2014]
<p>[Support] (14100914D) - Support as measure to combat Lyme disease.</p> <p><b>Summary:</b> Hunting on Sundays. Authorizes the Counties of Fairfax, Fauquier, Loudoun, and Prince William to adopt an ordinance that allows the hunting of wild animals on private lands on Sunday.</p>		

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<p><a href="#">HJ 8</a> - Ramadan (87) Constitutional amendment; real property tax exemption for spouses of soldiers killed in action.</p>	<p>12/2/2013 House: Referred to Committee on Privileges and Elections 1/20/2014 Subcommittee recommends reporting (7-Y 0-N). 1/24/2014 House: Reported from Privileges and Elections (21-Y 0-N)</p>	<p>[1/17/2014]</p>
<p>[Support] (14100907D) - Support only as an initiative funded by the state. See also SJ 81 (Black). <b>Summary:</b> Constitutional amendment (second resolution); real property tax exemption for spouses of soldiers killed in action. Provides that the General Assembly may provide a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action. Such tax exemption may not be claimed by a surviving spouse who has remarried.</p>		
<p><a href="#">HJ 16</a> - Stolle (83) Recurrent flooding; joint subcommittee established to formulate recommendations to address.</p>	<p>12/10/2013 House: Referred to Committee on Rules</p>	<p>[1/17/2014]</p>
<p>[Support] (14100502D) - See SJ 3 (Locke) and SJ 34 (McWaters). <b>Summary:</b> Study; recurrent flooding; report. Establishes a 15-member joint subcommittee to formulate recommendations for the development of a comprehensive and coordinated planning effort to address recurrent flooding. The joint subcommittee is charged with recommending short- and long-term strategies for minimizing the impact of recurrent flooding. Its report is to be submitted by November 1, 2015.</p>		
<p><a href="#">HJ 39</a> - Webert (18) Study; adult abuse in the Commonwealth; report.</p>	<p>12/31/2013 House: Referred to Committee on Rules</p>	<p>[1/17/2014]</p>
<p>[Support] (14102727D) <b>Summary:</b> Requests the Department of Social Services (DSS) to research the frequency and character of adult abuse allegations in the Commonwealth, compare the Commonwealth's statistics to national standards, and recommend strategies to prevent and raise awareness about adult abuse in the Commonwealth.</p>		
<p><a href="#">HJ 103</a> - Jones (76) Study; JLARC; Virginia's Line of Duty Act; report.</p>	<p>1/8/2014 House: Referred to Committee on Rules</p>	<p>[1/17/2014]</p>
<p>[Support] (14102416D) <b>Summary:</b> Directs the Joint Legislative Audit and Review Commission to study Virginia's Line of Duty Act, the current and projected future costs of benefits awarded thereunder, and the advisability of coordinating those benefits with additional benefits paid under other state and federal programs.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HJ 118</a> - Austin (19) Study; dam safety regulations; report.	1/8/2014 House: Referred to Committee on Rules	[1/17/2014]
<p>[Support] (14103207D)  <b>Summary:</b> Requests the Department of Conservation and Recreation to study changes to Virginia's Impounding Structure Regulations that may result in cost savings to owners of dams without jeopardizing public safety.</p>		
<a href="#">SB 16</a> - Miller (1) Absentee voting; persons age 65 or older on day of an election are entitled to vote absentee ballot.	12/5/2013 Senate: Referred to Committee on Privileges and Elections 1/14/2014 Senate: Reported from Privileges and Elections with substitute (10-Y 4-N) 1/20/2014 Read third time and passed (28-Y 10-N). 1/23/2014 House: Referred to Committee on Privileges and Elections	[1/17/2014]
<p>[Support] (14103997D-S1) - Board has historically supported.  <b>Summary:</b> Elections; absentee voting. Provides that persons age 65 or older on the day of an election for which an absentee ballot is requested are entitled to vote absentee.</p>		
<a href="#">SB 57</a> - Marsden (37) Livable Home Tax Credit; increases total amount granted for program.	12/17/2013 Senate: Referred to Committee on Finance	[1/17/2014]
<p>[Support] (14101879D) - Consistent with past County support for the program. See also HB 295 (Villanueva).  <b>Summary:</b> Livable Home Tax Credit. Increases the total amount of tax credits granted for the Livable Home Tax Credit program in any fiscal year from \$1 million to \$2 million and increases the total amount of tax credits made available through the program allocated for purchase or construction of new residences from \$500,000 to \$1 million and the total amount allocated for retrofitting or renovation of existing residences from \$500,000 to \$1 million. The bill is a recommendation of the Virginia Disability Commission.</p>		
<a href="#">SB 132</a> - Favola (31) Department of Social Services; annual review of payments made to TANF recipients.	12/30/2013 Senate: Referred to Committee on Rehabilitation and Social Services 1/17/2014 Senate: Reported from Rehabilitation and Social Services with substitute (13-Y 0-N) 1/17/2014 Senate: Rereferred to Finance	[1/17/2014]
<p>[Support] (14100488D) - Board has historically supported.  <b>Summary:</b> Department of Social Services; annual review of payments made to TANF recipients and indexing of such payments to the Consumer Price Index. Requires the Department of Social Services to develop and implement a process for annually reviewing the amount of assistance paid to eligible recipients through the Temporary Assistance for Needy Families program and indexing the amount of such payments in an amount equal to the percentage change in the Consumer Price Index for the year immediately preceding the year in</p>		

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which the review occurs. The bill requires the Department to report to the Governor and the General Assembly on its progress in implementing the provisions of the act no later than December 1, 2014.

<p><b>SB 139</b> - Barker (39) Provisional driver's license holders; changes use of cell phone from secondary to primary offense.</p>	<p>12/30/2013 Senate: Referred to Committee on Transportation 1/15/2014 Senate: Reported from Transportation (11-Y 3-N) 1/21/2014 Read third time and passed Senate (19-Y 19-N, Chairman votes Yes). 1/24/2014 House: Referred to Committee on Militia, Police and Public Safety</p>	<p>[1/17/2014]</p>
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[Support] (14101700D) - Board has historically supported.

**Summary:** Provisional driver's license holders. Changes use of a cell phone by a provisional driver's license holder from a secondary offense to a primary offense.

<p><b>SB 151</b> - Stuart (28) Family abuse protective orders; allowable conditions.</p>	<p>12/31/2013 Senate: Referred to Committee for Courts of Justice 1/15/2014 Senate: Reported from Courts of Justice with substitute (13-Y 2-N) 1/22/2014 Read third time and passed Senate (35-Y 3-N). 1/22/2014 Reconsideration of passage agreed to by Senate (38-Y 0-N) 1/22/2014 Passed Senate (37-Y 0-N). 1/24/2014 House: Referred to Committee for Courts of Justice</p>	<p>[1/17/2014]</p>
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[Support] (14103142D) - See also HB 335 (Bell, R.B.)

**Summary:** Modifies the provision specifying that the court may grant the petitioner temporary exclusive possession or use of a motor vehicle owned by the petitioner or jointly owned by the parties to provide that the court may direct a respondent to maintain insurance, registration, and taxes on a motor vehicle and enjoin the respondent from terminating such insurance, registration, and taxes. The bill also specifies that the court may require the respondent to pay certain housing costs for the petitioner and may award temporary spousal support.

<p><b>SB 163</b> - Locke (2) Local Government, Commission on; local mandates.</p>	<p>12/31/2013 Senate: Referred to Committee on Local Government 1/21/2014 Senate: Reported from Local Government with substitute (14-Y 0-N)</p>	<p>[1/17/2014]</p>
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[Support] (14101754D) - See also HB 1011 (Byron).

**Summary:** Commission on Local Government; local mandates. Extends from July 1, 2014, to July 1, 2016, the task force appointed by the Governor to review state mandates on localities.

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<p><a href="#">SB 241</a> - Stuart (28) Development rights; locality may designate specific receiving areas for specific sending areas.</p>	<p>1/3/2014 Senate: Referred to Committee on Local Government 1/21/2014 Senate: Reported from Local Government with substitute (13-Y 0-N)</p>	<p>[1/17/2014]</p>
<p>[Support] (14102700D) <b>Summary:</b> Transfer of development rights. Provides that a locality may designate specific receiving areas for specific sending areas. Also, a locality may require that development comply with any locality-adopted architectural standards for the receiving area in which the development shall occur.</p>		
<p><a href="#">SB 264</a> - Ebbin (30) Fare enforcement inspectors; appointed to enforce fares for use of mass transit facilities.</p>	<p>1/4/2014 Senate: Referred to Committee on Transportation 1/15/2014 Senate: Reported from Transportation with substitute (14-Y 0-N) 1/15/2014 Senate: Rereferred to Courts of Justice</p>	<p>[1/17/2014]</p>
<p>[Support] (14102047D) - See also HB 761 (Rust). <b>Summary:</b> Fare enforcement inspectors. Provides for the appointment of fare enforcement inspectors to enforce payment of fares for use of mass transit facilities. The bill also provides that failure of a transit user to produce proof of fare payment constitutes a Class 4 misdemeanor.</p>		
<p><a href="#">SB 277</a> - Favola (31) DSS; amend the state plan for foster care and adoption assistance to include payments.</p>	<p>1/5/2014 Senate: Referred to Committee on Rehabilitation and Social Services 1/24/2014 Senate: Reported from Rehabilitation and Social Services with amendment (11-Y 0-N) 1/24/2014 Senate: Rereferred to Finance</p>	<p>[1/17/2014]</p>
<p>[Support] (14102208D) <b>Summary:</b> DSS; amend the state plan for foster care and adoption assistance to include payments for individuals up to age 21. Directs the Department of Social Services to amend the state plan for foster care and adoption assistance to include payments for certain individuals up to the age of 21.</p>		
<p><a href="#">SB 312</a> - Vogel (27) Annexation Moratorium Statute; continuation of moratorium on annexation by cities.</p>	<p>1/6/2014 Senate: Referred to Committee on Local Government 1/14/2014 Senate: Reported from Local Government with amendment (13-Y 0-N) 1/20/2014 Read third time and passed Senate (38-Y 0-N). 1/23/2014 House: Referred to Committee on Counties, Cities and Towns</p>	<p>[1/17/2014]</p>
<p>[Support] (14102809D) - Support as amended. <b>Summary:</b> Annexation Moratorium Statute; continuation of the moratorium on annexation by cities. Extends the temporary restrictions on granting city charters, filing annexation notices, and instituting annexation proceedings and county immunity proceedings until July 1 following the 2014-2016 biennium. The bill also excepts towns with a population of 40,000 or more from the moratorium on the granting of city charters, and it</p>		

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permits a county that includes a town with a population of 40,000 or more to seek immunity from annexation.

<p><b>SB 350</b> - Edwards (21) Net energy metering by municipalities &amp; multifamily customer-generators; projects authorized.</p>	<p>1/7/2014 Senate: Referred to Committee on Commerce and Labor</p>	<p>[1/17/2014]</p>
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[Support] (14101887D) - Same as regional initiative.  
**Summary:** Net energy metering by municipalities and multifamily customer-generators. Authorizes municipal renewable energy net metering projects. Participating municipalities are authorized to aggregate the electric energy load of their governmental buildings, facilities, and any other governmental operations requiring the consumption of electric energy for the purpose of net energy metering from a renewable energy generating facility. To be eligible, the generation facility for the municipal renewable energy net metering project shall use as its sole energy source solar power, wind power, or aerobic or anaerobic digester gas and landfill gas; not have an aggregate generation capacity of more than five megawatts unless a utility elects a higher capacity; be located on land owned or controlled by the municipality; be interconnected and operated in parallel with an electric utility's transmission and distribution facilities; and be used primarily to provide energy to metered accounts of the municipality. The aggregated municipal net metered accounts may be served by multiple meters. The aggregated load shall be served under the appropriate rate schedules. The measure also requires the State Corporation Commission, by July 1, 2015, to establish a program of multifamily net energy metering, which will allow a customer or customers that operate a renewable energy generating facility in a condominium, apartment complex, neighborhood, or homeowners association served by a common distribution circuit to be an eligible multifamily net metering customer-generator. The generation facility for multifamily net metering shall use as its total source of fuel renewable energy; not have an aggregate generation capacity of more than 500 kilowatts; be located on land owned or controlled by the eligible condominium, apartment complex, or homeowners association or on customers' property within the condominium, apartment complex, neighborhood, or homeowners association; be interconnected and operated in parallel with an electric utility's transmission and distribution facilities; and be used primarily to provide energy to metered accounts of the eligible multifamily net metering customer-generator. Eligible multifamily net metering customer-generators are exempt from the monthly standby charge assessed on other eligible customer-generators.

<p><b>SB 408</b> - McWaters (8) Motor vehicle safety inspection; VSP to amend its regulations to include inspection of window tint.</p>	<p>1/7/2014 Senate: Referred to Committee on Transportation 1/15/2014 Senate: Reported from Transportation with substitute (14-Y 0-N) 1/21/2014 Read third time and passed Senate (38-Y 0-N). 1/24/2014 House: Referred to Committee on Transportation</p>	<p>[1/17/2014]</p>
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[Support] (14103361D)  
**Summary:** Motor vehicle safety inspection; tint. Requires the Department of State Police to amend its regulations to include inspection of window tint as part of the motor vehicle safety inspection.

**Bold** – Indicates BOS formal action  
 [ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<a href="#">SB 426</a> - Hanger, Jr. (24) State Executive Council for Comprehensive Services for At-Risk Youth and Families; regulations.	1/7/2014 Senate: Referred to Committee on General Laws and Technology 1/13/2014 Senate: Rereferred to Rehabilitation and Social Services 1/13/2014 Rereferred from Committee on General Laws and Technology (10-Y 0-N).	[1/17/2014]
[Support] (14101838D) - Consistent with position in County's Human Services Paper. See also similar bill HB 852 (Gilbert). <b>Summary:</b> Provides that the State Executive Council for Comprehensive Services for At-Risk Youth and Families may promulgate regulations necessary to carry out its powers and duties. The bill contains technical amendments.		
<a href="#">SB 523</a> - Ruff, Jr. (61) Local fiscal impact bills; first day introduction.	1/8/2014 Senate: Referred to Committee on Rules	[1/17/2014]
[Support] (14102472D) - Position in Legislative Program. See HB 633 (Kilgore) and SB 574 (Garrett). <b>Summary:</b> Requires local fiscal impact bills to be introduced no later than the first day of the session.		
<a href="#">SB 574</a> - Garrett (22) Local fiscal impact bills; first day introduction.	1/10/2014 Senate: Referred to Committee on Rules	[1/17/2014]
[Support] (14103626D) - Position in Legislative Program. See also HB 633 (Kilgore) and SB 523 (Ruff). <b>Summary:</b> Requires local fiscal impact bills to be introduced no later than the first day of the session.		
<a href="#">SB 662</a> - Favola (31) Fairfax County; child-care subsidy.	1/17/2014 Senate: Referred to Committee on Rehabilitation and Social Services	[1/24/2014]
[Support] (14103514D) <b>Summary:</b> Allows Fairfax County to continue using a local sliding scale to determine copayment responsibilities for families receiving child-care subsidy. The local sliding scale imposes copayments in an amount between 2.5 and 10 percent of the families' countable monthly income. The statewide fee scale established by the Department of Social Services imposes copayments in an amount between five and 10 percent of the families' countable monthly income.		
<a href="#">SJ 3</a> - Locke (2) Recurrent flooding; joint subcommittee established to formulate recommendations to address.	12/3/2013 Senate: Referred to Committee on Rules 1/17/2014 Senate: Reported from Rules with substitute by voice vote 1/22/2014 Senate: Read third time and agreed to by Senate by voice vote 1/24/2014 House: Referred to Committee on Rules	[1/17/2014]
[Support] (14100663D) - See HJ 16 (Stolle) and SJ 34 (McWaters). <b>Summary:</b> Study; recurrent flooding; report. Establishes a 15-member joint subcommittee to formulate		

**Bold** – Indicates BOS formal action

[ ] Indicates BOS Legislative Committee Action

<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
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recommendations for the development of a comprehensive and coordinated planning effort to address recurrent flooding. The joint subcommittee is charged with recommending short- and long-term strategies for minimizing the impact of recurrent flooding. Its report is to be submitted by November 1, 2015.

<p><b><u>SJ 81</u></b> - Black (13) Constitutional amendment; real property tax exemption for spouses of soldiers killed in action.</p>	<p>1/8/2014 Senate: Referred to Committee on Privileges and Elections                  1/21/2014 Senate: Reported from Privileges and Elections (14-Y 0-N)                  1/21/2014 Senate: Rereferred to Finance</p>	<p>[1/17/2014]</p>
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(14103308D) - Support only as an initiative funded by the state. See HJ 8 (Ramadan).  
**Summary:** Constitutional amendment (second resolution); real property tax exemption for spouses of soldiers killed in action. Provides that the General Assembly may provide a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action. Such tax exemption may not be claimed by a surviving spouse who has remarried.

**Bold** – Indicates BOS formal action  
 [ ] Indicates BOS Legislative Committee Action

*Fairfax County Positions*  
(Monitor)

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 1</a> - Comstock (34) Sexual and Domestic Violence Subfund; funding of sexual and domestic violence prevention, etc.	11/18/2013 House: Referred to Committee on Appropriations	[1/24/2014]
<p>[Monitor] (14100790D) - See also SB 4 (Howell).  <b>Summary:</b> Funding of sexual and domestic violence prevention, intervention, and prosecution. Creates a new subfund in the Criminal Injuries Compensation Fund to be known as the Sexual and Domestic Violence Subfund. The Subfund consists of all funds, from whatever source, in the Commonwealth related to sexual and domestic violence prevention, intervention, and prosecution. The bill also directs the Workers' Compensation Commission to appoint a coordinator to administer and oversee the use of the funds.</p>		
<a href="#">HB 4</a> - Surovell (44) Hybrid electric motor vehicles; repeals annual license tax, refunds.	11/18/2013 House: Referred to Committee on Finance 1/17/2014 Subcommittee recommends laying on the table by voice vote	[1/17/2014]
<p>[Monitor] (14100097D)  <b>Summary:</b> Annual license tax on hybrid electric motor vehicles. Repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.</p>		
<a href="#">HB 47</a> - Kory (38) Hybrid electric motor vehicles; repeals annual license tax, refunds.	12/3/2013 House: Referred to Committee on Finance 1/17/2014 House: Subcommittee recommends laying on the table by voice vote	[1/17/2014]
<p>[Monitor] (14101147D)  <b>Summary:</b> Annual license tax on hybrid electric motor vehicles. Repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.</p>		
<a href="#">HB 72</a> - Pogge (96) Hybrid electric motor vehicles; eliminates annual license tax.	12/6/2013 House: Referred to Committee on Finance 1/17/2014 House: Subcommittee recommends laying on the table by voice vote	[1/17/2014]
<p>[Monitor] (14100225D)  <b>Summary:</b> Motor vehicle sales and use tax and motor fuels tax. Eliminates the \$64 annual license tax on hybrid electric motor vehicles.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 126</a> - O'Bannon, III (73) Absentee voting and procedures; secure return of voted military-overseas ballots.</p>	<p>12/18/2013 House: Referred to Committee on Science and Technology</p>	<p>[1/17/2014]</p>
<p>[Monitor] (14102817D) - See also HB 759 (Rust) and SB 11 (Miller).  <b>Summary:</b> Requires the State Board of Elections to provide instructions, procedures, and services to enable uniformed-service voters outside of the United States to return voted military-overseas ballots securely by electronic mail or fax. The bill requires the State Board to develop and annually update security measures to ensure the accuracy and integrity of such votes and requires the Chief Information Officer of the Commonwealth to approve the measures. The State Board is directed to convene a working group for the initial development of the security measures. Additionally, the State Board is directed to work with the U.S. Department of Defense to use smart cards issued to active-duty military personnel to authenticate and enable the return of such military-overseas ballots. The bill is a recommendation of the Joint Commission on Technology and Science.</p>		
<p><a href="#">HB 134</a> - Cole (88) Diabetes; care of students who have been diagnosed.</p>	<p>12/18/2013 House: Referred to Committee on Education 1/22/2014 Subcommittee recommends reporting with amendment(s) (8-Y 0-N).</p>	<p>[1/17/2014]</p>
<p>[Monitor] (14100844D)  <b>Summary:</b> Care of students who have been diagnosed with diabetes. Permits the parents of any public school student who has been diagnosed with diabetes to designate in a diabetes care plan a delegated care aide to provide diabetes care for the student, including the administration of insulin and glucagon, when a school nurse or physician is not present in the school or at a school-sponsored activity. The bill also requires the delegated care aide to receive training in diabetes care and every school employee to receive basic training in responses to emergency situations and changes from one to two the minimum number of employees in a school that must be trained with regard to a student with diabetes who attends the school. The bill contains technical amendments.</p>		
<p><a href="#">HB 281</a> - Albo (42) Northern Virginia Transportation Authority; contracts.</p>	<p>12/31/2013 House: Referred to Committee on Transportation</p>	<p>[1/17/2014]</p>
<p>[Monitor] (14101100D) - Current language is problematic, but staff is working with patron.  <b>Summary:</b> Northern Virginia Transportation Authority contracts. Prohibits the Authority from providing funds in support of a transportation-related project being undertaken with the District of Columbia or another state unless the Authority has first entered into a contract that provides for all costs of the project to be borne equally among the Authority and the District of Columbia or other state.</p>		



Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 289</a> - Albo (42) Virginia Public Procurement Act; cooperative procurement.	12/31/2013 House: Referred to Committee on General Laws	[1/17/2014]
<p>[Monitor] (14102403D)  <b>Summary:</b> Eliminates the limitation for cooperative procurement for construction in excess of \$200,000 by a local public body from the contract of another local public body that is more than a straight line distance of 75 miles from the territorial limits of the local public body procuring the construction.</p>		
<a href="#">HB 296</a> - Villanueva (21) Comprehensive plans; alignment of transportation infrastructure and facilities.	12/31/2013 House: Referred to Committee on Counties, Cities and Towns 1/16/2014 Subcommittee recommends reporting with amendment(s). (11-Y 0-N) 1/17/2014 House: Reported from Counties, Cities and Towns with amendment (22-Y 0-N) 1/22/2014 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/23/2014 Senate: Referred to Committee on Local Government	[1/17/2014]
<p>[Monitor] (14100343D) - See also SB 58 (Marsden). The Comprehensive Plan already offers guidance to achieve the objective of aligning transportation with affordable and accessible housing and community services. Additionally, a better situation may be achieved when locating accessible housing and services at locations where transportation services are available  <b>Summary:</b> Comprehensive plans; alignment of transportation services with accessible housing and other community services. Requires localities to take steps to align transportation infrastructure and facilities with affordable, accessible housing and community services when developing the transportation component of the comprehensive plan for the physical development of the territory. The bill is a recommendation of the Virginia Disability Commission.</p>		
<a href="#">HB 346</a> - James (80) Public-Private Transportation Act of 1995; additional requirements for certain agreements.	1/3/2014 House: Referred to Committee on Commerce and Labor	[1/24/2014]
<p>[Monitor] (14102629D)  <b>Summary:</b> Public-Private Transportation Act of 1995; additional requirements for certain comprehensive agreements. Provides that no comprehensive agreement providing for the lease, operation, or transfer of ownership of a qualifying transportation facility under the Public-Private Transportation Act with a total value of more than \$1 billion and having a substantial negative impact on the tax revenues of an affected jurisdiction or substantially increasing the taxes, fees, or expenses that will be paid by residents of an affected jurisdiction</p>		

Bills	General Assembly Actions	Date of BOS Position
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may be executed by a state agency unless (i) approved by the Governor and (ii) a bill that includes a specific description of the proposed agreement and its anticipated expenditures and revenues is passed by the General Assembly.

**HB 349** - James (80)  
Public-Private  
Transportation Act of  
1995, etc.;  
comprehensive  
agreements.

1/3/2014 House: Referred to Committee on Commerce and Labor

[1/24/2014]

[Monitor] (14102552D)

**Summary:** Public-Private Transportation Act of 1995 and Public-Private Education Facilities and Infrastructure Act of 2002; additional requirements for comprehensive agreements. Provides that no comprehensive agreement providing for the lease, operation, or transfer of ownership of a qualifying transportation facility under the Public-Private Transportation Act or a qualified project under the Public-Private Education Facilities and Infrastructure Act with a total value of \$1 billion or more shall be executed by a state agency unless (i) approved by the Governor and (ii) a bill that includes a specific description of the proposed agreement and its anticipated expenditures and revenues is passed by the General Assembly.

**HB 431** - LeMunyon (67)  
Tax reform, state and  
local; creates joint  
legislative subcommittee  
to perform a two-year  
study.

1/4/2014 House: Referred to Committee on Rules

[1/17/2014]

[Monitor] (14103093D) - Legislative Program opposes creation of commissions to evaluate local taxes without local representation.

**Summary:** State and local tax reform; study; report. Creates a joint legislative subcommittee to perform a two-year study on reforming state and local taxes. The joint subcommittee will assume the tasks of the Joint Subcommittee to Evaluate Tax Preferences, which the bill dissolves.

**HB 497** - Head (17)  
BPOL; appeal of business  
license tax classification.

1/6/2014 House: Referred to Committee on Finance  
1/22/2014 Subcommittee recommends reporting with  
amendment(s) (10-Y 0-N).

[1/24/2014]

[Monitor] (14103423D)

**Summary:** Permits a taxpayer to appeal to the Tax Commissioner or request a written ruling from him with regard to the classification of the business for BPOL tax purposes, regardless of whether the locality has conducted an audit, issued an assessment, or taken any other action.

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 623</a> - Watts (39) Electric, hybrid electric, and alternative fuel motor vehicles; annual road usage fee.</p>	<p>1/7/2014 House: Referred to Committee on Finance 1/17/2014 House: Subcommittee recommends laying on the table by voice vote</p>	<p>[1/17/2014]</p>
<p>[Monitor] (14102321D) <b>Summary:</b> Annual fee on electric, hybrid electric, and alternative fuel motor vehicles. Replaces the \$64 annual license tax on electric, hybrid electric, and alternative fuel motor vehicles with a \$64 annual road usage fee on (i) electric motor vehicles and (ii) any other motor vehicle that has a combined city/highway fuel economy rating equal to or greater than 40 miles per gallon or 40 miles per gallon of gasoline-equivalent (MPGe), according to standards and regulations of the U.S. Environmental Protection Agency.</p>		
<p><a href="#">HB 759</a> - Rust (86) Absentee voting and procedures; secure return of voted military-overseas ballots.</p>	<p>1/7/2014 House: Referred to Committee on Privileges and Elections</p>	<p>[1/17/2014]</p>
<p>[Monitor] (14103085D) - See also HB 126 (O'Bannon) and SB 11 (Puller). <b>Summary:</b> Requires the State Board of Elections to provide instructions, procedures, and services to enable uniformed-service voters outside of the United States to return voted military-overseas ballots securely by electronic mail or fax. The bill requires the State Board to develop and annually update security measures to ensure the accuracy and integrity of such votes and requires the Chief Information Officer of the Commonwealth to approve the measures. The State Board is directed to convene a working group for the initial development of the security measures. Additionally, the State Board is directed to work with the U.S. Department of Defense to use smart cards issued to active-duty military personnel to authenticate and enable the return of such military-overseas ballots. The bill is a recommendation of the Joint Commission on Technology and Science.</p>		
<p><a href="#">HB 793</a> - LeMunyon (67) Transportation planning; VDOT to recommend specific improvements for Planning District 8.</p>	<p>1/7/2014 House: Referred to Committee on Transportation</p>	<p>[1/17/2014]</p>
<p>[Monitor] (14103270D) <b>Summary:</b> Transportation planning. Requires the Department of Transportation, when reviewing certain proposed comprehensive plan amendments from localities in Planning District 8 (Northern Virginia), to recommend specific transportation improvements to the Northern Virginia Transportation Authority, the Commonwealth Transportation Board, and the appropriate locality that are necessary to ameliorate congestion.</p>		

Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 797</a> - Lopez (49) Small Business and Supplier Diversity, Department of; changes definition of small business.	1/7/2014 House: Referred to Committee on General Laws 1/23/2014 House: Subcommittee recommends laying on the table by voice vote	[1/17/2014]
<p>[Monitor] (14101282D)  <b>Summary:</b> Department of Small Business and Supplier Diversity; definition of small business. Changes the definition of small business to require the business to have 250 or fewer employees and average annual gross receipts of \$10 million or less averaged over the previous three years. Currently, a small business is required to meet one or the other of these conditions.</p>		
<a href="#">HB 921</a> - Sickles (43) Urban county executive form of government; auditor, school board.	1/8/2014 House: Referred to Committee on Counties, Cities and Towns	[1/17/2014]
<p>[Monitor] (14103507D)  <b>Summary:</b> Urban county executive form of government; auditor; school board. Provides that the board of supervisors for a county with the urban county executive form of government (Fairfax County) may hire an independent auditor to oversee the school board financial management and report back to the board of supervisors.</p>		
<a href="#">HB 975</a> - Rust (86) Hybrid electric motor vehicles; repeals annual license tax.	1/8/2014 House: Referred to Committee on Finance 1/17/2014 HFIN Subcommittee 3 recommends reporting with amendments (5-Y 0-N). 1/20/2014 House: Reported from Finance with amendment (20-Y 1-N) 1/23/2014 House: VOTE: PASSAGE (89-Y 9-N) 1/24/2014 Senate: Referred to Committee on Finance	[1/17/2014]
<p>[Monitor] (14102017D)  <b>Summary:</b> Annual license tax on hybrid electric motor vehicles. Repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013.</p>		
<a href="#">HB 1231</a> - Sickles (43) Elections; voting machines.	1/17/2014 House: Referred to Committee on Privileges and Elections	[1/24/2014]
<p>[Monitor] (14102390D)  <b>Summary:</b> Provides that voting machines purchased by a locality after July 1, 2014, shall not allow wireless communications at any time. Currently, wireless communication between and among voting machines is prohibited only while polls are open on election day.</p>		

Bills	General Assembly Actions	Date of BOS Position
<a href="#">HJ 42</a> - Villanueva (21) Study; Legislative Audit and Review Commission to study equity of transportation funding; report.	12/31/2013 House: Referred to Committee on Rules	[1/17/2014]
<p>[Monitor] (14101570D)  <b>Summary:</b> Study; Joint Legislative Audit and Review Commission to study equity of transportation funding; report. Directs JLARC to review the equity of transportation funding in light of new revenues and because such a study has not been conducted in 30 years.</p>		
<a href="#">HJ 45</a> - DeSteph, Jr. (82) Study; local business license (BPOL) tax; report.	1/3/2014 House: Referred to Committee on Rules	[1/17/2014]
<p>[Monitor] (14101805D)  <b>Summary:</b> Establishes a joint subcommittee to study the local business license (BPOL) tax.</p>		
<a href="#">HJ 84</a> - LaRock (33) Memorializing Congress; tolls on Dulles Access Highway.	1/7/2014 House: Referred to Committee on Rules	[1/17/2014]
<p>[Monitor] (14102824D)  <b>Summary:</b> Memorializes Congress to impose and collect tolls for use of the Dulles Access Highway in order to limit toll increases for use of the Dulles Toll Road used to finance the rail-to-Dulles project.</p>		
<a href="#">HJ 85</a> - LaRock (33) MWAA; tolls on Dulles Access Highway.	1/7/2014 House: Referred to Committee on Rules	[1/17/2014]
<p>[Monitor] (14102878D)  <b>Summary:</b> Memorializes the Metropolitan Washington Airport Authority to impose and collect tolls for use of the Dulles Access Highway in order to reduce tolls for use of the Dulles Toll Road.</p>		
<a href="#">SB 4</a> - Howell (32) Sexual and Domestic Violence Subfund; funding of sexual and domestic violence prevention, etc.	12/2/2013 Senate: Referred to Committee for Courts of Justice	[1/24/2014]
<p>[Monitor] (14100667D) - See also HB 1 (Comstock).  <b>Summary:</b> Funding of sexual and domestic violence prevention, intervention, and prosecution. Creates a new subfund in the Criminal Injuries Compensation Fund to be known as the Sexual and Domestic Violence</p>		

Bills	General Assembly Actions	Date of BOS Position
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Subfund. The Subfund consists of all funds, from whatever source, in the Commonwealth related to sexual and domestic violence prevention, intervention, and prosecution. The bill also directs the Workers' Compensation Commission to appoint a coordinator to administer and oversee the use of the funds.

**SB 11** - Puller (36)  
Absentee voting and procedures; secure return of voted military-overseas ballots.

12/4/2013 Senate: Referred to Committee on Privileges and Elections  
1/21/2014 Senate: Reported from Privileges and Elections with substitute (13-Y 0-N)

[1/17/2014]

[Monitor] (14100188D) - See also HB 126 (O'Bannon) and HB 759 (Rust).

**Summary:** Requires the State Board of Elections to provide instructions, procedures, and services to enable uniformed-service voters outside of the United States to return voted military-overseas ballots securely by electronic mail or fax. The bill requires the State Board to develop and annually update security measures to ensure the accuracy and integrity of such votes and requires the Chief Information Officer of the Commonwealth to approve the measures. The State Board is directed to convene a working group for the initial development of the security measures. Additionally, the State Board is directed to work with the U.S. Department of Defense to use smart cards issued to active-duty military personnel to authenticate and enable the return of such military-overseas ballots. The bill is a recommendation of the Joint Commission on Technology and Science.

**SB 58** - Marsden (37)  
Comprehensive plans; alignment of transportation services.

12/17/2013 Senate: Referred to Committee on Local Government  
1/21/2014 Senate: Reported from Local Government with amendment (14-Y 0-N)

[1/17/2014]

[Monitor] (14101881D) - See also HB 296 (Villanueva). The Comprehensive Plan already offers guidance to achieve the objective of aligning transportation with affordable and accessible housing and community services. Additionally, a better situation may be achieved when locating accessible housing and services at locations where transportation services are available

**Summary:** Comprehensive plans; alignment of transportation services with accessible housing and other community services. Requires localities to take steps to align transportation infrastructure and facilities with affordable, accessible housing and community services when developing the transportation component of the comprehensive plan for the physical development of the territory. The bill is a recommendation of the Virginia Disability Commission.

Bills	General Assembly Actions	Date of BOS Position
<p><b>SB 127</b> - Newman (23) Hybrid electric motor vehicles; repeals annual license tax.</p>	<p>12/30/2013 Senate: Referred to Committee on Finance 1/15/2014 Senate: Reported from Finance with substitute (10-Y 5-N) 1/20/2014 Read third time and passed Senate (34-Y 2-N). 1/20/2014 Reconsideration of passage agreed to by Senate (38-Y 0-N). 1/20/2014 Passed Senate (35-Y 3-N). 1/23/2014 House: Referred to Committee on Finance</p>	<p>[1/17/2014]</p>
<p>[Monitor] (14101066D) <b>Summary:</b> Annual license tax on hybrid electric motor vehicles. Repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1,2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2013.</p>		
<p><b>SB 284</b> - Howell (32) Kinship care; regulations.</p>	<p>1/6/2014 Senate: Referred to Committee on Rehabilitation and Social Services</p>	<p>[1/24/2014]</p>
<p>[Monitor] (14100666D) <b>Summary:</b> Directs the Board of Social Services to promulgate regulations governing kinship care placements within 280 days.</p>		
<p><b>SB 340</b> - Puller (36) Residential facility, certain; public notice and hearing, installation of smoke detectors.</p>	<p>1/7/2014 Senate: Referred to Committee on Local Government</p>	<p>[1/17/2014]</p>
<p>[Monitor] (14102410D) <b>Summary:</b> Group homes of eight or fewer; public notice and hearing; smoke detectors. Allows a locality to require any party wishing to establish a certain type of residential facility for the aged, infirm, disabled, or those with mental illness to provide public notice and participate in a public hearing. The bill requires the operator of such a facility to install smoke detectors regardless of when the building was constructed and directs the Board of Housing and Community Development to adopt regulations establishing standards for requiring smoke detectors.</p>		
<p><b>SB 374</b> - Marsh III (16) Neighborhood revitalization; locality may adopt program to establish, etc.</p>	<p>1/7/2014 Senate: Referred to Committee on Local Government</p>	<p>[1/17/2014]</p>
<p>[Monitor] (14102115D) <b>Summary:</b> Neighborhood revitalization. Provides that a locality may by ordinance adopt a program to establish and impose an annual blighted property assessment fee on real properties that have remained vacant for one year or longer if the property has been permitted by the owner to deteriorate to the extent that it has become</p>		



Bills	General Assembly Actions	Date of BOS Position
detrimental to the public health, safety, or welfare of the locality or surrounding area and has contributed to the reduction of surrounding property values.		
<b><u>SB 418</u></b> - Hanger, Jr. (24) Solar equipment; certified pollution control equipment and facilities.	1/7/2014 Senate: Referred to Committee on Finance	[1/17/2014]
[Monitor] (14101551D) - See SB 512 (Wagner). <b>Summary:</b> Certified pollution control equipment and facilities; solar equipment. Adds solar equipment to the definition of certified pollution control equipment and facilities that are exempt from state and local taxation pursuant to Article X, Section 6 of the Constitution of Virginia.		
<b><u>SB 512</u></b> - Wagner (7) Solar equipment; certified pollution control equipment and facilities.	1/8/2014 Senate: Referred to Committee on Finance	[1/17/2014]
[Monitor] (14100699D) - See SB 418 (Hanger). <b>Summary:</b> Certified pollution control equipment and facilities; solar equipment. Adds solar equipment to the definition of certified pollution control equipment and facilities that are exempt from state and local taxation pursuant to Article X, Section 6 of the Constitution of Virginia.		
<b><u>SB 532</u></b> - Stuart (28) Diabetes; care of students who have been diagnosed.	1/8/2014 Senate: Referred to Committee on Education and Health	[1/17/2014]
[Monitor] (14101450D) <b>Summary:</b> Care of students who have been diagnosed with diabetes. Requires the parents of any public school student who has been diagnosed with diabetes to designate in a diabetes care plan a delegated care aide to provide diabetes care for the student, including the administration of insulin and glucagon, when a school nurse or physician is not present in the school or at a school-sponsored activity. The bill also requires the delegated care aide to receive training in diabetes care and every school employee to receive basic training in responses to emergency situations and changes from one to two the minimum number of employees in a school that must be trained with regard to a student with diabetes who attends the school. The bill further allows a student to perform certain tasks in the management of his diabetes. The bill requires schools at which a student diagnosed with diabetes is in attendance, to possess an emergency supply of glucagon in addition to any glucagon provided to the school by the parent of such a student. The bill provides that no school board shall prohibit a student who has been diagnosed with diabetes from attending a school or a school-sponsored activity on the basis of his diabetes. Finally, the bill prohibits a school nurse or delegated care aide from being disciplined for ordinary negligence in acts or omissions made during the care of a student who has been diagnosed with diabetes. The bill contains technical amendments.		



Bills	General Assembly Actions	Date of BOS Position
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<p><b>SB 627</b> - Newman (23)                      Department of Behavioral Health and Developmental Services; quality of care; disclosure.</p>	<p>1/16/2014 Senate: Referred to Committee on Rehabilitation and Social Services</p>	<p>[1/24/2014]</p>
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[Monitor] (14103681D)  
**Summary:** Department of Behavioral Health and Developmental Services; training center residents; quality of care; disclosure. Requires the Department of Behavioral Health and Developmental Services to, before transferring any training center resident to another training center or to community-based care, provide written certification to the training center resident or his legally authorized representative that the receiving facility provides quality of care equal to or higher than that provided in the resident's current training center and that all permissible placement options have been disclosed.

*Fairfax County Positions*

\* \* \*

*Legislation  
Continued to 2015*

Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 651</a> - Villanueva (21) Statewide Fire Prevention Code; inspection of buildings, exception.	1/7/2014 House: Referred to Committee on General Laws 1/21/2014 House: Subcommittee recommends continuing to 2015 by voice vote 1/23/2014 House: Continued to 2015 in General Laws by voice vote	[1/17/2014]
<p>[Oppose] (14102887D)  <b>Summary:</b> Statewide Fire Prevention Code; inspection of buildings; exception. Provides that neither the State Fire Marshal nor any local fire official shall inspect the premises of any tanning facility as defined in Â§ 59.1-310.1 or other business establishment that does not have hazardous materials on such premises.</p>		
<a href="#">SB 289</a> - Carrico, Sr. (40) Line of Duty Act; funding and review.	1/6/2014 Senate: Referred to Committee for Courts of Justice 1/13/2014 Senate: Rereferred to Finance 1/13/2014 Rereferred from Courts of Justice (15-Y 0-N). 1/21/2014 Senate: Continued to 2015 in Finance (15-Y 0-N)	[1/17/2014]
<p>[Oppose] (14102503D) - Oppose diversion of revenue from Communication Sales and Use Tax Fund. See also SB 493 (Puckett).  <b>Summary:</b> Creates a Line of Duty Death and Health Benefits Fund and provides for the funding of Line of Duty claims. The bill also establishes an advisory review board to assist the Comptroller in the review of claims involving a claimant who has not received a disability determination from the Virginia Retirement System, Social Security Administration, Workers' Compensation Commission, or any recognized retirement system or who is, as of the time the claim for benefits had been filed, working in an alternative position.</p>		
<a href="#">SB 522</a> - Saslaw (35) Disabled American Veterans Highway.	1/8/2014 Senate: Referred to Committee on Transportation 1/22/2014 Senate: Continued to 2015 in Transportation (14-Y 0-N)	[1/17/2014]
<p>[Support] (14100217D)  <b>Summary:</b> Designates the entire length of Interstate Route 495 (Capital Beltway) in Virginia the "Disabled American Veterans Highway."</p>		

# *Fairfax County Positions*

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## *Legislation No Longer Under Consideration*

*(Failed to Report, Incorporated into other Legislation, Tabled, etc.)*

Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 71</a> - Pogge (96) Agricultural operations; local regulation of certain activities.	12/6/2013 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/20/2014 House: Subcommittee recommends striking from docket by voice vote 1/22/2014 House: Stricken from docket by Agriculture, Chesapeake and Natural Resources by voice vote	[1/17/2014]
<p>[Oppose] (14100755D) - See HB 268 (Orrock) and SB 51 (Stuart).  <b>Summary:</b> Protects customary agritourism activities at agricultural operations from local bans in the absence of substantial impacts on the public welfare and requires localities to take certain factors into account when regulating agritourism activities. The bill requires a basis in health, safety, or public welfare for a local ordinance that restricts any of several activities: the conduct of agritourism activities, the sale of agricultural or silvicultural products or related items, the preparation or sale of foods that otherwise comply with state law, and other customary activities. Localities are prohibited from subjecting those listed activities to a special-use permit requirement, and in most situations localities are prevented from stringently regulating the sound produced by the listed activities.</p>		
<a href="#">HB 158</a> - Minchew (10) Annexation moratorium statute; continuation of moratorium on annexation by cities.	12/20/2013 House: Referred to Committee on Counties, Cities and Towns 1/23/2014 House: Subcommittee recommends striking from docket by voice vote 1/24/2014 House: Stricken from docket by Counties, Cities and Towns by voice vote	[1/17/2014]
<p>[Support w/ Amend.] (14102567D) - Support with amendment to conform to SB 312 (Vogel).  <b>Summary:</b> Annexation Moratorium Statute; continuation of the moratorium on annexation by cities. Extends the temporary restrictions on granting city charters, filing annexation notices, and instituting annexation proceedings and county immunity proceedings until July 1 following the 2014-2016 biennium. The bill also excepts towns with a population of 40,000 or more from the moratorium on the granting of city charters.</p>		
<a href="#">HB 519</a> - Morris (64) Zoning; attorney fees.	1/6/2014 House: Referred to Committee for Courts of Justice 1/17/2014 House: Stricken from docket by Courts of Justice by voice vote	[1/17/2014]
<p>[Oppose] (14100675D) - Board has historically opposed. See SB 578 (Obenshain).  <b>Summary:</b> Provides that a court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in a zoning action brought against it or that successfully challenges the validity of a zoning ordinance.</p>		
<a href="#">HB 524</a> - Pogge (96) Uniform Statewide Building Code; accessible units.	1/6/2014 House: Referred to Committee on General Laws 1/21/2014 House: Subcommittee recommends striking from docket by voice vote 1/23/2014 House: Stricken from docket by General Laws by voice vote	[1/17/2014]

Bills	General Assembly Actions	Date of BOS Position
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[Support] (14100341D) - Consistent with accessibility position in Legislative Program. See SB 63 (Puller).  
**Summary:** Requires the Board of Housing and Community Development to revise the Uniform Statewide Building Code to require that at least 10 percent of all dwelling units, but in no case less than one dwelling unit, in any newly constructed multifamily residential building shall be affordable, accessible units designed and constructed in a manner that satisfies the criteria for Type A units, in accordance with ANSI A117.1. Currently, at least two percent of dwelling units, but in no case less than one dwelling unit, in any multifamily residential building must be Type A units. The bill is a recommendation of the Virginia Disability Commission.

<p><b>SB 63</b> - Puller (36)                  Uniform Statewide Building Code; accessible units.</p>	<p>12/18/2013 Senate: Referred to Committee on General Laws and Technology                  1/20/2014 Senate: Passed by indefinitely in General Laws and Technology with letter (12-Y 0-N)</p>	<p>[1/17/2014]</p>
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[Support] (14101875D) - Consistent with accessibility position in Legislative Program. See HB 524 (Pogge).  
**Summary:** Requires the Board of Housing and Community Development to revise the Uniform Statewide Building Code to require that at least 10 percent of all dwelling units, but in no case less than one dwelling unit, in any newly constructed multifamily residential building shall be affordable, accessible units designed and constructed in a manner that satisfies the criteria for Type A units, in accordance with ANSI A117.1. Currently, at least two percent of dwelling units, but in no case less than one dwelling unit, in any multifamily residential building must be Type A units. The bill is a recommendation of the Virginia Disability Commission.

<p><b>SB 174</b> - Black (13)                  Virginia Public Procurement Act; competitive negotiation, term contracts for certain services.</p>	<p>1/2/2014 Senate: Referred to Committee on General Laws and Technology                  1/13/2014 Senate: Passed by indefinitely in General Laws and Technology with letter (10-Y 0-N)</p>	<p>[1/17/2014]</p>
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[Support] (14101638D) - Board has historically supported.  
**Summary:** Virginia Public Procurement Act; competitive negotiation; term contracts for certain architectural and engineering services. Increases the term contract limits for architectural and engineering services to \$2.5 million per project for state agencies and \$10 million per term. Currently, these limits are \$1 million and \$5 million, respectively.

<p><b>SB 176</b>                  Home-produced or farm-produced products; sale of products by certain farm operations.</p>	<p>1/2/2014 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources                  1/23/2014 Stricken at request of Patron in Agriculture, Conservation &amp; Natural Resources (9-Y 0-N)</p>	<p>[1/17/2014]</p>
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[Oppose] (14100826D) - Board has historically opposed. See also HB 135 (Bell, R.B.).  
**Summary:** Home-produced or farm-produced products. Allows the sale of food products made from any fruit, grain, herbs, honey, meat, milk, mushrooms, nuts, poultry, seafood, or vegetables by a farm operation employing 10 or fewer people or by a private home, so long as (i) the sale is made directly to consumers and (ii) the product is labeled with the producer's name and address, the product's ingredients, and a disclosure statement indicating the product is not subject to Virginia's food safety laws or regulations.

Bills	General Assembly Actions	Date of BOS Position
<a href="#">SB 248</a> - McEachin (9) Discrimination; prohibited in state employment.	1/3/2014 Senate: Referred to Committee on General Laws and Technology 1/20/2014 Failed to Report in General Laws and Technology (7-Y 7-N).	[1/17/2014]
<p>[Support] (14103212D) - Board has historically supported. See also HB 417 (Simon) and HB 562 (Villanueva).  <b>Summary:</b> Nondiscrimination in state employment. Prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, gender identity, or status as a special disabled veteran or other veteran covered by the Veterans Readjustment Assistance Act of 1974, as amended. The bill also defines "sexual orientation" and "gender identity."</p>		
<a href="#">SB 320</a> - Ebbin (30) Paper and plastic bags, disposable; localities in Planning District 8 authorized to impose.	1/6/2014 Senate: Referred to Committee on Finance 1/21/2014 Senate: Passed by indefinitely in Finance (14-Y 1-N)	[1/17/2014]
<p>[Support] (14103114D) - Position in Legislative Program.  <b>Summary:</b> Local paper and plastic bag tax. Authorizes localities in Planning District 8 by ordinance to impose a tax on disposable paper bags and disposable plastic bags. Revenues from the local tax would be collected by the Tax Commissioner and distributed monthly to the county or city imposing the tax. The bill requires each county or city adopting an ordinance to impose the tax to provide a certified copy of the ordinance to the Tax Commissioner at least six months prior to the date the tax is to become effective.</p>		
<a href="#">SB 586</a> - Colgan (29) Communications sales and use tax revenues; changes distribution.	1/10/2014 Senate: Referred to Committee on Finance 1/21/2014 Senate: Passed by indefinitely in Finance (11-Y 0-N)	[1/17/2014]
<p>[Oppose] (14103657D) - Loss of revenue to the County of \$25 million per year. See HB 685 (Torian).  <b>Summary:</b> Distribution of communications sales and use tax revenues. Changes the distribution of communications sales and use tax revenues beginning with the month of August 2014 by providing that (i) first, each town would receive the same proportion of such revenues it received in fiscal year 2013-2014 and (ii) all of the remaining revenues would be distributed pro rata to those counties and cities that received a distribution in fiscal year 2013-2014, based upon the population of the county or city as shown by the most recent United States census. Currently, communications sales and use tax revenues are essentially distributed according to each locality's share of telecommunications and television cable funds (local consumer utility tax on landlines and wireless, E-911, business license tax in excess of 0.5 percent, cable franchise fee, video programming excise tax, local consumer utility tax on cable television) collected throughout the Commonwealth in fiscal year 2006.</p>		

Bills	General Assembly Actions	Date of BOS Position
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<b>SJ 34</b> - McWaters (8) Study; recurrent flooding; report.	1/3/2014 Senate: Referred to Committee on Rules 1/17/2014 Senate: Incorporated by Rules (SJ3-Locke) by voice vote	[1/17/2014]
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[Support] (14101018D) - See HJ 16 (Stolle) and SJ 3 (Locke).

**Summary:** Establishes a 15-member joint subcommittee to formulate recommendations for the development of a comprehensive and coordinated planning effort to address recurrent flooding. The joint subcommittee is charged with recommending short- and long-term strategies for minimizing the impact of recurrent flooding. Its report is to be submitted by November 1, 2015.



**BUDGET PROPOSALS FOR FY 2014- FY 2016 DURING THE 2014 GENERAL ASSEMBLY SESSION  
as of January 17, 2014**

Budget Bill Item #	Issue	Fairfax County Impact
	<b>Central Appropriations</b>	
	<b>Compensation Board</b>	
	<b><u>State-Supported Employee Compensation</u></b>	
	<b><u>Central Appropriations</u></b>	
	<b>Governor McDonnell's Budget:</b> A proposed bonus for state employees in December 2014 of up to 3% contingent upon year-end revenue does not extend to constitutional officers and their employees.	No impact.
	<b><u>Commonwealth Attorneys</u></b>	
70	<b>Governor McDonnell's Budget:</b> Additional funding of \$2.1 million to support the second phase of a salary increase for Assistant Commonwealth's Attorneys to achieve a starting salary level of \$52,000 per year.	Would result in additional salary reimbursement of approximately \$70,000 for Fairfax County in FY 2015.
66	<b><u>Sheriffs</u></b>	
	<b>Governor McDonnell's Budget:</b> Provides \$4.7 million each year for a 2% salary adjustment for entry level sheriff deputy positions effective July 1, 2014.	Would result in additional salary reimbursement of approximately \$175,000 per year.
	<b><u>Circuit Court</u></b>	
	<b>Governor McDonnell's Budget:</b> Provides \$0.4 million each year for a 4% salary adjustment for Circuit Court Deputy Clerk I positions, and a 2% salary adjustment for Circuit Court Deputy Clerk II positions effective July 1, 2014.	Would result in additional salary reimbursement of \$34,000 per year.
67	<b><u>Inmate Per Diem Funding</u></b>	
	<b>Governor McDonnell's Budget:</b> No funding was recommended for the projected need of \$10.7 million in FY 2015 and \$11.7 million in FY 2016 for jail inmate per diem payments based on revised growth estimates provided by the Inmate Population Forecasting Committee; therefore, funding is not sufficient for the anticipated statewide inmate population.	Funding will be based on County's inmate population in FY 2014. Since funding in FY 2015 and FY 2016 may not be sufficient to meet the statewide inmate population, funding to the County could be impacted.
	<b>Public Safety</b>	
391	<b><u>State Aid to Localities with Police Departments (HB 599)</u></b>	
	<b>Governor McDonnell's Budget:</b> Increases funding in FY 2015 and FY 2016 consistent with the increase in State's General Fund revenue, 4.1% in FY 2015 and 4.0% in FY 2016.	Funding is anticipated to rise \$1.0 million each year from \$23.7 million in FY 2014 to \$24.7 million in FY 2015 and to \$25.7 million in FY 2016.
	<b>Other Items of Interest</b>	
363	<b><u>Water Quality Improvement Fund (WQIF)</u></b>	
	<b>Governor McDonnell's Budget:</b> Provides \$23.9 million from the General Fund in FY 2015 for the Water Quality Improvement Fund to address nonpoint source pollution problems.	Potentially positive impact. Because of a lack of funds, the WQIF has been reimbursing just 85% of the approved grant amount.

**BUDGET PROPOSALS FOR FY 2014- FY 2016 DURING THE 2014 GENERAL ASSEMBLY SESSION  
as of January 17, 2014**

Budget Bill Item #	Issue	Fairfax County Impact
<b>Human Services</b>		
<b>Housing</b>		
103	<b>Governor McDonnell's Budget:</b> Provides an additional \$500,000 in each year of the biennium for rapid re-housing.	TBD
	<b>Governor McDonnell's Budget:</b> Provides \$4 million in each year of the biennium for the Virginia Housing Trust Fund.	TBD
<b>Local Dental Services</b>		
290	<b>Governor McDonnell's Budget:</b> Removes approximately \$3.3 million in funding that was provided to temporarily allow the Virginia Department of Health to continue the existing community dental program while transitioning to a preventive model, which is required to be in place by July 1, 2014. (This deadline is extended to January 1, 2016 for the Mount Rogers, Western Tidewater, and Norfolk health districts.)	TBD
<b>AIDS Drug Assistance Program</b>		
290	<b>Governor McDonnell's Budget:</b> Provides an increase in general fund support of approximately \$7.1 million over the biennium to allow continued enrollment in the program without creation of a waitlist.	TBD
<b>Virginia Resource Mothers Program</b>		
290	<b>Governor McDonnell's Budget:</b> Continues funding for the Virginia Resource Mothers Program (\$614,914 in each year of the biennium) to maintain current operations. Federal funding supporting this program is no longer available.	TBD
<b>Poison Control Centers</b>		
291	<b>Governor McDonnell's Budget:</b> Reduces funding for poison control centers by \$300,000 in each year of the biennium to reflect funding two centers instead of three. Language in the budget requires the State Health Commissioner to review existing poison control centers serving the Commonwealth and determine which two shall continue to be provided state funds. The three centers that receive funding are located at UVA, VCU and the National Capital Poison Center in DC.	No direct impact to Fairfax County funding.
<b>HealthWorks of Herndon</b>		
291	<b>Governor McDonnell's Budget:</b> Provides \$29,303 in each year of the biennium to expand services at HealthWorks of Herndon (HWH) (formerly the Jeanie Schmidt Free Clinic). HWH will be required to provide treatment and prevention services, including health care services and mental health counseling, to low income and uninsured adults and children residing in Herndon, Reston, Chantilly, and Centreville.	TBD
<b>Medicaid Reforms</b>		
301	<b>Governor McDonnell's Budget:</b> Provides emergency regulatory authority for DMAS to implement payment and delivery innovation models as part of Medicaid reforms outlined in the 2013 Appropriation Act.	TBD

**BUDGET PROPOSALS FOR FY 2014- FY 2016 DURING THE 2014 GENERAL ASSEMBLY SESSION  
as of January 17, 2014**

Budget Bill Item #	Issue	Fairfax County Impact
	<b><u>Mental Health</u></b>	
308	<b>Governor McDonnell's Budget:</b> Funds proposed legislation that requires a minimum 24-hour period for a temporary detention order (TDO) and extends the current 48-hour maximum TDO to 72 hours for adults with mental illness. (\$1.4 million in FY 2015 and \$1.7 million in FY 2016.)	TBD
308	<b>Governor McDonnell's Budget:</b> Adds two new Programs of Assertive Community Treatment (PACT) for a total of 18 programs statewide.	TBD
	<b>Governor McDonnell's Budget:</b> Provides \$550,000 in FY 2015 and \$1 million in FY 2016 for residential and community-based peer recovery programs.	TBD
308	<b>Governor McDonnell's Budget:</b> Builds outpatient capacity for young adults at community services boards. Funds will be used to increase the number of outpatient clinicians providing psychotherapy, medication services, and supportive counseling. (\$3.5 million in FY 2015 and \$4 million in FY 2016.)	TBD
308	<b>Governor McDonnell's Budget:</b> Provides \$1.7 million over the biennium to purchase telecommunications equipment to enhance the ability of CSBs to conduct clinical evaluations offsite.	TBD
308	<b>Governor McDonnell's Budget:</b> Provides \$5.4 million over the biennium for therapeutic assessment centers to allow for the expansion of "police drop-off centers" in multiple localities.	TBD
	<b><u>Department of Justice Settlement/Transition from Training Centers</u></b>	
301	<b>Governor McDonnell's Budget:</b> Funds the creation of 340 new Intellectual Disability (ID) and 25 Developmental Disability (DD) waiver slots in 2015 and 360 new ID slots and 25 DD slots in 2016 as required by the settlement agreement.	TBD
307	<b>Governor McDonnell's Budget:</b> Provides \$3.8 million in each year of the biennium for the administration and quality management of facility closures and expanded community services provided pursuant to the settlement agreement with the Department of Justice.	TBD
308	<b>Governor McDonnell's Budget:</b> Provides \$4.5 million in FY 2015 and \$12 million in FY 2016 for community-based services required by the settlement agreement, including crisis stabilization, individual and family supports, and the creation of developmental disability support networks.	TBD
308	<b>Governor McDonnell's Budget:</b> Provides \$2.75 million in FY 2015 for the Northern Virginia region to build community capacity for individuals transitioning out of state-operated training centers. Services are anticipated to include additional behavioral and medical supports, durable medical equipment and other services as needed to ensure successful transition to community living.	TBD
	<b><u>Brain Injury Services</u></b>	
325	<b>Governor McDonnell's Budget:</b> Provides an additional \$300,000 over the biennium to expand brain injury case management services; funding is intended to cover increased costs for existing brain injury programs and to expand the number of clients served.	TBD
	<b><u>Area Agencies on Aging</u></b>	
326	<b>Governor McDonnell's Budget:</b> Provides \$2.4 million in state funds for AAAs to offset the impact of federal sequestration on nutrition programs for seniors.	TBD

**BUDGET PROPOSALS FOR FY 2014- FY 2016 DURING THE 2014 GENERAL ASSEMBLY SESSION  
as of January 17, 2014**

Budget Bill Item #	Issue	Fairfax County Impact
	<b><u>Auxiliary Grants</u></b>	
338	<b>Governor McDonnell's Budget:</b> Reduces funding by \$2 million each year of the biennium based on updated spending projections.	TBD
	<b><u>Child Care</u></b>	
	<b>Governor McDonnell's Budget:</b> Appropriates \$8 million in federal child care revenue in each year of the biennium necessary to cover costs associated with federal regulations regarding child care subsidies for low income children.	TBD
	<b><u>Foster Care/Adoption</u></b>	
338	<b>Governor McDonnell's Budget:</b> Raises maximum maintenance payments made to foster family homes on behalf of foster children by three percent; this increase is applied to adoption subsidies as well.	TBD
334	<b>Governor McDonnell's Budget:</b> Makes funding available to expand foster care and adoption subsidies to age 21, beginning in FY 2016, per federal law.	TBD
339	<b>Governor McDonnell's Budget:</b> Requires the state Department of Social Services to negotiate all adoption assistance agreements with both existing and prospective adoptive parents on behalf of local departments of social services. (Item 339)	TBD
339	<b>Governor McDonnell's Budget:</b> Requires the state Department of Social Services, in cooperation with local departments of social services, to prepare a report that examines the financial, programmatic, and policy implications of the state assuming full responsibility for all aspects of the adoption program.	TBD
	<b><u>Kindergarten Readiness</u></b>	
341	<b>Governor McDonnell's Budget:</b> Provides \$1 million in each year of the biennium for the Early Childhood Foundation to implement kindergarten readiness assessment programs based on the findings included in Elevate Early Education's January 2015 report.	TBD

**BUDGET PROPOSALS FOR FY 2014 - FY 2016 DURING THE 2014 GENERAL ASSEMBLY SESSION  
PUBLIC EDUCATION  
as of January 17, 2014**

<b>Public Education</b>	<b>Fairfax County Impact</b>
<p><b>Direct Aid to Public Education</b>  <b>Governor McDonnell's Budget:</b>            FY 2015 - FY 2016 - Total net state K-12 funding is proposed to increase by \$583 million over the biennium. The spending increases are not considered "new money" but are the result of rebenchmarking for higher enrollment, higher retirement, health insurance and group life rates, updates for recalculation of the Local Composite Index, offset with 2 major policy changes:            1) the elimination of cost-of-competing for support positions (saves \$20.7 million in the biennium);            2) the elimination of non-personal inflation factor (saves \$95 million in the biennium).</p>	<p>Based on projected payments by the Virginia Department of Education (DOE), funding for FCPS will increase \$26.8 million in FY 2015 compared to the FY 2014 DOE revised projections. The revenue loss due to the increase in the FCPS Local Composite Index from .6789 to .6804 is offset by higher projected student enrollment.</p>
<p><b>Elimination of Cost-of-Competing</b>  <b>Governor McDonnell's Budget</b> Proposes to totally eliminate the already reduced cost-of-competing supplement for support personnel in Northern Virginia. This change reduces state funding to Northern Virginia by \$10.2 million in FY 2015 and \$10.5 million in FY 2016.</p>	<p>This results in a \$3.4 million loss in FY 2015 to FCPS from what would have been received if the cost-of-competing was not eliminated.</p>
<p><b>Elimination of Non-personal Inflation Factor</b>  <b>Governor McDonnell's Budget</b> Proposes to eliminate the non-personal inflation factor. This change reduces state funding to localities by \$47.4 million in FY 2015 and \$47.6 million in FY 2016.</p>	<p>This results in a \$4.0 million loss in FY 2015 to FCPS from what would have been received if the non-personal inflation factor was not eliminated.</p>
<p><b>Impact to the Fairfax County Public School's (FCPS) Proposed Budget</b>  <b>Governor's Proposed Budget:</b> Based on FCPS' Proposed Budget presentation, the Governor's Budget includes \$27 million more in state aid than FCPS projected.</p>	

**Budget Proposals for the 2015 - 2016 Biennium - Transportation**

Budget Item #	Issue	Fairfax County Impact
	<b>Transportation</b>	
	<b><u>HB 2313 Regional Implementation</u></b>	
272	<p><b>Governor McDonnell's Budget:</b> Retains language authorizing the Department of Taxation to request and receive a treasury loan to fund the necessary start-up costs associated with the regional taxes imposed by HB 2313. The treasury loan will be repaid by the tax revenues. Additionally, the Department is authorized to retain sufficient revenues to recover its costs incurred administering these taxes.</p>	<p>Funds retained by Taxation could be used, instead, on regional projects. As Fairfax County is expected to benefit from half of the Northern Virginia regional funds, half of those NVTA funds retained by Taxation could be allocated to projects within the County. As such, Taxation should ensure that their expenses are reasonable. Through November 2013, fees of \$372,000 have been deducted by Taxation. Once one-time costs have been recovered, ongoing costs are estimated at less than \$10,000/month.</p>
	<b><u>Congestion Mitigation and Air Quality</u></b>	
427	<p><b>Governor McDonnell's Budget:</b> Decreases the amount of time that federal funds for Congestion Mitigation and Air Quality (CMAQ) Projects can be obligated (from 24 to 12 months) and expended (from 48 to 36 months)</p>	<p>The provision will require the County to expend these funds more quickly and provide less time for the County to accrue funds for certain projects. This language will limit the number of Fairfax County projects which are eligible for CMAQ/RSTP funding and could affect some existing allocations that NVTA has approved through FY 2020.</p>
	<b><u>VRE Funding</u></b>	
427	<p><b>Governor McDonnell's Budget:</b> Previous budgets had language that stated funds for contract fees paid by Virginia Railway Express (VRE) for access to the right-of-way of CSX, Norfolk Southern, and Amtrak, will be allocated from the public transportation's portion of certain federal funds. This item has been removed.</p>	<p>The state has, instead, proposed a multi-year capital agreement for these funds. VRE has noted that, through this grant agreement, they are expecting the State to cover 84% of the Track Access fees and that they do not believe any legislative action is necessary.</p>
	<b><u>Mass Transit Funding</u></b>	
439	<p><b>Governor McDonnell's Budget:</b> Increases funding for Financial Assistance for Public Transportation for the FY 2015-3026 biennium by \$168,967,668 million. The budget notes that estimated funding levels for Operating Assistance and Capital Assistance remain at FY 2014 levels.</p>	<p>Fairfax County will receive approximately the same amount of funds received in years past, for funds allocated through the old formula. The new funds, allocated through the new formula created by SB 1140 (2013), will be based on performance metrics and the proposed capital programs for the County and its transit systems.</p>
	<b><u>I-95 Transit/Transportation Demand Management (TDM)</u></b>	
439	<p><b>Governor McDonnell's Budget:</b> retains language allocating funding from the Mass Transit Fund to implement transit and transportation demand management improvements identified in the I-95 corridor, including direct transit capital and operating costs and TDM activities.</p>	<p>Fairfax County may be able to receive funds for transit and TDM service associated with this project.</p>

**Budget Proposals for the 2015 - 2016 Biennium - Transportation**

<b>Highway Maintenance and Construction</b>	
444	<p><b>Governor McDonnell's Budget:</b> increases funding for Highway System Acquisition and Construction by \$152,751,508 for the biennium. Within that account, Dedicated and Statewide Construction is decreasing by \$256,305,254 and urban construction is decreasing by \$65,145,481; while interstate construction is increasing by \$236,101,656; primary construction is increasing by \$201,191,080; and secondary construction is increasing by \$31,479,122.</p>
445	<p><b>Governor McDonnell's Budget:</b> increases funding for Highway System Maintenance and Operations by \$94,350,612 for the biennium; with \$14,287,667 more for Interstates, \$29,364,700 more for primaries; \$2,885,264 more for secondaries; and \$57,663,064 more for Transportation Operations Services.</p>
447	<p><b>Governor McDonnell's Budget:</b> includes the regional funds provided for in HB 2313, including \$609,690,295 for distribution of Northern Virginia Transportation Authority Fund Revenues</p>

Depending on what decisions are made by the CTB for Six-Year Program allocations, an estimated additional \$23 million may be available for highway construction projects in Fairfax County over the biennium.

Using historical estimates, an additional \$14 million may be available for maintenance within Northern Virginia.

Fairfax County should receive approximately \$91 million to allocate for local projects approved by the Board of Supervisors, minus the respective shares provided to Vienna and Herndon (30% funding returned to localities). NVTA will allocate approximately \$427 million, of which approximately \$213 million should benefit the County (70% funding retained by NVTA).





## Northern Virginia White Paper on Elimination of Cost of Competing for Support Positions

*Northern Virginia strongly opposes any proposal to eliminate Cost of Competing for support positions in FY 2015 and FY 2016; in fact, the factor should be fully funded at 24.61%, as affirmed by a 2012 JLARC study.*

### Background

- Cost of Competing Adjustment (COCA) is an additional factor used in the state K-12 funding formula, recognizing the higher salaries required in certain high cost areas of the Commonwealth to attract and retain highly qualified teachers and support staff.
- COCA was first proposed as a specific factor in Virginia's education funding formula in a 1988 JLARC report.
- The idea behind COCA is that in ways beyond the control of school divisions, the price school divisions must pay for their personnel is influenced by the need to compete in a regional labor market.
- The 1988 JLARC study proposed that the Commonwealth recognize a higher cost of competing for school division personnel in Northern Virginia, as the Commonwealth does for its own employees in Northern Virginia.
- The 2012 JLARC study reaffirms that Northern Virginia is the state's most expensive labor market, with a cost of living 25% higher than the next closest region.
- **In fact, the Commonwealth utilizes a broader pay scale for state employees working in Northern Virginia, which includes a potential pay supplement of up to 20-30%, reflecting the increased cost of hiring and retaining high quality employees in our region.**
- According to the ACCRA Cost of Living Index (widely used by the federal government, economists, researchers and corporations to measure relative cost of living), the cost of living in Northern Virginia is 66% higher than Henry, 50% higher than Blacksburg, 54% higher than Roanoke, 43% higher than Richmond, 35% higher than Hampton Roads, 51% higher than Staunton/Augusta, 57% higher than Danville, 49% higher than Harrisonburg/Rockingham.

### Governor McDonnell's 2014-2016 Biennium Budget

- Full support staff COCA funding for NOVA school divisions and surrounding areas is approximately \$36 million per year.
- Governor McDonnell sought to eliminate this funding prior to the 2012 GA session, but the GA restored most of this COCA funding for FY 2013 (\$28 million), and included a reduced amount for FY 2014 (\$12.2 million).
- Prior to the 2013 GA session, Governor McDonnell again tried to eliminate COCA for support positions, and the GA again restored a reduced amount -- \$9.4 million in FY 2014.
- Governor McDonnell's 2014-2016 biennium budget proposes to eliminate COCA for support positions yet again.
- Northern Virginia supports full restoration of COCA for support positions at \$36 million for FY 2015 and FY 2016.

### Localities Adversely Affected

- **Eliminating COCA for support positions would cost NOVA school divisions and surrounding areas approximately \$36 million in FY 2015 and FY 2016, as compared to the full funding level:** Fairfax County -- \$12.6 million; Loudoun -- \$7 million; Prince William -- \$11.5 million; Manassas City -- \$1 million; Manassas Park -- \$550,000; Stafford -- \$948,000; Fauquier -- \$259,000; Fredericksburg -- \$72,000; Spotsylvania -- \$810,000; Clarke -- \$54,000; Warren -- \$178,000; Frederick -- \$429,000; Culpeper -- \$290,000; Winchester -- \$127,000; Arlington -- \$1 million; Alexandria -- \$624,000; Fairfax City -- \$142,000; Falls Church -- \$118,000.

### **Arguments Against Eliminating Cost of Competing for Support Positions**

#### ***The proposed COCA elimination hurts localities gaining new school children.***

- The 18 localities that would lose state funding comprise 477,358 or 39% of school children in the state.
- The jurisdictions being harmed by this recommendation stand to lose \$36 million, while they are also projected to gain over 18,000 school children between FY 2014 and FY 2016 (after having already gained approximately 18,000 children over the last biennium).

#### ***The proposed COCA elimination is unfair.***

- COCA has long been an agreed upon factor in the state K-12 funding formula.
- **As previously stated, the Commonwealth utilizes a broader pay scale for state employees working in Northern Virginia, which includes a potential pay supplement of up to 20-30%, reflecting the increased cost of hiring and retaining high quality employees in our region.**
- At the fully funded level, the COCA factor is 24.61% for support positions in PDC 8, and is 6.15% (25% of the PDC 8 factor) for support positions in the outer Northern Virginia suburbs.
- This proposal targets Northern Virginia.
- State K-12 funding is already calculated using lagging data (2011 data is used for the 2014-2016 biennium budget). This action would further divorce state funding from the actual costs of running high quality school systems.
- A bipartisan coalition of legislators from Northern Virginia and surrounding localities restored COCA during the 2012 and 2013 GA sessions.

#### ***A 2012 JLARC report reaffirmed the need for COCA.***

- While the Governor has quoted that report stating, "Most school districts, including those in NOVA, can effectively recruit and retain staff based on current salaries offered," he fails to acknowledge that current salaries are competitive due primarily to the local dollars NOVA school divisions spend.
- JLARC also states, "NOVA is the state's most expensive labor market based on several measures," and "Comparing salaries across divisions reveals that NOVA school divisions...offer salaries above salaries offered in the rest of the state. This further confirms that the labor market in which school divisions in NOVA must recruit and retain staff is more competitive than the rest of the State."

#### ***NOVA is a donor to jurisdictions around the Commonwealth.***

- NOVA contains 27% of the state's population, and generates 40% of the state General Fund (GF). NOVA only receives 21% of the GF in return (22% including the car tax).
- The majority of NOVA localities receive per pupil funding from the state well below that of localities in other regions. In FY 2012, Fairfax County received \$2,636 per pupil, Arlington received \$2,073, Alexandria received \$2,067, Loudoun received \$3,224 and Falls Church received \$2,184, as compared to \$4,235/child for Chesterfield, \$4,117/child for Virginia Beach, \$4,658/child for Norfolk, \$4,047 for Henrico. (The exception in NOVA is Prince William at \$4,247 per pupil.)
- The entire Commonwealth shared in the good times and the revenue generated from NOVA during the economic boom.
- NOVA generates funds that educate kids throughout the state, while our taxpayers contribute dramatically more than the state requires to our own school systems.

#### ***The quality of K-12 in NOVA is a major economic driver for the region and the Commonwealth.***

- Fortune 500 companies like Volkswagen cite NOVA's excellent schools and educated workforce as reasons to move to NOVA.
- State K-12 funding problems should not be solved by taking funds from NOVA's kids.

### **Northern Virginia Statement on Elimination of Cost of Competing Funding**

***Northern Virginia strongly opposes the arbitrary elimination of Cost of Competing funding for support positions contained in the executive budget. The higher cost of living in Northern Virginia is an accepted fact, reinforced by the Commonwealth's broader Northern Virginia pay scale for state employees assigned to Northern Virginia. State K-12 funding formulas must be implemented consistently, fairly and equitably, so all localities benefit from their partnership with the Commonwealth.***

January 14, 2014

Honorable Chris Jones, Chairman, House Appropriations Committee  
Honorable Walter Stosch, Chairman, Senate Finance Committee

Re: Restoration of Cost of Competing Adjustment for K-12 Support Staff Positions

Dear Chairman Jones and Chairman Stosch:

We are writing to express our strong regional and bi-partisan support for the full restoration of the Cost of Competing Adjustment (COCA) for K-12 support positions in the 2014-2016 biennium budget. According to Department of Education estimates, full restoration of the program would cost \$36,060,650 in FY 2015 and \$36,847,202 in FY 2016.

In 1998, JLARC studied the costs to employ teachers and support staff across the state and recommended that localities in Northern Virginia be provided additional funding for teachers and support staff, due to the higher costs of living and the higher wage market in the region. According to the ACCRA Cost of Living Index (widely used by the federal government, economists, researchers and corporations to measure relative cost of living), the cost of living in Northern Virginia is 35-66% higher than other regions of the Commonwealth.

As you know, in 2012 JLARC studied this issue again, and reaffirmed that our school divisions must pay employees more in order to compete in the regional labor market. The COCA factor simply reflects the reality of running school systems in our region – hiring and retaining employees is more expensive in the Northern Virginia area than in other parts of the state. Despite these findings, recent state budgets have reduced this program significantly for support staff, and the introduced 2014-2016 biennium state budget (H.B. 30/S.B. 30) completely eliminates COCA for support positions.

Since 2009, the Commonwealth has reduced statewide funding for K-12 support staff by 40 percent, in order to direct more resources to instruction. However, while instructional personnel are critically important to providing a high quality K-12 education, so too are support staff. COCA funds are targeted to vital personnel such as school nurses, security, information technology and other professionals, operations and maintenance staff, among others, who are not only necessary for the safe and efficient operation of our schools, but who could also readily seek employment in the private sector. This concept is not unique to K-12 funding, as the Commonwealth utilizes a broader pay scale for state employees working in Northern Virginia, which includes a potential pay supplement of up to 20-30%, reflecting the increased cost of hiring and retaining high quality employees in our region.

While state resources have been strained during the Great Recession, necessitating many cutbacks, we feel strongly that failure to reinvest in this important program as we come out of this historic economic downturn would be shortsighted. The entire Commonwealth

Honorable Chris Jones  
Honorable Walter Stosch  
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benefits from a competitive, world class public education system in our region, as we all strive to make Virginia the most desirable location for businesses to locate and invest. Additionally, removing these funds from the fastest growing school divisions does not make good policy sense. Our region's schools have approximately 477,358, or 39%, of the state's K-12 school children, and are projected to gain more than 18,000 additional school children over the coming biennium.

We all understand the tough choices that must be made in crafting a fiscally responsible, balanced state budget, and we commend you for your leadership on these challenging issues. We are confident that the COCA investment in our region's public schools will result in positive dividends for the entire Commonwealth, ensuring that our schools equip our students with the skills and knowledge required to be successful in a competitive, global economy. We remain united in this effort, and look forward to working with you and the rest of the General Assembly throughout this legislative session.

Respectfully,

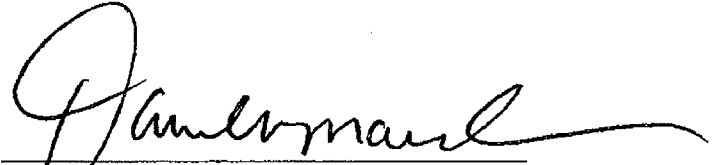
Members of the Northern Virginia and surrounding localities legislative delegation

[Signature pages to follow]

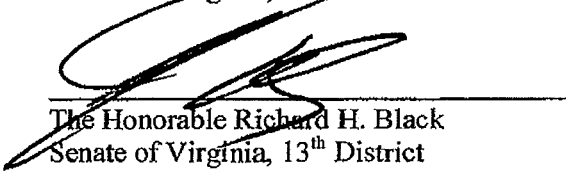
Honorable Delegate Chris Jones  
Honorable Walter Stosch  
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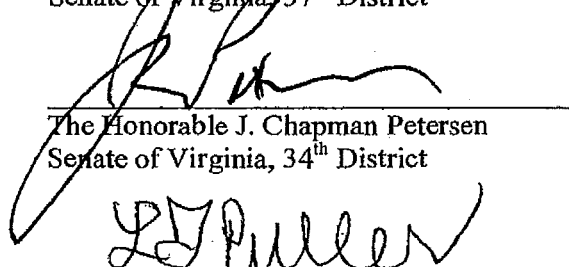
The Honorable George B. Barker  
Senate of Virginia, 39<sup>th</sup> District



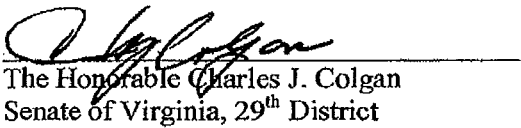
The Honorable David W. Marsden  
Senate of Virginia, 37<sup>th</sup> District



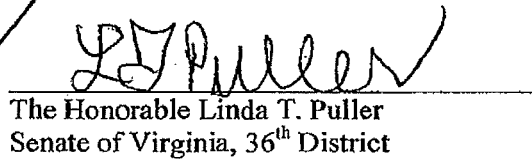
The Honorable Richard H. Black  
Senate of Virginia, 13<sup>th</sup> District



The Honorable J. Chapman Petersen  
Senate of Virginia, 34<sup>th</sup> District



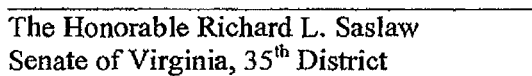
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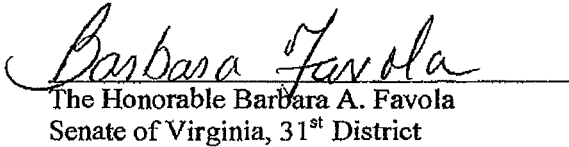
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Senate of Virginia, 36<sup>th</sup> District



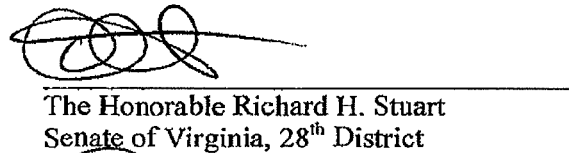
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Senate of Virginia, 30<sup>th</sup> District



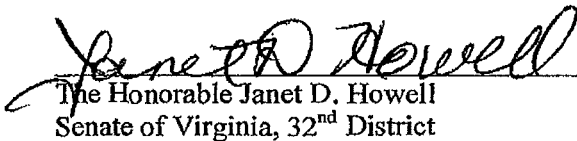
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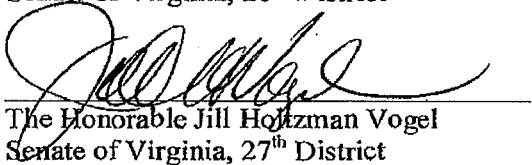
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The Honorable Richard H. Stuart  
Senate of Virginia, 28<sup>th</sup> District

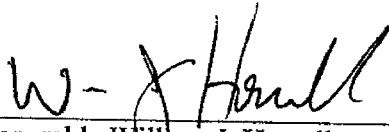


The Honorable Janet D. Howell  
Senate of Virginia, 32<sup>nd</sup> District

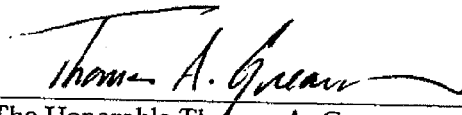


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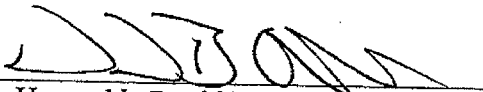
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Honorable Walter Stosch  
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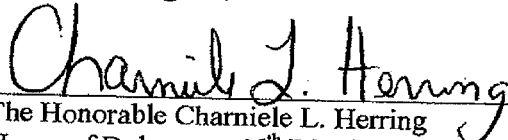
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Speaker of the House  
House of Delegates, 28<sup>th</sup> District



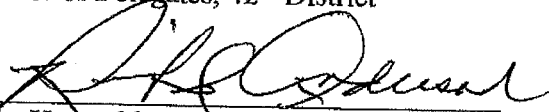
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House of Delegates, 32<sup>nd</sup> District



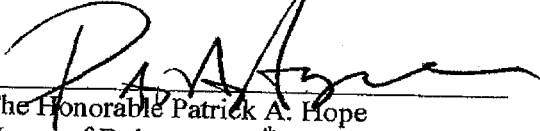
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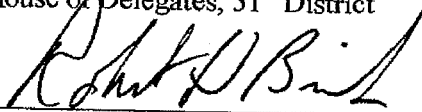
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House of Delegates, 46<sup>th</sup> District



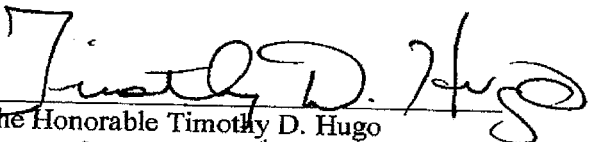
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House of Delegates, 51<sup>st</sup> District



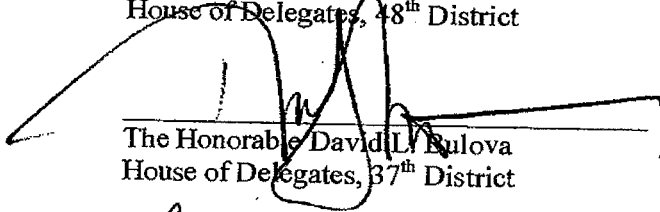
The Honorable Patrick A. Hope  
House of Delegates, 47<sup>th</sup> District



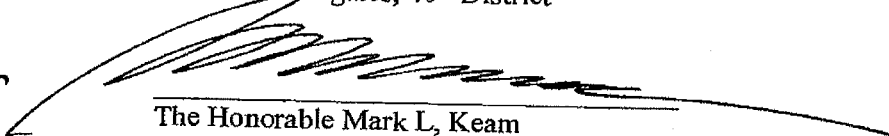
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House of Delegates, 48<sup>th</sup> District



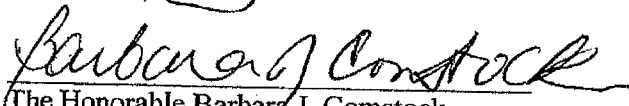
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House of Delegates, 40<sup>th</sup> District



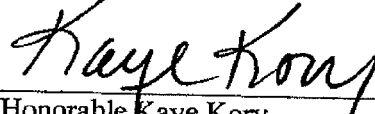
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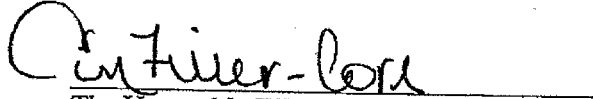
The Honorable Mark L. Kean  
House of Delegates, 35<sup>th</sup> District



The Honorable Barbara J. Comstock  
House of Delegates, 34<sup>th</sup> District



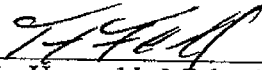
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House of Delegates, 38<sup>th</sup> District



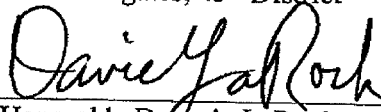
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House of Delegates, 41<sup>st</sup> District



The Honorable K. Rob Krupicka  
House of Delegates, 45<sup>th</sup> District




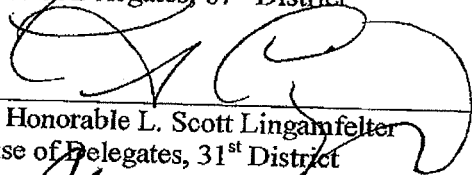
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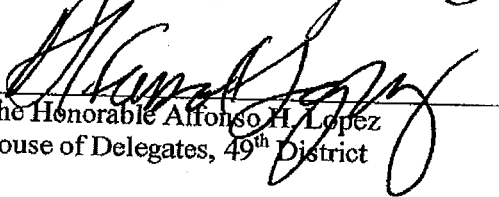


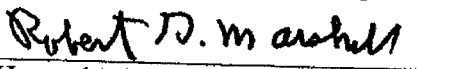
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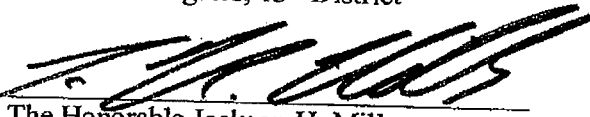
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Honorable Walter Stosch  
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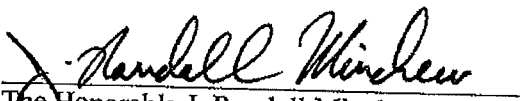
  
The Honorable James M. LeMunyon  
House of Delegates, 67<sup>th</sup> District


  
The Honorable L. Scott Lingamfelter  
House of Delegates, 31<sup>st</sup> District


  
The Honorable Alfonso H. Lopez  
House of Delegates, 49<sup>th</sup> District

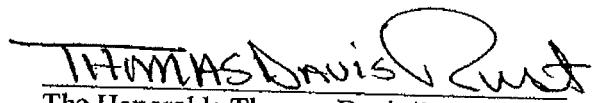
  
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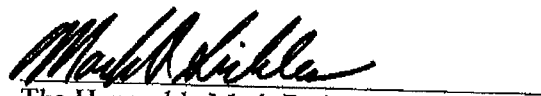
  
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House of Delegates, 50<sup>th</sup> District


  
The Honorable J. Randall Minchew  
House of Delegates, 10<sup>th</sup> District

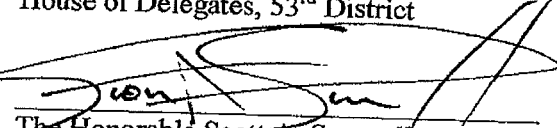
  
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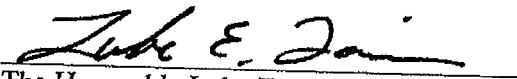
  
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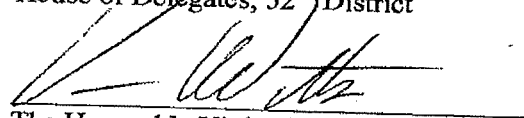
  
The Honorable Thomas Davis Rust  
House of Delegates, 86<sup>th</sup> District

  
The Honorable Mark D. Sickles  
House of Delegates, 43<sup>rd</sup> District

  
The Honorable Marcus B. Simon  
House of Delegates, 53<sup>rd</sup> District

  
The Honorable Scott A. Surovell  
House of Delegates, 44<sup>th</sup> District

  
The Honorable Luke E. Torian  
House of Delegates, 52<sup>nd</sup> District

  
The Honorable Vivian E. Watts  
House of Delegates, 39<sup>th</sup> District





## Payday/Car Title Lending – Overview

### Background:

- Since payday lending was authorized in Virginia in 2002, there have been numerous attempts to reform or limit short-term, high-interest lending or to abolish the practice outright.
- In 2008, after lengthy negotiations, a compromise bill (HB 12/SB 588) was passed that capped interest rates for payday lending at 36 percent; however, lenders were also allowed to charge additional loan and verification fees. The legislation also limited how many loans could be taken out at one time and barred payday lenders from knowingly making loans to members of the military or to their spouses or dependents.
- Car title lending was addressed in legislation in 2010 that required car title lenders to register with the State Corporation Commission and set limits on the interest rates that could be charged. Further legislation passed in 2011 to allow car title loans to be made to nonresidents of Virginia.
- Since 2010, there were at least nine unsuccessful attempts to cap interest rates on payday loans or car title loans or to limit or eliminate associated fees.
- **HB 2323** (Surovell) was introduced in 2013 and would have provided that a locality may by ordinance reasonably limit the number of motor vehicle title loan businesses, payday lenders, check cashers, and precious metals dealers that may be operated at any one time within its territorial limits. The ordinance could limit the number of such establishments based on a specific number of businesses per magisterial or election district or by limiting the number of such businesses within an established radius. The County supported this legislation. The bill was left in House Commerce and Labor.
- **HB 979** (Surovell) is identical to HB 2323 and has been referred to House Commerce and Labor.

### Recommendation:

Support HB 979. Additional pursuit of this issue through the Zoning Ordinance could be considered should this legislation fail.





# SOCIAL ACTION LINKING TOGETHER

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## SALT LEGISLATIVE PROPOSALS (2014 GENERAL ASSEMBLY SESSION)

Social Action Linking Together, or SALT, has more than 1,200 members supporting faith-based social justice initiatives. SALT's goal is to help shape policies that will advance the common good, support human services and promote justice in Virginia.

We urge your support for:

**SALT Priority #1: Medicaid Expansion** - SALT supports the Medicaid expansion for 400,000 of uninsured working poor Virginians. This would enable Virginia to take advantage of the \$2 billion/year of federal funding to pay for 100% of the cost for the first 3 years, then 95% from 2017-2020, and 90% after 2020.

*(Notes: This will almost certainly be part of budget negotiations. The County has included support for Medicaid expansion as a human services priority in its legislative package.)*

**SALT Priority #2: End Supplantation of Federal TANF Dollars** - The ability of Virginia to use Federal TANF funds to replace previous State expenditures for low-income families corrupts the intent of TANF. The goal is to maximize the resources available to serve low-income children and families and ensure that Federal TANF funds are used to supplement, not supplant, existing State and local spending.

*(Notes: These dollars are often used to fund human services programs that are critical to the County, including subsidized child care. The County has advocated for more overall state funding, rather than seeking to shift funds from one program to another.)*

**SALT Priority #3: Temporary Assistance for Needy Families (TANF) Automatic Adjustment for Inflation** - (SB 132 by Senator Favola & HB 38 by Kaye Kory) This is clearly a fairness issue. Virginia has enacted only one TANF benefit increase since 1985. Currently a family of three receives a benefit of about one-fifth of the federal poverty level.

*(Notes: These bills are on the agenda for January 17 with a recommendation to support; the County has historically supported this legislation.)*

**SALT Priority #4: Rescinding the Federal Lifetime Ban of TANF** - (HB 1068 by Delegate Robert Orrock) SALT is in support of rescinding the Federal lifetime ban on TANF welfare benefits for ex-offenders convicted of felony drug crimes. This ban penalizes children of drug felons and has more to do with vengeance than with justice.

*(Notes: This bill is on the agenda for January 17 with a recommendation to support; the County has historically supported this legislation.)*

**SALT Priority #5: Support of Operation Backpack for TANF Families** - (BA Item #s \_\_\_ by Del. Scott Lingamfelter & Sen. Chuck Colgan) We propose that this be made an annual event to assist destitute school children, grades Pre-K through High School. The allowance would permit children living in poverty to acquire some of the needed school supplies and clothing essential for returning to school & to help equip them for learning.

*(Notes: Staff would have no objection, though this would likely not be a major area of focus given other County priorities for the state budget.)*

**SALT Priority #6: Work Sharing: An Employer Tool that Helps Save Jobs and Diminishes Poverty in Communities** - (SB 110 by Sen. George Barker & Sen. Bill Stanley) SALT is in support of Virginia utilizing compensated work-sharing, a form of unemployment insurance--already adopted by many states--that enables businesses to avoid layoffs and keep workers on the job.

*(Notes: Not a County issue, may be helpful to some residents who would otherwise be laid off; however, the costs of short-term compensation would be borne by employees who elect to participate.)*

**SALT Priority#7: Ban the Box**--(HB 892 by Del. Krupicka)--This ban prohibits automatically disqualifying job applicants. Job applicants with a prior conviction will no longer have to check a box disclosing that they have been convicted of, or pled guilty to, a crime. It will only apply to state agencies. Potential employers can ask about criminal history during the interview process (after the initial application process) without a conditional job offer.

*(Notes: This bill pertains only to state agencies; not a County issue.)*

SALT urges your support for/pick two or more:

**SALT Priority #1A: VA Prisons to Ban Shackling of Pregnant Women** - SALT supports the prohibition of shackling pregnant inmates in Virginia's prisons. While there has been progress to prohibit shackling through the regulatory process, legislation is needed to strengthen the ban.

*(Notes: To staff's knowledge, no legislation has been filed on this issue, as of January 16.)*

**SALT Priority #2A: Reasonable Rates for Inmate Telecommunications Systems** - (HB 414 by Delegate Patrick Hope & Delegate Jim Lemunyon) SALT proposes legislation to mandate that phone rates at correctional facilities be the lowest available rates. Permitting additional financial burdens to be placed on prisoners and their families is unwarranted, having more to do with vengeance than with justice.

*(Notes: Further review is required.)*

**SALT Priority #3A: Child care services for TANF and low-income families.** (SB 195 by Senator Bill Stanley) Directs the Department of Social Services to provide financial assistance to offset the cost of child care for individuals receiving TANF and other individuals whose household incomes are less than 185% of the federal poverty level and who are employed or participating in job placement, job training, or education in accordance with the requirements of the Virginia Initiative for Employment Not Welfare program.

*(Notes: Legislation appears to assist families in localities where current eligibility levels are less than 185%. The County's eligibility levels are higher.)*

*If you have any questions or would like additional information, please contact John Horejsi, SALT Coordinator 9610 Counsellor, Vienna, VA 22181 at [jhorejsi@cox.net](mailto:jhorejsi@cox.net)*

*(January 12, 2014)*



2014 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
<b>Transportation Funding Bills</b>					
<b>House</b>					
HB 3	Cline, B	Transportation funding; all provisions of 2013 Session omnibus bill to expire on July 1, 2014.	H Finance, Sub #3		Provides that all provisions of the 2013 Session omnibus transportation bill (HB 2313) expire on July 1, 2014.
HB 4	Surovell, S.	Hybrid electric motor vehicles; repeals annual license tax, refunds.	H Finance, Sub #3		Repeals the \$64 annual license tax on hybrid electric motor vehicles that was increased beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.
HB 40	Marshall, R	Motor fuels tax rates; repeals provision that will increase tax, etc.	H Finance, Sub #3		Repeals the provision in HB 2313 that will increase the motor fuels tax if the United States Congress has not enacted the Marketplace Fairness Act by January 1, 2015.
HB 47	Kory, K.	Hybrid electric motor vehicles; repeals annual license tax, refunds.	H Finance, Sub #3		Repeals the \$64 annual license tax on hybrid electric motor vehicles that was increased beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.
HB 65	Marshall, III, D	Motor vehicle sales and use tax; definition of sale price.	H Finance		Excludes from the sale price for determining motor vehicle sales and use tax the amount of any credit given by the seller for any motor vehicle taken as a trade-in.
HB 68	Marshall, III, D	Transportation funding; date change on certain scheduled increases in sales and use tax revenue.	H Finance, Sub #3		Changes the dates on which the scheduled increases in sales and use tax revenue to the Highway Maintenance and Operating Fund (HMOP) would not take place if Congress does not enact the Marketplace Fairness Act from fiscal years 2016 and 2017.
HB 72	Pogge, B	Hybrid electric motor vehicles; eliminates annual license tax.	H Finance, Sub #3		Eliminates the \$64 annual license tax on hybrid electric motor vehicles.
HB 213	Marshall, III, D	Salem Highway Construction District; additional transportation funding; report.	H Approps, Sub. Transportation		Provides additional funds for transportation in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or facilitated by the inland Port in Montgomery County
HB 345	Taylor, S	Motor fuels tax; alternative fuels.	H Finance		Provides that the motor fuels tax on non-liquid alternative fuels shall be the percentage tax on a gallon of gasoline multiplied by the average wholesale cost of the amount of the alternative fuel required to produce the energy content of a gallon of unleaded gasoline, for each such amount of alternative fuel.
HB 351	James, M	Downtown Tunnel Construction Relief Grant Fund.	H Approps, Sub. Transportation		Establishes the Downtown Tunnel Construction Relief Grant Fund to provide grants of up to \$1,500 to businesses that have suffered economic damage as a result of road closures due to the construction of the Downtown Tunnel Project. The act has a July 1, 2015, sunset.
HB 396	O'Bannon III, J	Rail and Public Transportation, Department of; funding.	H Transportation	Reported from Committee 22-0	Codifies appropriation act language dealing with funding of the DRPT, providing 3.5% of the mass transit funds for project development, project administration, and project compliance.
HB 433	LeWunyon, J	Retail Sales and Use Tax; food purchased for human consumption.	H Finance		Phases out over a five-year period the state and local sales and use tax on food purchased for human consumption. Under current law, the local tax rate on food is 1% and the state tax rate on such food is 1.5%, with a 1% tax dedicated to localities based on school age population and the remaining one-half percent tax dedicated to the transportation trust fund. The bill dedicates state sales and use tax revenue to hold harmless localities and the transportation trust fund.
HB 508	Taylor, S	Natural gas fueling stations; tax credit to owners for public access.	H Finance		Provides for a tax credit for owners of natural gas fueling stations that are open to the public on or after January 1, 2015. The amount of the credit is equal to 30 percent of the fuels tax on gallons purchased for resale or 40 percent of the fuels tax on gallons purchased for resale if the fueling station is within three miles of I-95.
HB 510	Morris, R	Use of federal funds; appropriation required.	H Approps, Sub. General Government		Prohibits state agencies and state officials, officers, and employees from disbursing, allotting, collateralizing, encumbering, committing, or otherwise using federal moneys or funds unless there is in effect an appropriation enacted by the General Assembly that specifically describes or defines the federal moneys or funds and how they are to be used.
HB 528	Hodges, M	Drainage ditch maintenance, etc.; use of revenue-sharing highway funds.	H Transportation, Sub #4		Provides for use of revenue-sharing highway funds for construction and maintenance of ditches and other drainage facilities and obtaining voluntary drainage easements or voluntary permission to enter private property.

Bills	Patron	Description	Committee	Status	Summary
HB 623	Watts, V	Electric, hybrid electric, and alternative fuel motor vehicles; annual road usage fee.	H Finance, Sub #3		Replaces the \$64 annual license tax on electric, hybrid electric, and alternative fuel motor vehicles with a \$64 annual road usage fee on (i) electric motor vehicles and (ii) any other motor vehicle that has a combined city/highway fuel economy rating equal to or greater than 40 miles per gallon or 40 miles per gallon of gasoline-equivalent (MPGe), according to EPA standards and regulations.
HB 729	Lingamfelter, L	Tax restructuring; modifies individual income and retail sales and use taxes.	H Finance		Modifies the individual income and retail sales taxes by lowering the top three individual income marginal tax rates, increasing the individual income tax filing thresholds, repealing the retail sales and use tax on food, increasing the state retail sales and use tax from 4.3 percent to 5.0 percent except in the counties and cities located in the Hampton Roads and Northern Virginia Planning Districts, extending the retail sales and use tax to certain personal services that are currently exempt from the tax, and eliminating the retail sales and use tax exemption for nonprofit entities with at least \$1 million in gross revenue. An amount equal to the revenues generated by the increase would be distributed from the Transportation Trust Fund to each planning district in which the revenue was generated to be used solely in the planning district for new construction projects on new or existing roads, bridges, and tunnels or mass transit.
HB 884	Yancey, D	Virginia Infrastructure Grant Fund; established.	H Counties, Cities, and Towns, Sub #2		Creates, from such funds as may be appropriated by the General Assembly and any gifts, grants, or donations from public or private sources, the Virginia Infrastructure Grant Fund, to be administered by the Department of Housing and Community Development. The bill requires the Department to establish criteria for making grants from the Fund, including procedures for determining the amount of a grant and the required local match, if any. The Fund is intended to help localities make investments in roads, bridges, smarter electrical grids, upgraded water and sanitation systems, mass transit systems, clean energy and more energy-efficient buildings, and the provision of broadband.
HB 975	Rust, T	Hybrid electric motor vehicles; repeals annual license tax.	H Finance, Sub #3		Repeals the \$64 annual license tax on hybrid electric motor vehicles that was increased beginning July 1, 2013.
<b>Senate</b>					
SB 127	Newman, S.	Hybrid electric motor vehicles; repeals annual license tax.	S Floor	S Finance Reported 10-5	Repeals the \$64 annual license tax on hybrid electric motor vehicles that was increased beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2013.
SB 298	Watkins, J	Rail and Public Transportation, Department of; funding.	S Transportation		Codifies appropriation act language dealing with funding of the Department of Rail and Public Transportation.
<b>House</b>					
<b>Transportation Allocation Formula Bills</b>					
HB 2	Stolle	Commonwealth Transportation Board; allocations within highway construction districts.	H Transportation		Provides that funding allocations for the Northern Virginia highway construction district and the Hampton Roads highway construction district be made by giving priority to the projects expected to provide the greatest congestion reduction relative to the cost of the project. Funding allocations for the seven other highway construction districts be made by giving priority to either (i) the projects expected to provide the greatest congestion reduction relative to the cost of the project or (ii) the projects that promote economic development and promote commerce and trade. The bill provides for the choice to be made by each locality within the seven highway construction districts and for each highway construction district to determine the majority choice and submit it to the Commonwealth Transportation Board. Allocations by the Board using the priorities in the bill will begin July 1, 2015.
HB 87	Cole, M.	Transportation; Commonwealth priority of projects and funding.	H Transportation, Sub #4		Provides that all state funds expended on transportation projects be for (i) projects expected to provide congestion reduction or (ii) projects that increase safety for travelers.
HB 626	Watts, V	Highways systems; allocation of funds.	H Appropriations, Sub Transportation		Eliminates required allocations of up to \$500 million per year for bridge reconstruction and rehabilitation, high priority projects, and smart roadway technology projects.
HB 658	LaRock, D	Northern Virginia highway construction district; CTB allocations.	H Transportation		Limits transit, rail, and public transportation allocations by the Commonwealth Transportation Board to the Northern Virginia highway construction district to no more than 25 percent of total allocations.
HB 920	Sickles, M	Highway systems; funding.	H Transportation		Advances from July 1, 2020, to July 1, 2014, the expiration date of the annual \$500 million allocation that can be made by the Commonwealth Transportation Board for priority projects.

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2014 General Assembly Session Transportation Funding/Allocation Bills

Summary

Bills	Patron	Description	Committee	Status	Summary
HB 1100	Yancey, D	CTB Six-Year Improvement Program; requirements.	H Transportation		Requires that the CTB's Six-Year Improvement Program give priority to either projects that are expected to provide the greatest congestion reduction relative to the cost of the project or projects that promote economic development and promote commerce and trade within the highway construction district where they are located.
HJ 42	Villanueva, R	Study; Legislative Audit and Review Commission to study equity of transportation fundin g; report.	H Rules		Directs JLARC to review the equity of transportation funding in light of new revenues and because such a study has not been conducted in 30 years.
<b>Senate</b>					
SB 518	Wagner, F	Highway systems; funding.	S Transportation	Reported 13-1	Includes primary state highway system extensions, the part of the primary highway that runs through a city or town, in the list of highways that receive the 25 percent for reconstruction of deteriorated highways of the amount allocated each year by the Commonwealth Transportation Board.
<b>House</b>					
<b>Transportation Trust Fund</b>					
<b>Senate</b>					
<b>House</b>					
<b>Northern Virginia Transportation Authority (NVT A) Allocation Bills</b>					
HB 41	Marshall, R	Northern Virginia Transportation Authority; selection of projects.	H Transportation, Sub #4		Provides that the CTB shall select the transportation projects to be funded by NVT A.
HB 281	Albo, D	Northern Virginia Transportation Authority; contracts.	H Transportation		Prohibits the Authority from providing funds in support of a transportation-related project being undertaken with the District of Columbia or another state unless the Authority has first entered into a contract that provides for all costs of the project to be borne equally among the Authority and the District of Columbia or other state.
HB 635	LaRock, D	Northern Virginia Transportation Authority; use of revenues.	H Transportation, Sub #4		Requires that the 70% of the regional revenues allocated by NVT A be used by NVT A solely to fund transportation projects that are contained in the regional transportation plan and that have evaluated by VDOT in accordance with HB 599 (2012).
HB 653	LaRock, D	Northern Virginia Transportation Authority; allocations.	H Transportation, Sub #4		Limits allocations by the Northern Virginia Transportation Authority for transit, rail, and public transportation projects to no more than 25 percent of its total allocations.
HB 824	Minchew, J	Northern Virginia Transportation Authority; bonding authority not effective until July 1, 2018.	H Transportation, Sub #4		Provides that the Authority's bonding authority shall not be effective until July 1, 2018. After such date, the Authority, prior to issuance of bonds, shall demonstrate in the context of a bond validation lawsuit that the transportation projects proposed for funding with the sought bond proceeds have been thoroughly analyzed and provide the greatest degree of congestion reduction relative to cost.
<b>Legislation No Longer Under Consideration</b>					
<b>House</b>					
<b>Transportation Funding Bills</b>					
HB 347	James, M	Income tax, state; deduction for payment of certain tolls.	H Finance, Sub #2	Sub Recommended	Allows a qualified taxpayer to deduct from his Virginia adjusted gross income an amount equal to 50 percent of the amount paid by the taxpayer for tolls in a qualified locality. A qualified locality is one in which the unemployment rate is higher than the statewide average and (i) in which a public-private transportation project that includes tolling is located or (ii) that is adjacent to a locality in which such a project is located. A qualified taxpayer is a taxpayer who resides in a qualified locality.
<b>Senate</b>					

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2014 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
SB 1	Ebbin, A.	Hybrid electric motor vehicles; repeals annual license tax, refunds.	S Finance	Incorporated into SB 127	Repeals the \$64 annual license tax on hybrid electric motor vehicles that was increased beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.
SB 38	Marsden, D.	Hybrid electric motor vehicles; repeals annual license tax, refunds.	S Finance	Incorporated into SB 127	Repeals the \$64 annual license tax on hybrid electric motor vehicles that was increased beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.
SB 159	Miller, J.	Annual license tax on certain vehicles.	S Finance	Incorporated into SB 127	Repeals the \$64 annual license tax on hybrid electric motor vehicles and alternative fuel vehicles that was increased beginning July 1, 2013. The bill also lowers the annual license tax for electric motor vehicles to \$50 per year, the rate that was in effect on June 30, 2013. The bill provides for refunds of the license tax paid on hybrid electric motor vehicles and alternative fuel vehicles for registration years beginning on or after July 1, 2014, and for a refund of the difference between the \$64 rate and the \$50 rate for the license tax paid on electric motor vehicles for registration years beginning on or after July 1, 2014.
SB 221	Petersen, J.	Hybrid electric motor vehicles; eliminates annual license tax.	S Finance	Incorporated into SB 127	Eliminates the \$64 annual license tax on hybrid electric motor vehicles that was increased beginning July 1, 2013.
SB 506	Wagner, F.	Hybrid electric motor vehicles; eliminates annual license tax.	S Finance	Incorporated into SB 127	Eliminates the \$64 annual license tax on hybrid electric motor vehicles that was increased beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.
<b>Transportation Allocation Formula Bills</b>					
<b>House</b>					
<b>Senate</b>					
SI 72	Wagner, F.	Study: Joint Legislative Audit and Review Commission to study equity of transportation funding.	S Rules	Continued to 2015 by Voice Vote	Directs JLARC to review the equity of transportation funding in light of new revenues and because such a study has not been conducted in 30 years.
<b>Transportation Trust Fund Bills</b>					
<b>House</b>					
<b>Senate</b>					
SI 65	Obershain, M.	Constitutional amendment (first resolution): Transportation Funds.	S Privileges and Elections	Continued to 2015; 14-0	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years.
<b>NVTA Allocation Bills</b>					
<b>House</b>					

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# Key House and Senate Member Budget Amendments for Fairfax County 2014 General Assembly

## Support

### Judgeships

*House: Item 50 #2h (Surovell)*

*Senate: Item 50 #1s (Howell) and #3s (Howell)*

Authorizes the filling of three judgeships, two current vacancies in the 19th Circuit and one in the 19th General District.

*Senate: Item 39 #2s (Petersen)*

Provides \$284,047 each year from the General Fund to establish one additional judgeship for the 19th Judicial Circuit in Fairfax County

### Housing Trust Fund

*House: Item 103 #1h (Lopez)*

Provides an additional \$1 million/year for the Housing Trust Fund.

*Senate: Item 103 #1s (Colgan)*

Provides an additional \$4 million each year for the Housing Trust Fund. SB 30, as introduced provided \$4 million each year, so this would double the amount to \$8 million per year, consistent with the level funded in FY 2014.

### Northern Virginia Regional Commission

*House: Item 104 #1h (Lingamfelter)*

*Senate: Item 104 #1s (Colgan)*

Restores prior year General Fund reductions to the Northern Virginia Regional Commission (\$300,000/year).

*Senate: Item 104 #2s (Ruff)*

Provides an additional \$500,000 GF each year for the 21 Planning District Commissions, distributed evenly to the Commissions.

### Liability for Teacher Retirement

*House: Item 136 #15h (Davis)*

*Senate: Item 136 #4s (McWaters)/#5s (Black)/#6s (Locke)*

Changes the flow of dollars for the state's share of teachers' retirement costs, intended to result in the allocation to the state, for accounting purposes, of its share of the unfunded liability for teachers' retirement (rather than being entirely allocated to localities).

### Cost of Competing Adjustment

*House: Item 136 #5h (Greason)/#6h (Albo)/#10h (Ramadan)*

*Senate: Item 136 #8s (Favola)/#9s (Black)/#10s (Colgan)*

Restores the full 24.61 percent cost-of-competing adjustment for school support positions for the nine school division in Planning District 8, and at a lesser level for certain adjacent school divisions.

### Virginia Preschool Initiative

*Senate: Item 136 #14s (Barker)*

Adds funding required by adjusting the calculation for the composite index of local ability-to-pay for the Virginia Preschool Initiative for At-Risk Four-Year-Olds, reducing the local share by 10% and also decreasing the current cap of 50% maximum local share to 40% maximum local share (*Note:*

*Alternative proposals provide increased per-pupil funding but would also require an increased local match.)*

### Non-Personal Inflation

*House: Item 136 #7h (Pogge)*

*Senate: Item 136 #17s (Colgan)/#18s (Locke)/#19s (Marsh)*

Restores the adjustment for inflation from the base year (FY 2012) for the 2014-16 biennium, up through FY 2013 and FY 2014 for such non-personal support costs for schools as utilities, fuel, and health care insurance premiums.

### Opportunity Educational Institution

*House: Item 138 #2h (Krupicka)/#3h (Peace)*

*Senate: Item 138 #1s (Locke)*

Removes the appropriation of state General Funds to the Opportunity Educational Institution (OEI) established in Chapter 805, Acts of Assembly of 2013. The County opposed creation of the OEI during the 2013 General Assembly session.

### Comprehensive Services Act

*House: Item 279 #4h (O'Bannon)*

*Senate: Item 279 #3s (Hanger)*

Requires CSA to comply with the rules and regulations of the Administrative Process Act to ensure stakeholder input on CSA policy changes.

### Poison Control Centers

*House: Item 291 #1h (O'Bannon)*

*Senate: Item 291 #3s (Barker)*

Provides \$700,000 GF each year to restore \$300,000 per year that was reduced in the introduced budget, and provides an additional \$400,000 per year to ensure access to poison control services in the Commonwealth.

### Medicaid Waivers

*House: Item 301 #10h (Brink)*

*Senate: Item 301 #3s (Howell)*

Provides funding to increase ID, DD, and Day Support waiver services, with the exception of sponsored residential services, by 10 percent effective July 1, 2014. Funding is also provided to increase the Northern Virginia differential from the current rate of 15 percent to 20 percent.

*Senate: Item 301 #9s (Petersen)*

Provides funding to restore the number of hours that can be provided annually under the Commonwealth's home- and community-based Medicaid waiver programs, from 480 to 720 hours per year. The number of respite care hours that could be provided under the waiver programs was reduced during the 2010 session.

*House: Item 301 #8h (Ingram)*

*Senate: Item 301 #12s (Hanger)*

Provides funding to increase the rates paid for agency-directed personal care services under Medicaid's home- and community-based waiver programs by 5 percent effective July 1, 2014.

*House: Item 301 #20h (Brink)*

*Senate: Item 301 #15s (Howell)*

Provides \$10 million from the General Fund and \$10 million from matching federal Medicaid funds each year for a ten percent increase in the payment rates for consumer-directed personal care provided through Medicaid home- and community-based waiver services.

*Senate: Item 301 #16s (Vogel)*

Provides funding to increase the number of ID and DD waiver slots provided by 1,000 and 400 slots, respectively, during each year of the biennium.

*House: Item 301 #43h (Cox)*

Provides funding to add 525 new Medicaid home- and community-based waiver slots over the 2014-16 biennium for individuals with intellectual disability (ID).

*House: Item 301 #44h (Landes)*

Provides funding to phase-in 50 Medicaid home and community-based waiver slots over the 2014-16 biennium for individuals with developmental disabilities, to reduce the current waiting list of individuals. This funding supports an addition to the 50 new slots that are expected to be added in the 2014-16 biennium, required pursuant to the U.S. Department of Justice Settlement Agreement.

### Early Intervention/Part C

*House: Item 308#7h (Brink)*

*Senate: Item 301 #22s (Howell)*

Adds funding to increase the monthly reimbursement rate for Early Intervention Part C Case Management for infants and toddlers with disabilities who are Medicaid-eligible, from \$132 per month per child to \$172.40 per month per child. The rate of \$172.40 per month per child is the appropriate reimbursement rate for this service, according to the DMAS study of Part C Case Management.

*House: Item 308 #8h (Brink)*

*Senate: Item 308 #7s (Howell)*

Provides \$2.1 million the first year and \$2.3 million the second year from the General Fund to meet the increase in referrals for Part C Early Intervention Services for infants and toddlers with disabilities ages birth to three years.

#### Services for Individuals with Complex Medical and Behavioral Needs

*House: Item 301 #21h (Brink)*

*Senate: Item 301 #31s (Howell)*

Provides funding to establish a fee-for-service rate aligned with the actual cost of delivering person-centered services for individuals with complex medical and behavioral needs, effective July 1, 2014, as a pilot program in Northern Virginia.

#### Medicaid Expansion

*House: Item 301 #33h (Brink)*

*Senate: Item 301 #40s (Hanger)*

Provides nongeneral funds to provide coverage for uninsured Virginians with income up to 138 percent of the federal poverty level.

#### TANF Indexing

*Senate: Item 335 #1s (Favola)*

Provides funding from general fund and federal TANF funds each year to provide an annual cost-of-living increase to individuals receiving cash assistance from the Temporary Assistance for Needy Families (TANF) block grant program and the TANF-Unemployed Parents program based on the annual change in the consumer price index.

#### Healthy Families

*House: Item 341 #2h (Peace)*

*Senate: Item 341 #1s (Howell)*

Provides \$1.6 million GF each year for Healthy Families Virginia to restore funding that has been reduced from \$5.4 million to \$3.8 million since 2010.

#### Child Care

*House: Item 335 #2h (Watts)*

Allows Fairfax County to continue to use a local sliding fee scale to determine parental copayments for child care through the At-risk Child Care Subsidy program.

#### Interstate Commission on the Potomac River Basin

*House: Item 357 #1h (Kory)/companion Item 361 #2h (Kory)*

Reduces the amount of the year-end general fund surplus deposited to the Water Quality Improvement Fund. The amount of the reduction equals the amount required to pay a lump sum amount equal to

three years' past dues the first year and the annual membership dues for the Commonwealth's participation in the Interstate Commission on the Potomac River Basin.

*House: Item 361 #1h (Surovell)/#3h (Comstock)*

*Senate: Item 361 #1s (Favola)/#2s (Howell)*

Provides general fund support of \$151,000/year for the annual membership dues for the Commonwealth's participation in the Interstate Commission on the Potomac River Basin.

Virginia Juvenile Community Crime Control Act

*House: Item 405 #2h (Ingram)/#3h (Pogge)*

*Senate: Item 405 #1s (Howell)*

Provides \$2,000,000 each year from the general fund to restore part of the previous reductions in the Virginia Juvenile Community Crime Control Act program.

Transportation

*House: Item 439 32h (Surovell)*

*Senate: Item 439 #3s (Puller)*

Provides \$4,000,000 in the first year to finalize the transit study along the US Route 1 corridor in Fairfax County.

*Senate: Item 440 #1s (Colgan)*

Provides \$2.0 million NGF in each year from passenger rail program funding to advance the core capacity projects of the Virginia Railway Express.

## Oppose

### Transportation

*House: Item 427 #1h (Marshall, R.G.)*

Prohibits the Northern Virginia Transportation Authority from providing funding for any project unless it has followed all the standard VDOT project selection and development requirements prior to making such allocation, including the evaluation criteria set out in House Bill 599, 2012 Session of the General Assembly.

*House: Item 427 #2h (Marshall, R.G.)*

Prohibits the Northern Virginia Transportation Authority from providing funding for any transit project in excess of \$1 million until it has determined the projected cost per rider, in terms of both capital and operating costs, both currently and five years into operation, and has published such evaluation on its website.

*House: Item 427 #4h (LaRock)*

Requires MWAA to impose tolls on the Dulles Access Road, and utilize these tolls to offset tolls on the Dulles Toll Road, as a condition of receiving any state funding for Phase II of the Dulles Corridor Metrorail Project.



## Monitor

### Transportation

*House: Item 1 #3h (Peace)*

Directs the Transportation Accountability Commission to provide oversight on the usage of funding generated for the state and the Northern Virginia and Hampton Roads regions, pursuant to the provisions on House Bill 2313.

*House: Item 1 #4h (Peace)*

Directs the Transportation Accountability Commission to develop criteria that would be used to compare the relative priority of individual transportation projects being considered for inclusion in either the VDOT Six Year Program or a regional transportation program in one of the Commonwealth's metropolitan regions.

*House: Item 427 #5 (Hugo)*

Prohibits the use of transportation funding for a traffic circle at Braddock and Pleasant Valley Roads in Fairfax County.

*House: Item 442 #1h (Herring)*

*Senate: Item #1s (Saslaw)*

Dedicates \$243,160 from VDOT's environmental monitoring program funding for air quality monitoring at the I-395 express lanes terminus.





***Commonwealth of Virginia***  
***Office of Governor Terry McAuliffe***

**FOR IMMEDIATE RELEASE**

January 20, 2014

Contact: Brian Coy, [Brian.Coy@Governor.Virginia.Gov](mailto:Brian.Coy@Governor.Virginia.Gov)

**Governor McAuliffe Announces Proposed Budget  
Amendments**

*Amendments to FY 2014 and FY 2015-16 Budgets Enhance Education and Public Safety,  
Encourage Action on Health Care*

Governor Terry McAuliffe announced his proposed amendments to the current budget and the upcoming biennial budget today at a press conference in Richmond.

Those amendments include increased funding for Virginia schools, public safety and other core priorities, while increasing the unappropriated balance in the introduced budget from \$50.9 million to \$51.1 million.

Governor McAuliffe discussed the amendments earlier Monday morning in meetings with Senate Finance Committee Chairman Walter Stosch and House Appropriations Committee Chairman Chris Jones, who have offered to work with the Governor to incorporate his feedback into the budget legislation.

“These amendments reflect my commitment to growing and diversifying our economy, creating jobs, and improving the services that this Commonwealth offers its residents, such as education, public safety and health care,” said Governor McAuliffe. “If included in the final budget, these amendments will increase investments in a number of key areas, all while increasing the amount of money we set aside for future emergencies or declines in revenue.”

Included in the Governor’s proposed amendments to the FY2014 caboose budget bill is an amendment authorizing the Governor to act in the event that the Medicaid Reform Innovation and Reform Commission (MIRC) fails to decide whether or not to accept federal funding to cover up to 400,000 uninsured Virginians through Medicaid by the end of the current legislative session.

“The MIRC has done good work improving our Medicaid system and making it more cost effective,” continued Governor McAuliffe. “The members of the MIRC should be the ones to decide to accept 100% federal funding for the next 3 years so that we can get 400,000 Virginians access to quality care and create as many as 30,000 jobs. But every day we wait costs Virginia taxpayers \$5 million dollars and leaves those 400,000 in limbo. That is why I hope the General Assembly will transfer the authority to make this important decision to the Governor in the event that the MIRC does not act by the end of this session. These families have waited long enough.”

**Governor McAuliffe’s proposed amendments to House and Senate Bill 29 (FY 2014 Caboose Budget Bill) are summarized below:**

**Amendment 1: Reflect State Corporation Commission general fund recovery**

**Impact:** \$1,200,000 in additional revenue in FY 2014

Adjusts additions to balance on the front page of the budget bill to reflect the \$1.2 million recovery of general fund amounts from federal fund sources originally provided for federal health exchange related activities. In addition, the amendment includes a technical correction to the total projected revenue amount on page two of the bill for FY 2013. A companion amendment in Central Appropriations provides authorization for the \$1.2 million reversion.

**Amendment 2: Adjust funding to account for miscalculation of school age population**

**Impact:** Savings of \$1,356,813 in FY 2014

This amendment reduces the appropriation to Direct Aid to meet the amount required by the rebenchmarking of the Standards of Quality.

The Standards of Quality rebenchmarking utilizes school age population estimates from the Weldon Cooper Center for Public Service. The Department of Education (DOE) uses revised estimates when calculating the state cost for upcoming fiscal years, but retains the previous estimate for the current fiscal year. In the caboose budget, DOE mistakenly used a revised estimate, which resulted in an appropriation of nearly \$1.4 million over the amount required to meet the Standards of Quality.

**Amendment 3: Allow Governor to decide on Medicaid Expansion if MIRC fails to act**

The amendment provides authority to the Governor to make a decision on the Medicaid Expansion, pursuant to the federal Affordable Care Act, if the Medicaid Innovation and Reform Commission (MIRC) fails to make a decision prior to the end of the 2014 regular session.

**Amendment 4: Restore portion of Culpeper savings**

**Impact:** \$1,000,000 from General Fund in FY 2014

Introduced bill included some savings in current fiscal year related to the plan to cease using Culpeper correctional facility to house juveniles.

More recent estimates by the Department of Juvenile Justice indicate that agency will need some of this reduction restored in order to carry out its core functions as it closes Culpeper.

**Amendment 5: Provide funding for purchase of vehicles and maintenance of aircraft**

**Impact:** \$3,044,710 from Nongeneral Fund in FY 2014

This amendment provides additional funding to State Police from uncommitted year-end balances in the Safety Fund for the purchase of patrol vehicles, and maintenance of the Department's aircraft.

**Amendment 6: Reimburse General Fund for Federal Health Benefit Exchange Activities**

**Impact:** No Fiscal Impact

Authorizes the Director of the Department of Planning and Budget to revert \$1,200,000 to the general fund, representing the fiscal year 2014 reimbursement from federal funds received by the State Corporation Commission (Commission) for the plan management activities performed by the Commission as part of the Federal Health Benefit Exchange.

**Governor McAuliffe's proposed Amendments to House Bill 30, the FY2015-2016 Budget Bill are summarized below:**

**Amendment 1, Increase revenue collections through the use of mobile applications**

**Impact:** Increase in revenue \$500,000 in FY2015 and \$1,500,000 in FY2016

This amendment reflects the enhancement in revenue collections that is expected to result from the planned use of mobile devices and applications by Department of Taxation field collectors and auditors. The cost of implementing this effort was factored into the introduced budget, but the increase in revenue associated was not. The expected gains in revenue are \$500,000 in FY 2015 and \$1.5 million in FY 2016.

**Amendment 2: Accelerate due date for employer withholding**

**Impact:** Increase in revenue of \$234,000 in FY 2015 and \$468,000 2016

Recognizes the additional revenue associated with the acceleration of the employer withholding date from February 28 to January 31. Accelerating the due date will improve the Department of Taxation's ability to detect fraudulent and overstated refunds in a more timely and accurate manner. Language enabling this change was included in introduced budget, however the increase in revenue was not. This acceleration is expected to result in an increase in general fund revenue collections of \$234,000 in FY 2015 and \$468,000 in FY 2016.

**Amendment 3: Provide appropriation to fund unemployment benefits for military spouses**

**Impact:** \$1,900,000 from Nongeneral Fund in FY2015; \$1,800,000 from Nongeneral Fund in FY 2016.

This is a companion amendment to Senate Bill 18, whereby appropriation is established in support of passage of the legislation. The bill provides the nongeneral fund appropriation necessary to address anticipated expenditures associated with the fiscal impact of the bill.

**Amendment 4, Double funding for Jobs for Virginia Graduates initiative**

**Impact:** \$373,776 from General Fund in both FY 2015 and FY 2016

The amendment doubles the state's funding for the Jobs for Virginia Graduates. The introduced budget contains \$373,776 each year. The Jobs for Virginia Graduates (JVG) initiative works with at-risk high school students, assisting them with graduation, career planning and transitioning from school to work. JVG currently serves over 1,250 high school students per year. Since 1998, JVG has helped over 10,000 Virginia students graduate and find employment. The program includes a combination of in-school and out-of-school services provided by a job specialist.

**Amendment 5: Adjust funding for miscalculation associated with new retirement rates**

**Impact:** \$2,315,431 from General Fund in FY 2015; \$2,233,331 from General Fund in FY 2016

Provides funding to correct a miscalculation and fully fund the cost of the Standards of Quality. The calculations included in the introduced budget contained an error and did not fund all positions at the new retirement rate, primarily involving additional positions supporting K-3 education.

**Amendment 6: Provide partial hold harmless funding for school divisions in FY2015**

**Impact:** \$4,630,874 from General Fund in FY 2015

The proposed amendment would increase state funding to the Standards of Quality to provide additional funding to those school divisions which experienced a reduction in state Direct Aid in FY2015 as compared to FY 2014. The amount proposed would cover one-half of each division's reduction.

**Amendment 7: Fund FY 2015 partial Cost of Competing Adjustment for support positions**

**Impact:** \$5,389,054 from General Fund in FY 2015

The Standards of Quality include a Cost of Competing Adjustment (COCA) for support positions in localities in Northern Virginia. The funding for this adjustment was not included in the introduced 2014-2016 biennial budget. The amount proposed would support half of the COCA amount for Northern Virginia, and would not negatively impact any local school divisions.

**Amendment 8: Increase Literary Fund contribution and revenue**

**Impact:** \$10,000,000 savings to General Fund; \$15,000,000 outlay from Nongeneral Fund

The introduced budget includes \$10 million annually for loans for school construction. The amendment will increase the FY 2015 amount to \$25 million. The amendment will also increase the teacher retirement contribution from the Literary Fund by \$10 million.

Proceeds from the Literary Fund are used to fund teacher retirement costs, in addition to loans for school construction. Due to an increase in Literary Fund revenues, additional funding is available for these purposes.

Revenues to the Literary Fund include the sale of unclaimed property. The Department of Treasury anticipates that an additional \$25 million will be available from the sale of unclaimed property in FY 2015.

**Amendment 9: Provide funding to reflect rent plan changes at the seat of government**

**Impact:** \$214,115 from General Fund and \$127,376 from Nongeneral Fund in FY 2015; \$443,240 from General Fund, \$263,789 from Nongeneral Fund in FY 2016

This amendment restores funding for rent allocation to the Virginia Community College Systems (VCCS) that was eliminated in the introduced budget and also provides additional funding based on the rent rate increases. The Department of General Services had expected the VCCS to relocate from the Monroe Building to privately-leased space beginning in January of FY 2015.

Based on that assumption, the general fund and nongeneral fund appropriation allocated for rent for the VCCS was reduced in FY 2015 and eliminated in FY 2016 in the introduced budget.

However, the VCCS has not identified a new location to relocate to and expects to remain in the Monroe Building.

**Amendment 10: Allow Governor to decide on Medicaid expansion if MIRC fails to act**

**Impact:** No fiscal impact

The amendment provides authority to the Governor to make a decision on the Medicaid Expansion, pursuant to the federal Affordable Care Act, if the Medicaid Innovation and Reform Commission (MIRC) fails to make a decision prior to the end of the 2014 regular session.

**Amendment 11, Fund full year of assessments for Medicaid ID/DD waiver recipients**

**Impact:** \$663,750 from General Fund and \$663,750 from Nongeneral Fund in FY2015

This amendment will add an additional six months of funding for the implementation of assessments using the Supports Intensity Scale for individuals receiving Medicaid Intellectual or Developmental Disability Waiver services, or residing in state training centers.

Assessment of service level need is required by current state regulation once every three years. Currently, the assessments are conducted by local case workers at Community Services Boards.

The introduced budget includes half year funding for FY 2015 and full year funding in FY 2016 to contract the service out to a trained assessment provider. This amendment will add funding to the first year to begin the switch to a centralized system of assessing individual needs.

**Amendment 12: Plan to replace the adult and child welfare information systems**

**Impact:** \$850,000 from General Fund and \$150,000 from Nongeneral fund in FY2015

This amendment requests funds in FY 2015 to plan the modernization of the adult and child welfare information systems. Funding would be used to hire contractors to look at local processes and find opportunities for business process re-engineering. This will allow for improved operations and data collection when the systems are eventually replaced.

**Amendment 13: Provide dues to the Interstate Commission on the Potomac River Basin**

**Impact:** \$156,000 per year in FY 2015 and 2016

This amendment restores general fund support for the annual membership dues for the Commonwealth's participation in the Interstate Commission on the Potomac River Basin.

**Amendment 14: Increase funding for court appointed special advocates**

**Impact:** \$100,000 per year in FY 2015 and 2016

This amendment restores a portion of a previous budget reduction. Adoption of this amendment along with funding included in the introduced budget would restore approximately half of the previous cut. Over the past year, court appointed special advocate programs reported a backlog of children who were not able to receive services due to a lack of available trained volunteers. This amendment will allow programs to serve more abused or neglected children and reduce waiting lists in localities where they exist.

**Amendment 15: Clarify HB599 distribution language**

**Impact:** No fiscal impact

This language only amendment clarifies the distribution method to be used in disbursing HB599 funding to localities with qualified police departments.

**Amendment 16: Provides funding for STARS radio equipment**

**Impact:** \$240,000

This amendment provides funding in FY15 to allow the Department of Military Affairs to purchase Statewide Agencies Radio System equipment. An analysis of the radio equipment needs of the Department was conducted and the conclusion was that STARS radio equipment best meets their needs to communicate more efficiently with other state agencies during emergencies or natural disasters.

**Amendment 17: Increase funding for gasoline for Virginia State Police**



**Impact:** \$1 million per year in FY 2015 and 2016

In the introduced budget, the department received \$900,391 in FY2015 and FY2016, for gasoline purchase costs. The additional general and nongeneral funding is intended to address increasing gasoline cost.

**Amendment 18: Adjusts Estimated VITA Charges**

**Impact:** Savings of \$1,738,07 in FY 2015 and 3,562,457 in FY 2016

This amendment reflects VITA's fiscal year 2014 forecast including the required contractual increases to Northrop Grumman but without any additional projected growth in agency consumption. This action results in savings of \$1.7 million the first year and \$3.6 million the second year.

**Amendment 19: Remove proposed savings strategies for Jamestown-Yorktown Foundation**

**Impact:** \$61,000 in both FY 2015 and FY 2016

This amendment removes two savings strategies proposed for the Jamestown-Yorktown Foundation in the introduced biennial budget, totaling \$61,000 in annual savings. These savings strategies, which reduce advertising and enhance operational efficiencies, are inconsistent with the funding needs of the foundation and are contrary to the new funding proposed for the foundation in the FY 2014-16 biennial Budget.





January 16, 2014

The Honorable Terry McAuliffe  
Office of the Governor  
Patrick Henry Building, Third Floor  
1111 East Broad Street  
Richmond, VA 23219

Dear Governor McAuliffe:

On behalf of the greater Northern Virginia business community, we request that you support full restoration of the Cost of Competing Adjustment (COCA) for school support positions in the 2015-2016 biennium budget.

As you are aware, the Cost of Competing Adjustment (COCA) is an additional factor used in the state K-12 funding formula, recognizing the higher salaries required in certain high cost areas of the Commonwealth to attract and retain highly qualified teachers and support staff.

Public and private employers alike recognize the need to adjust salaries in Northern Virginia to attract and retain high quality employees and to offset substantially higher costs of living. In fact, the pay scale for state employees in Northern Virginia is 20-30% higher than those in other areas of the state, while federal pay scales include a 24.22% locality pay scale adjustment for Northern Virginia.

The business community recognizes that restoring the Cost of Competing Adjustment is critical to maintaining the high quality of our school systems and their employees in Northern Virginia. Businesses looking to locate in Virginia continually cite access to our region's excellent schools and educated workforce as reasons to move to Northern Virginia. Without the financial ability to compete in a regional labor market, our school divisions will struggle to recruit and retain high quality employees.

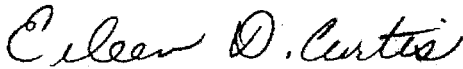
The FY15-16 state budget proposed by Governor McDonnell eliminates all COCA for support positions. Eliminating this funding will cost Northern Virginia school divisions and surrounding areas approximately \$36 million in FY 2015 and FY 2016, as compared to the full funding level: Fairfax County -- \$12.6 million; Loudoun -- \$7 million; Prince William -- \$11.5 million; Manassas City -- \$1 million; Manassas Park -- \$550,000; Stafford -- \$948,000; Fauquier -- \$259,000; Fredericksburg -- \$72,000; Spotsylvania -- \$810,000; Clarke -- \$54,000; Warren -- \$178,000;

Frederick -- \$429,000; Culpeper -- \$290,000; Winchester -- \$127,000; Arlington -- \$1 million; Alexandria -- \$624,000; Fairfax City -- \$142,000; Falls Church -- \$118,000.

Beyond this, lack of full COCA funding hurts localities gaining new school children. The 18 COCA localities that would lose state funding comprise 477,358 or 39% of school children in the state. The jurisdictions being harmed by this recommendation stand to lose \$36 million, while they are also projected to gain over 18,000 school children between FY 2014 and FY 2016 (after having already gained approximately 18,000 children over the last biennium).

We believe that fully restoring the Cost of Competing Adjustment is critical for Northern Virginia to maintain its economic competitiveness and urge you to work to restoring this funding in the FY15-16 state budget.

Sincerely,



Eileen Curtis, President & CEO  
Dulles Regional Chamber of Commerce



Jim Corcoran, President & CEO  
Fairfax Chamber of Commerce



Susan V. Garnett Spears, President  
Fredericksburg Regional Chamber of Commerce



Mark S. Ingrao, CCP, CAE, President & CEO  
Greater Reston Chamber of Commerce



Anthony J. Howard, President & CEO  
Loudoun County Chamber of Commerce



Robert H. Clapper II, President & CEO  
Prince William Chamber of Commerce

Bills	Patron	Description	Committee	Status	Summary
<b>Transportation Funding Bills</b>					
House					
HB 65	Marshall, III, D	Motor vehicle sales and use tax; definition of sale price.	H Finance, Sub #1		Excludes from the sale price for determining motor vehicle sales and use tax the amount of any credit given by the seller for any motor vehicle taken as a trade-in.
HB 68	Marshall, III, D	Transportation funding; date change on certain scheduled increases in sales and use tax revenue.	H Finance, Sub #3		Changes the dates on which the scheduled increases in sales and use tax revenue to the Highway Maintenance and Operating Fund (HIMOF) would not take place if Congress does not enact the Marketplace Fairness Act from fiscal years 2016 and 2017.
HB 345	Taylor, S	Motor fuels tax; alternative fuels.	H Finance, Sub #3		Provides that the motor fuels tax on non-liquid alternative fuels shall be the percentage tax on a gallon of gasoline multiplied by the average wholesale cost of the amount of the alternative fuel required to produce the energy content of a gallon of unleaded gasoline, for each such amount of alternative fuel.
HB 396	O'Bannon III, J	Rail and Public Transportation, Department of; funding.	S Transportation	Passed House 91-0	Codifies appropriation act language dealing with funding of the DRPT, providing 3.5% of the mass transit funds for project development, project administration, and project compliance.
HB 433	LeMunyon, J	Retail Sales and Use Tax; food purchased for human consumption.	H Finance		Phases out over a five-year period the state and local sales and use tax on food purchased for human consumption. Under current law, the local tax rate on food is 1% and the state tax rate on such food is 1.5%, with a 1% tax dedicated to localities based on school age population and the remaining one-half percent tax dedicated to the Transportation Trust Fund. The bill dedicates state sales and use tax revenue to hold harmless localities and the Transportation Trust Fund.
HB 508	Taylor, S	Natural gas fueling stations; tax credit to owners for public access.	H Finance		Provides for a tax credit for owners of natural gas fueling stations that are open to the public on or after January 1, 2015. The amount of the credit is equal to 30 percent of the fuels tax on gallons purchased for resale or 40 percent of the fuels tax on gallons purchased for resale if the fueling station is within three miles of I-95.
HB 510	Morris, R	Use of federal funds; appropriation required.	H Appropriations, Sub. General Government		Prohibits state agencies and state officials, officers, and employees from disbursing, allotting, collateralizing, encumbering, committing, or otherwise using federal moneys or funds unless there is in effect an appropriation enacted by the General Assembly that specifically describes or defines the federal moneys or funds and how they are to be used.
HB 729	Lingamfelter, L	Tax restructuring; modifies individual income and retail sales and use taxes.	H Finance, Sub #3		Modifies the individual income and retail sales taxes by lowering the top three individual income marginal tax rates, increasing the individual income tax filing thresholds, repealing the retail sales and use tax on food, increasing the state retail sales and use tax from 4.3 percent to 5.0 percent except in the counties and cities located in the Hampton Roads and Northern Virginia, extending the retail sales and use tax to certain personal services that are currently exempt from the tax, and eliminating the retail sales and use tax exemption for nonprofit entities with at least \$1 million in gross revenue. An amount equal to the revenues generated by the increase would be distributed from the Transportation Trust Fund to each planning district in which the revenue was generated to be used solely in the planning district for new construction projects on new or existing roads, bridges, and tunnels or mass transit.
HB 884	Yancey, D	Virginia Infrastructure Grant Fund; established.	H Counties, Cities, and Towns, Sub #2		Creates, from such funds as may be appropriated by the General Assembly and any gifts, grants, or donations from public or private sources, the Virginia Infrastructure Grant Fund, to be administered by the Department of Housing and Community Development. The bill requires the Department to establish criteria for making grants from the Fund, including procedures for determining the amount of a grant and the required local match, if any. The Fund is intended to help localities make investments in roads, bridges, smarter electrical grids, upgraded water and sanitation systems, mass transit systems, clean energy and more energy-efficient buildings, and the provision of broadband.
HB 975	Rust, T	Hybrid electric motor vehicles; repeals annual license tax.	H Floor	Passed House 89-9	Repeals the \$64 annual license tax on hybrid electric motor vehicles that was increased beginning July 1, 2013.

2014 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
<b>Senate</b>					
SB 127	Newman, S.	Hybrid electric motor vehicles; repeals annual license tax.	H Finance	Passed Senate 35-3	Repeals the \$64 annual license tax on hybrid electric motor vehicles that was increased beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2013.
SB 298	Watkins, J	Rail and Public Transportation, Department of; funding.	S Transportation	Reported 14-0	Codifies appropriation act language dealing with funding of the DRPT, providing 3.5% of the mass transit funds for project development, project administration, and project compliance.
<b>Transportation Allocation Formula Bills</b>					
<b>House</b>					
HB 2	Stolle	Commonwealth Transportation Board; allocations within highway construction districts.	H Transportation, Sub #4		Provides that funding allocations for the Northern Virginia highway construction district and the Hampton Roads highway construction district be made by giving priority to the projects expected to provide the greatest congestion reduction relative to the cost of the project. Funding allocations for the seven other highway construction districts be made by giving priority to either (i) the projects expected to provide the greatest congestion reduction relative to the cost of the project or (ii) the projects that promote economic development and promote commerce and trade. The bill provides for the choice to be made by each locality within the seven highway construction districts and for each highway construction district to determine the majority choice and submit it to the CTB. Allocations by the Board using the priorities in the bill will begin July 1, 2015.
HB 87	Cole, M.	Transportation; Commonwealth priority of projects and funding.	H Transportation, Sub #4		Provides that all state funds expended on transportation projects be for (i) projects expected to provide congestion reduction or (ii) projects that increase safety for travelers.
HB 626	Watts, V	Highways systems; allocation of funds.	H Appropriations, Sub Transportation		Eliminates required allocations of up to \$500 million per year for bridge reconstruction and rehabilitation, high priority projects, and smart roadway technology projects.
HB 658	LaRock, D	Northern Virginia highway construction district; CTB allocations.	H Transportation		Limits transit, rail, and public transportation allocations by the CTB to the Northern Virginia highway construction district to no more than 25 percent of total allocations.
HB 920	Sickles, M	Highway systems; funding.	H Appropriations		Advances from July 1, 2020, to July 1, 2014, the expiration date of the annual \$500 million allocation that can be made by the CTB for priority projects.
HB 1048	Rust, T	Funding among highway systems.	H Transportation, Sub #4	Sub Reported with Amendment 6-0	The CTB can allocate up to \$500 million on priority projects, 25% of which is directed towards reconstructing deteriorated interstate and primary systems. This legislation adds "municipality maintained primary extension" to that list.
HB 1095	Peace, C	Innovation and Technology Transportation Fund; created.	H Approps, Sub. Transportation		Creates the Innovation and Technology Transportation Fund to fund pilot programs and fully developed initiatives pertaining to high-tech infrastructure improvements with 5% of the annual amount allocated by the CTB.
HB 1100	Yancey, D	CTB Six-Year Improvement Program; requirements.	H Transportation		Requires that the CTB's Six-Year Improvement Program give priority to either projects that are expected to provide the greatest congestion reduction relative to the cost of the project or projects that promote economic development and promote commerce and trade within the highway construction district where they are located.
HB 1163	Chafin, A	Trails; allocation of federal funds for establishment and maintenance.	H Transportation		Allows the CTB to allocate eligible federal funds for use in the establishment and maintenance of trails.
HJ 42	Villanueva, R	Study; Legislative Audit and Review Commission to study equity of transportation funding; report.	H Rules		Directs JLARC to review the equity of transportation funding in light of new revenues and because such a study has not been conducted in 30 years.

2014 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
<b>Senate</b>					
SB 518	Wagner, F	Highway systems; funding.	H Transportation	Passed Senate 36-1	The CTB can allocate up to \$500 million on priority projects; 25% of which is directed towards reconstructing deteriorated interstate and primary systems. This legislation adds "municipality maintained primary extension" to that list.
<b>House</b>					
<b>Transportation Trust Fund</b>					
<b>Senate</b>					
<b>House</b>					
<b>Northern Virginia Transportation Authority (NVTA) Allocation Bills</b>					
HB 281	Albo, D	Northern Virginia Transportation Authority; contracts.	H Transportation		Prohibits the Authority from providing funds in support of a transportation-related project being undertaken with the District of Columbia or another state unless the Authority has first entered into a contract that provides for all costs of the project to be borne equally among the Authority and the District of Columbia or other state.
HB 1254	Marshall, R	Northern Virginia Transportation Authority; use of revenues.	H Appropriations, Sub. Transportation		Requires the Authority identify both the capital and operating costs of the project per rider for transit projects; and compare the costs and benefits of at least three competing projects potentially eligible for the same source of funding for highway projects.
<b>Legislation No Longer Under Consideration</b>					
<b>House</b>					
<b>Transportation Funding Bills</b>					
HB 3	Cline, B	Transportation funding; all provisions of 2013 Session omnibus bill to expire on July 1, 2014.	H Finance, Sub #3	Sub Recommends laying on Table by Voice Vote	Provides that all provisions of the 2013 Session omnibus transportation bill (HB 2313) expire on July 1, 2014.
HB 4	Surovell, S.	Hybrid electric motor vehicles; repeals annual license tax, refunds.	H Finance, Sub #3	Sub Recommends laying on Table by Voice Vote	Repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.
HB 40	Marshall, R	Motor fuels tax rates; repeals provision that will increase tax, etc.	H Finance, Sub #3	Sub Recommends laying on Table by Voice Vote	Repeals the provision in HB 2313 that will increase the motor fuels tax if the United States Congress has not enacted the Marketplace Fairness Act by January 1, 2015.
HB 47	Kory, K.	Hybrid electric motor vehicles; repeals annual license tax, refunds.	H Finance, Sub #3	Sub Recommends laying on Table by Voice Vote	Repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.
HB 72	Pogge, B	Hybrid electric motor vehicles; eliminates annual license tax.	H Finance, Sub #3	Sub Recommends laying on Table by Voice Vote	Eliminates the \$64 annual license tax on hybrid electric motor vehicles.
HB 213	Marshall, III, D	Salem Highway Construction District; additional transportation funding, report.	H Approps, Sub. Transportation	Sub Recommends Laying on Table by Voice Vote	Provides additional funds for transportation in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or facilitated by the Inland Port in Montgomery County

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2014 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
HB 347	James, M	Income tax, state; deduction for payment of certain tolls.	H Finance, Sub #2	Sub Recommends Laying on Table by Voice Vote	Allows a qualified taxpayer to deduct from his Virginia adjusted gross income an amount equal to 50 percent of the amount paid by the taxpayer for tolls in a qualified locality. A qualified locality is one in which the unemployment rate is higher than the statewide average and (i) in which a public-private transportation project that includes tolling is located or (ii) that is adjacent to a locality in which such a project is located. A qualified taxpayer is a taxpayer who resides in a qualified locality.
HB 351	James, M	Downtown Tunnel Construction Relief Grant Fund.	H Approps, Sub. Transportation	Sub Recommends Laying on Table 7-0	Establishes the Downtown Tunnel Construction Relief Grant Fund to provide grants of up to \$1,500 to businesses that have suffered economic damage as a result of road closures due to the construction of the Downtown Tunnel Project. The act has a July 1, 2015, sunset.
HB 528	Hodges, M	Drainage ditch maintenance, etc.; use of revenue-sharing highway funds.	H Transportation	Stricken by Request	Provides for use of revenue-sharing highway funds for construction and maintenance of ditches and other drainage facilities and obtaining voluntary drainage easements or voluntary permission to enter private property.
HB 623	Watts, V	Electric, hybrid electric, and alternative fuel motor vehicles; annual road usage fee.	H Finance, Sub #3	Sub Recommends Laying on Table by Voice Vote	Replaces the \$64 annual license tax on electric, hybrid electric, and alternative fuel motor vehicles with a \$64 annual road usage fee on (i) electric motor vehicles and (ii) any other motor vehicle that has a combined city/highway fuel economy rating equal to or greater than 40 miles per gallon or 40 miles per gallon of gasoline-equivalent (MPGe), according to EPA standards and regulations.
<b>Senate</b>					
SB 1	Ebbin, A.	Hybrid electric motor vehicles; repeals annual license tax, refunds.	S Finance	Incorporated into SB 127	Repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.
SB 38	Marsden, D.	Hybrid electric motor vehicles; repeals annual license tax, refunds.	S Finance	Incorporated into SB 127	Repeals the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.
SB 159	Miller, J.	Annual license tax on certain vehicles.	S Finance	Incorporated into SB 127	Repeals the \$64 annual license tax on hybrid electric motor vehicles and alternative fuel vehicles that was first imposed beginning July 1, 2013. The bill also lowers the annual license tax for electric motor vehicles to \$50 per year, the rate that was in effect on June 30, 2013. The bill provides for refunds of the license tax paid on hybrid electric motor vehicles and alternative fuel vehicles for registration years beginning on or after July 1, 2014, and for a refund of the difference between the \$64 rate and the \$50 rate for the license tax paid on electric motor vehicles for registration years beginning on or after July 1, 2014.
SB 221	Petersen, J.	Hybrid electric motor vehicles; eliminates annual license tax.	S Finance	Incorporated into SB 127	Eliminates the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013.
SB 506	Wagner, F	Hybrid electric motor vehicles; eliminates annual license tax.	S Finance	Incorporated into SB 127	Eliminates the \$64 annual license tax on hybrid electric motor vehicles that was first imposed beginning July 1, 2013. The bill also provides for refunds of the license tax paid on hybrid electric motor vehicles for registration years beginning on or after July 1, 2014.
<b>House</b>					
<b>Transportation Allocation Formula Bills</b>					
<b>Senate</b>					
SJ 72	Wagner, F	Study; Joint Legislative Audit and Review Commission to study equity of transportation funding.	S Rules	Continued to 2015 by Voice Vote	Directs JLARC to review the equity of transportation funding in light of new revenues and because such a study has not been conducted in 30 years.
<b>House</b>					
<b>Transportation Trust Fund Bills</b>					



2014 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
Senate SI 65	Obenshain, M	Constitutional amendment (first resolution); Transportation Funds.	S Privileges and Elections	Continued to 2015; 14-0	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years.
<b>NVTA Allocation Bills</b>					
House HB 41	Marshall, R	Northern Virginia Transportation Authority; selection of projects.	H Transportation, Sub #4	Sub Recommends Laying on Table by Voice Vote	Provides that the CTB shall select the transportation projects to be funded by NVTA.
HB 635	LaRock, D	Northern Virginia Transportation Authority; use of revenues.	H Transportation, Sub #4	Sub Recommends Laying on Table by Voice Vote	Requires that the 70% of the regional revenues allocated by NVTA be used by NVTA solely to fund transportation projects that are contained in the regional transportation plan and that have evaluated by VDOT in accordance with HB 599 (2012).
HB 653	LaRock, D	Northern Virginia Transportation Authority; allocations.	H Transportation, Sub #4	Sub Recommends Laying on Table by Voice Vote	Limits allocations by the NVTA for transit, rail, and public transportation projects to no more than 25 percent of its total allocations.
HB 824	Minchew, J	Northern Virginia Transportation Authority; bonding authority not effective until July 1, 2018.	H Transportation, Sub #4	Sub Recommends Laying on Table by Voice Vote	Provides that the Authority's bonding authority shall not be effective until July 1, 2018. After such date, the Authority, prior to issuance of bonds, shall demonstrate in the context of a bond validation lawsuit that the transportation projects proposed for funding with the sought bond proceeds have been thoroughly analyzed and provide the greatest degree of congestion reduction relative to cost.

(115)

