

Bills Relevant to the City Package Recommended to Support

1. **VA - HB1823** Virginia Fair Housing Law; unlawful discriminatory housing practices.
Primary Sponsor: [Delegate Kelly K. Convirs-Fowler](#)
Cosponsors: [Delegate Alfonso H. Lopez](#), [Delegate Richard C. "Rip" Sullivan, Jr.](#)
Summary: Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines "sexual orientation" and "gender identity."

2. **VA - HB2067** Public employment; prohibits discrimination on basis of sexual orientation or gender identity.
Primary Sponsor: [Delegate John J. Bell](#)
Cosponsor: [Delegate Danica A. Roem](#)
Summary: Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran.

3. **VA - HB2095** Local prohibition on single use plastic and expanded polystyrene products; local tax.
Primary Sponsor: [Delegate Elizabeth R. Guzman](#)
Cosponsors: [Delegate Patrick A. Hope](#), [Delegate Kaye Kory](#), [Delegate Alfonso H. Lopez](#), [Delegate Sam Rasoul](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Paul E. Krizek](#), [Delegate Mark H. Levine](#), [Delegate Debra H. Rodman](#)
Summary: Local prohibition on single use plastic and expanded polystyrene products; local disposable plastic bag tax. Authorizes a locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of certain single use products that are not recyclable or compostable and for which there is a suitable and cost-effective compostable or recyclable alternative product available, with certain exceptions. The bill also authorizes any county or city to impose a five-cent per bag tax on disposable plastic bags provided to customers by certain retailers, with certain bags being exempt from the tax. The bill directs revenue from the local tax to be used by the county or city imposing the tax for litter control and stormwater management. The bill allows every retailer that collects the tax to retain one cent of the five-cent tax if the tax is paid in a timely manner.

4. **[VA - HB2157](#)** Minimum wage; increases to \$10.10 per hour effective January 1, 2020, etc.
Primary Sponsor: [Delegate Kenneth R. Plum](#)
Cosponsors: [Delegate Patrick A. Hope](#), [Delegate Kaye Kory](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Lamont Bagby](#), [Delegate Mark H. Levine](#), [Delegate Karrie K. Delaney](#)
Summary: Minimum wage. Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$10.10 per hour effective January 1, 2020, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). Effective January 1, 2022, the minimum wage shall be adjusted biennially to reflect annual increases in the consumer price index over the two most recent calendar years. The measure also provides that the Virginia minimum wage applies to persons whose employment is covered by the FLSA and to persons employed by the Commonwealth, its agencies or political subdivisions, or a public body.
5. **[VA - HB2194](#)** Retail Sales and Use Tax; exemption for menstrual supplies.
Primary Sponsor: [Delegate Debra H. Rodman](#)
Cosponsors: [Delegate Patrick A. Hope](#), [Delegate Kaye Kory](#), [Delegate Joseph C. Lindsey](#), [Delegate Sam Rasoul](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Paul E. Krizek](#), [Delegate Mark H. Levine](#), [Delegate Marcia S. "Cia" Price](#), [Delegate Michael P. Mullin](#), [Delegate Karrie K. Delaney](#), [Delegate David A. Reid](#), [Delegate Danica A. Roem](#), [Delegate Cheryl B. Turpin](#)
Summary: Sales and use tax exemption; menstrual supplies; Dignity Act. Exempts menstrual supplies, specifically pads, tampons, and menstrual cups, from sales and use tax.
6. **[VA - HB2200](#)** Voter referendum; independent redistricting commission.
Primary Sponsor: [Delegate Michael P. Mullin](#)
Summary: Voter referendum; independent redistricting commission. Provides for a statewide referendum on the question of whether there should be an independent redistricting commission established in Virginia for the purpose of drawing the district maps for the House of Delegates, Senate of Virginia, and congressional districts. The results would be advisory only and are intended only to demonstrate the preference of the citizens of the Commonwealth on the manner in which electoral districts are created. The referendum would be held at the November 2019 general election.
7. **[VA - HB2417](#)** Emergency protective order; required conditions, petition to dissolve or modify.
Primary Sponsor: [Delegate Charniele L. Herring](#)
Summary: Emergency protective order; required conditions; petition to dissolve or modify. Requires any emergency protective order to prohibit (i) the respondent from committing acts of family abuse or criminal offenses that result in injury to person or property and (ii) such contacts by the respondent with the allegedly abused person or family or household members of the allegedly abused person, including prohibiting the respondent from being in the physical

presence of the allegedly abused person or family or household members of the allegedly abused person, as the judge or magistrate deems necessary to protect the safety of such persons. Under current law, a judge or magistrate must only impose one or more of such prohibitions when issuing an emergency protective order. Other conditions that may be imposed under current law remain under the discretion of the judge or magistrate. The bill also allows the petitioner of an emergency protective order to file a motion with the court requesting a hearing to dissolve or modify the order.

8. **VA - HB2421** Discrimination; sexual orientation and gender identity.

Primary Sponsor: [Delegate Mark H. Levine](#)

Cosponsors: [Delegate Kaye Kory](#), [Delegate Marcus B. Simon \(D\)](#)

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

9. **VA - HB2472** Hate crimes; adds gender, disability, gender identity, or sexual orientation, penalty.

Primary Sponsor: [Delegate Kenneth R. Plum](#)

Cosponsors: [Delegate Patrick A. Hope](#), [Delegate Kaye Kory](#), [Delegate Sam Rasoul](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Lamont Bagby](#), [Delegate Dawn M. Adams](#), [Delegate Karrie K. Delaney](#)

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

considers to be intended to incite hatred on the basis of gender, disability, gender identity, or sexual orientation.

10. **VA - HB2540** Sales and Use Tax; reduced rate on essential personal hygiene products.

Primary Sponsor: [Delegate Kathy J. Byron](#)

Summary: Sales and use tax; reduced rate on essential personal hygiene products. Applies the reduced state sales and use tax rate of 1.5%, which under current law applies only to food purchased for human consumption, to essential personal hygiene products, defined in the bill as (i) nondurable incontinence products such as diapers, disposable undergarments, pads, and bed sheets; and (ii) menstrual cups and pads, pantyliners, sanitary napkins, tampons, and other products used to absorb or contain menstrual flow.

11. **VA - HB2631** Minimum wage; local alternative.

Primary Sponsor: [Delegate Mark H. Levine](#)

Summary: Local alternative minimum wage. Establishes a procedure by which a local alternative minimum wage may be imposed in any locality. If imposed by ordinance of the local governing body, the alternative minimum wage requirement shall become effective on the July 1 that follows delivery of a certified copy of the ordinance to the Commissioner of Labor and Industry. A local alternative minimum wage requires every employer to pay to each of its employees, for work performed by them within the locality, wages at a rate to be determined by local ordinance. If the federal minimum wage exceeds the levels specified in a local alternative minimum wage requirement, the federal minimum wage will prevail.

12. **VA - HB2748** Tobacco products, nicotine vapor products, etc.; purchase, possession, and sale.

Primary Sponsor: [Delegate Christopher P. Stolle](#)

Cosponsors: [Delegate Timothy D. Hugo](#), [Delegate Jeffrey M. Bourne](#)

Summary: Purchase, possession, and sale of tobacco products, nicotine vapor products, and alternative nicotine products; minimum age requirements; penalties. Increases the minimum age for persons prohibited from purchasing or possessing tobacco products, nicotine vapor products, and alternative nicotine products, and the minimum age for persons such products can be sold to, from 18 years of age to 21 years of age. The bill also allows tobacco products, nicotine vapor products, and alternative nicotine products to be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to persons under 21 years of age. Under current law, tobacco products may be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to minors.

13. [**VA - HB2752**](#) Motorized skateboards or scooters; clarifies definition, local authority.
Primary Sponsor: [Delegate Todd E. Pillion](#)
Summary: Motorized skateboards or scooters; operation; local authority.
14. [**VA - HB2792**](#) Electric utilities; municipal net energy metering.
Primary Sponsor: [Delegate Kathy K.L. Tran](#)
Summary: Electric utilities; municipal net energy metering. Directs the State Corporation Commission to establish a pilot program that affords the opportunity for any municipality to participate in net energy metering if it is a retail customer of an investor-owned electric utility. In order to qualify for the program, the municipality is required to own and operate a renewable generating facility that is located on the municipality's premises and is intended primarily to offset all or part of the municipality's own electricity requirements. Under the pilot program, a municipal customer-generator that generates electricity in amounts that exceed the amount of electricity consumed by the municipal customer-generator, determined annually, will receive a credit against its electricity consumption at one or more other separately metered buildings or facilities. The measure provides that the amount of any such credit shall be equal to or greater than the generation-energy related rate under the Electrical Supply Service Charges of the host building plus all applicable generation-related riders or taxes and fuel-related riders or taxes, without the assessment by the utility of any service charges or fees in connection with or arising out of such crediting. The duration of the pilot program is six years.
15. [**VA - HJ639**](#) Constitutional amendment; Virginia Nonpartisan Redistricting Commission created.
Primary Sponsor: [Delegate Betsy B. Carr](#)
Summary: Constitutional amendment (first resolution); apportionment of legislative districts; Virginia Nonpartisan Redistricting Commission created. Provides for a temporary Virginia Nonpartisan Redistricting Commission (the Commission) to prepare redistricting plans in 2021 and each tenth year thereafter for the House of Delegates, Senate of Virginia, and congressional districts. The Commission shall consist of seven members appointed by majority vote of the Supreme Court of Virginia from a list of retired judges who have indicated their willingness to serve on the Commission. The resolution sets out the standards by which the Commission is required to draw district lines and the procedure for doing so. The resolution requires the Commission to submit the plan to the General Assembly as a bill and to review and make recommendations on any amendments made by the General Assembly or the Governor.
16. [**VA - HJ640**](#) Constitutional amendment; qualifications to vote, restoration of civil rights (first reference).
Primary Sponsor: [Delegate Betsy B. Carr](#)
Summary: Constitutional amendment (first resolution); qualifications of voters; restoration of

civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of felonies. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds an alternative for restoration of rights pursuant to law.

17. [**VA - HJ650**](#) Constitutional amendment; Virginia Redistricting Commission established (first reference).

Primary Sponsor: [Delegate Kenneth R. Plum](#)

Cosponsors: [Delegate Kaye Kory](#), [Delegate Marcus B. Simon \(D\)](#)

Summary: Constitutional amendment (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission to redraw congressional and General Assembly district boundaries after each decennial census. Appointments to the 13-member Commission are to be made as follows: two each by the President pro tempore of the Senate, the Speaker of the House of Delegates, the minority leader in each house, and the state chairman of each of the two political parties receiving the most votes in the prior gubernatorial election. The 12 partisan members then select the thirteenth member by a majority vote or, if they cannot agree on a selection, certify the two names receiving the most votes to the Supreme Court of Virginia, which will name the thirteenth member. The standards to govern redistricting plans include the current constitutional standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data.

18. [**VA - SB1087**](#) Election districts; requirements for precincts, remedying split precincts.

Primary Sponsor: [Senator Mark D. Obenshain](#)

Cosponsors: [Senator Adam P. Ebbin](#), [Senator George L. Barker](#), [Senator Mark J. Peake](#)

Summary: Election districts; requirements for precincts; remedying split precincts. Requires counties, cities, and towns to adjust local election district lines to coincide with congressional or state legislative district lines established by the General Assembly. Precincts are required to be wholly contained within a single congressional district, Senate district, House of Delegates district, or local election district, and local governing bodies are directed to establish precinct boundaries immediately after the completion of the General Assembly's decennial redistricting so that each precinct is so wholly contained. The bill provides that if a locality is unable to comply with this requirement it shall apply to the State Board of Elections for a waiver to administer a split precinct and the State Board may grant that waiver or direct the locality to create a precinct with fewer than the required number of registered voters, as it deems appropriate.

19. [**VA - SB1109**](#) Virginia Fair Housing Law; unlawful discriminatory housing practices, etc.

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

Cosponsors: [Senator Adam P. Ebbin](#), [Delegate Betsy B. Carr](#), [Senator Jennifer B. Boysko](#),

[Senator T. Montgomery "Monty" Mason](#)

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

20. [VA - SB1199](#) Public employment; inquiries by state agencies and localities regarding criminal convictions, etc.

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

Cosponsor: [Senator Jennifer L. McClellan](#)

Summary: Public employment; inquiries by state agencies and localities regarding criminal convictions, charges, and arrests. Prohibits state agencies from including on any employment application a question inquiring whether the applicant has ever been arrested or charged with any crime. The bill prohibits state agencies from asking an applicant if he has ever been convicted of any crime unless the inquiry takes place after the applicant has received a conditional offer of employment, which offer may be withdrawn if the applicant has a conviction record that directly relates to the duties and responsibilities of the position. The prohibition does not apply to applications for employment with law-enforcement agencies, certain positions designated as sensitive, or in instances where a state agency is expressly permitted to inquire into an individual's criminal history for employment purposes pursuant to any provision of federal or state law. The bill also authorizes localities to adopt ordinances prohibiting such inquiries, with similar limitations.

21. [VA - SB1232](#) Virginia Fair Housing Law; unlawful discriminatory housing practices.

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

Cosponsors: [Senator Lynwood W. Lewis, Jr.](#), [Senator Jennifer B. Boysko](#), [Senator T. Montgomery "Monty" Mason](#)

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

22. [VA - SB1281](#) Voter identification; expiration date of Virginia driver's license not considered.

Primary Sponsor: [Senator George L. Barker](#)

Summary: Voter identification; expiration date of Virginia driver's license not considered. Provides that the expiration date on a Virginia driver's license offered for voting identification purposes shall not be considered when determining the validity of the license.

23. [VA - SB1294](#) Remote sales & use tax collection; sufficient activity by dealers & marketplace facilitators, etc.

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

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

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

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

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

24. [VA - SB1337](#) State sales and use tax by remote sellers; collection, disposition of revenue, report.

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

Summary: Collection of state sales and use tax by remote sellers; disposition of revenue; report. Creates the Online Revenue Collection Fund for the collection of revenues generated in the event that the General Assembly adopts legislation requiring the remittance of sales and use tax by remote sellers and marketplace facilitators. Following the first full fiscal year in which the remittance of state sales and use tax by remote sellers and marketplace facilitators is required, the Commissioner of the Department of Taxation shall report on the total amount of revenues collected and shall calculate the amount by which the state sales and use tax rate could be reduced and replaced with revenues from the Fund so as to be revenue neutral.

25. [VA - SB1390](#) Remote sales and use tax collection; disposition of revenues.

Primary Sponsor: [Senator Frank W. Wagner](#)

Summary: Remote sales and use tax collection; disposition of revenues. Repeals contingent provisions of bills adopted in prior sessions of the General Assembly related to the disposition of certain sales and use tax revenues that would take effect if the United States Congress enacted legislation related to remote sales and use tax collection. By repealing these provisions, any revenues generated from the remote collection of sales and use tax in the Commonwealth would be allocated in accordance with the existing sales and use tax allocation formula, and the gas tax will remain at its current rate.

26. **VA - SB1467** Protective orders; possession of firearms, surrender or transfer of firearms, penalties.

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

Cosponsor: [Senator Janet D. Howell](#)

Summary: Protective orders; possession of firearms; surrender or transfer of firearms; penalties. Provides that a court shall order a person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency, sell or transfer any firearm possessed by such person to a dealer, or sell or transfer any firearm possessed by such person to any person who is not otherwise prohibited by law from possessing such firearm, provided that such person will not allow the person subject to a protective order to exert any influence or control over the sold or transferred firearm, or (ii) certify in writing that such person does not possess any firearms and file such certification with the clerk of the court that entered the protective order within 48 hours after being served with a protective order. The bill provides that within 48 hours after surrendering or selling or transferring all firearms, such person must certify in writing that all firearms possessed by such person have either been surrendered or sold or transferred and file such certification with the clerk of the court that entered the protective order. The bill also provides that any person subject to a protective order who fails to certify in writing that all firearms possessed by such person have either been surrendered or sold or transferred or that such person does not possess any firearms is guilty of a Class 1 misdemeanor. The bill provides procedures for designating a local law-enforcement agency to receive and store firearms as well as a process to return such surrendered firearms. The bill also provides that any person who buys or has a firearm transferred to him from a person subject to a permanent protective order and allows the person subject to a protective order to exert any influence or control over the sold or transferred firearm is guilty of a Class 1 misdemeanor.

27. **VA - SB1500** Remote sales & use tax collection; sufficient activity by dealers & marketplace facilitators, etc.

Primary Sponsor: [Senator Emmett W. Hanger, Jr.](#)

Summary: Remote sales and use tax collection; sufficient activity by dealers and marketplace

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

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

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

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

28. **VA - SB1601** Sales and Use Tax; remote collection, marketplace facilitators, etc.

Primary Sponsor: [Senator Thomas K. Norment, Jr.](#)

Summary: Remote sales and use tax collection. Requires certain marketplace facilitators and marketplace sellers, defined in the bill, to collect and remit sales and use tax if such facilitators or sellers make sales of tangible personal property or taxable services for delivery in the Commonwealth exceeding \$100,000 or in 200 or more separate transactions. The bill provides that facilitators and sellers may enter into agreements regarding the fulfillment of the collection requirements. The bill prohibits class action from being brought against a marketplace facilitator on behalf of customers for overpayment of sales and use tax collected by the marketplace facilitator. The bill provides that the sales and use tax collection requirements shall not apply to any sales transactions occurring before July 1, 2019.

29. **VA - SB1715** Retail Sales and Use Tax; exemption for menstrual supplies.

Primary Sponsor: [Senator Jennifer B. Boysko](#)

Summary: Sales and use tax exemption; menstrual supplies; Dignity Act. Exempts menstrual supplies, specifically pads, tampons, and menstrual cups, from sales and use tax.

30. [**VA - SB1727**](#) Tobacco products, nicotine vapor products, etc.; purchase, possession, and sale.
Primary Sponsor: [Senator Thomas K. Norment, Jr.](#)
Cosponsors: [Senator Richard L. Saslaw](#), [Senator Bryce E. Reeves](#)
Summary: Purchase, possession, and sale of tobacco products, nicotine vapor products, and alternative nicotine products; minimum age requirements; penalties. Increases the minimum age for persons prohibited from purchasing or possessing tobacco products, nicotine vapor products, and alternative nicotine products, and the minimum age for persons such products can be sold to, from 18 years of age to 21 years of age. The bill also allows tobacco products, nicotine vapor products, and alternative nicotine products to be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to persons under 21 years of age. Under current law, tobacco products may be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to minors.
31. [**VA - SJ283**](#) Constitutional amendment; qualification of voters, restoration of civil rights.
Primary Sponsor: [Senator Emmett W. Hanger, Jr.](#)
Summary: Constitutional amendment (first resolution); qualification of voters; restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for any person who has been convicted of a felony not designated by the General Assembly as a barrier crime for the purpose of rights restoration and who has completed service of his sentence and paid in full any restitution, fines, costs, and fees assessed against him as a result of his conviction. The proposed amendment retains the authority of the Governor to restore the civil rights of persons convicted of felonies.
32. [**VA - SJ300**](#) Constitutional amendment; Virginia Redistricting Commission established (first reference).
Primary Sponsor: [Senator R. Creigh Deeds](#)
Summary: Constitutional amendment (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission to redraw congressional and General Assembly district boundaries after each decennial census. Appointments to the 13-member Commission are to be made as follows: two each by the President pro tempore of the Senate, the Speaker of the House of Delegates, the minority leader in each house, and the state chairman of each of the two political parties receiving the most votes in the prior gubernatorial election. The 12 partisan members then select the thirteenth member by a majority vote or, if they cannot agree on a selection, certify the two names receiving the most votes to the Supreme Court of Virginia, which will name the thirteenth member. The standards to govern redistricting plans include the current constitutional standards on population equality,

compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data.

33. **VA - SJ306** Constitutional amendment; Virginia Redistricting Commission (first reference).

Primary Sponsor: [Senator George L. Barker](#)

Cosponsor: [Senator Richard L. Saslaw](#)

Summary: Constitutional amendment (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission, a 16-member Commission tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly. The Commission consists of eight legislative members and eight citizen members. The legislative members consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen members are selected by a selection committee consisting of five retired judges of the circuit courts of Virginia. The selection committee is tasked with adopting a process by which registered Virginia voters may apply to serve on the Commission and selecting from the applicants a list of 16 candidates. The amendment requires four of the candidates to be voters who affiliate with the political party receiving the highest number of votes for governor at the immediately preceding gubernatorial election, four candidates to be voters who affiliate with the political party receiving the next highest number of votes for governor at the immediately preceding gubernatorial election, and eight candidates to be voters who do not affiliate with any political party. The Speaker of the House of Delegates, the minority leader in the House of Delegates, and the majority and minority leaders in the Senate then strike names from the list until there is the final list of eight citizen members, two of whom affiliate with the political party receiving the highest number of votes for governor at the immediately preceding gubernatorial election, two of whom affiliate with the political party receiving the next highest number of votes for governor at the immediately preceding gubernatorial election, and four of whom do not affiliate with any political party. The Commission is required to submit to the General Assembly plans of districts for the Senate and the House of Delegates of the General Assembly no later than 45 days following the receipt of census data and plans of districts for the United States House of Representatives no later than 60 days following the receipt of census data. In order to be submitted to the General Assembly for a vote, a plan must receive an affirmative vote of at least six of the eight legislative members and six of the eight citizen members. No amendments may be made to a plan by the General Assembly or the Governor. In the event that the Commission fails to submit a plan by its deadline, or the General Assembly fails to adopt a plan by its deadline, or the Governor fails to act on or vetoes a plan by his deadline, districts shall be decided by judicial decision.

Bills Relevant to the City Package Recommended to Oppose

34. **VA - HB2232** Motorized skateboards or foot-scooters; operation, local authority.Primary Sponsor: [Delegate Lamont Bagby](#)

Summary: Motorized skateboards or foot-scooters; operation; local authority. Authorizes localities to prohibit or regulate the operation of companies providing motorized skateboards or foot-scooters for hire. The bill authorizes localities to regulate certain aspects of the operation of motorized skateboards and foot-scooters. The bill changes the definition of motorized skateboard or foot-scooter by (i) removing the requirement that such device have no manufacturer-issued vehicle identification number, (ii) removing the requirement that the motor or engine be of a certain maximum power, (iii) providing that such device weighs less than 100 pounds and has a maximum speed of no more than 20 miles per hour, and (iv) providing that such device may be powered in whole or in part by the motor or engine. The bill makes consistent the operational requirements for motorized skateboards or foot-scooters and similar devices, including (a) allowing motorized skateboards and foot-scooters to be driven on sidewalks, (b) requiring motorized skateboards and foot-scooters driven on a roadway to be driven as close to the right curb as is safely practicable, (c) prohibiting the operation of motorized skateboards or foot-scooters on any Interstate Highway System component, and (d) requiring operators of motorized skateboards and foot-scooters to give hand signals and have lights on such vehicle.

35. **VA - SB1267** Remote sales and use tax collection; sufficient activity by dealers and marketplace facilitators.Primary Sponsor: [Senator Richard H. Stuart](#)

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

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

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

The bill allocates revenue from the state portion of remote sales and use tax collection to the Transportation Trust Fund but requires the revenue to be spent only to fund improvements to existing roads. The bill distributes the local portion to localities based on point of sale.

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

The bill contains technical corrections.

Bills Relevant to the City Package Recommended to Continue to Watch

36. [**VA - HB2140**](#) School calendar; opening of the school year, good cause waiver.
Primary Sponsor: [Delegate Robert M. "Bob" Thomas, Jr.](#)
Summary: School calendar; opening of the school year; good cause waiver. Permits the Board of Education to waive the requirement to set the school calendar so that the first day students are required to attend school must be after Labor Day for any school board that certifies to the Board of Education that the school division is entirely surrounded by school divisions that each have an opening date prior to Labor Day in the school year for which the waiver is sought.
37. [**VA - HB2214**](#) Motorized skateboards or foot-scooters; operation, local authority.
Primary Sponsor: [Delegate Jerrauld C. "Jay" Jones](#)
Cosponsor: [Senator David W. Marsden](#)
Summary: Motorized skateboards or foot-scooters; operation; local authority. Authorizes localities to prohibit or regulate the operation of companies providing motorized skateboards or foot-scooters for hire. The bill authorizes localities to regulate certain aspects of the operation of motorized skateboards and foot-scooters. The bill changes the definition of motorized skateboard or foot-scooter by (i) removing the requirement that such device have no manufacturer-issued vehicle identification number, (ii) removing the requirement that the motor or engine be of a certain maximum power, (iii) providing that such device weighs less than 100 pounds, and (iv) providing that such device may be powered in whole or in part by the motor or engine. The bill makes consistent the operational requirements for motorized skateboards or foot-scooters and similar devices, including (a) allowing motorized skateboards and foot-scooters to be driven on sidewalks, (b) requiring motorized skateboards and foot-scooters driven on a roadway to be driven as close to the right curb as is safely practicable, (c) prohibiting the operation of motorized skateboards or foot-scooters on any Interstate Highway System component, and (d) requiring operators of motorized skateboards and foot-scooters to give hand signals and have lights on such vehicle. The bill prohibits operating a motorized skateboard or foot-scooter at a speed faster than 20 miles per hour.
38. [**VA - SB1331**](#) Public school buildings and facilities; modernization.
Primary Sponsor: [Senator William M. Stanley, Jr.](#)
Summary: Modernization of public school buildings and facilities. Establishes standards for the design, construction, maintenance, and operation of public school buildings and facilities and allows for a local school division to enter into a lease agreement with a private entity to meet such standards. The bill would allow for net energy metering in public school buildings and facilities. The bill would also authorize the Virginia Resources Authority to provide partial funding for school modernization projects, effective January 1, 2020.

Recommended for City Council Support

1. [**VA - HB1776**](#) Tannerite; prohibition or regulation by localities.
Primary Sponsor: [Delegate Mark L. Cole](#)
Summary: Prohibition or regulation of tannerite. Provides that any locality may by ordinance prohibit or regulate the use of tannerite or a similar two-component explosive in or near residential areas. Any penalty for an offense pursuant to such an ordinance shall not exceed a Class 3 misdemeanor.

2. [**VA - HB1904**](#) Voter registration; registration on election day, registration of provisional voters, etc.
Primary Sponsor: [Delegate Marcus B. Simon \(D\)](#)
Cosponsors: [Delegate Patrick A. Hope](#), [Delegate Sam Rasoul](#), [Delegate Lamont Bagby](#), [Delegate Debra H. Rodman](#), [Delegate Danica A. Roem](#), [Delegate Cheryl B. Turpin](#)
Summary: Voter registration; registration on election day; registration of provisional voters; close of registration records. Provides that persons who are otherwise qualified to register to vote are entitled to register to vote and cast a ballot in person in the office of the general registrar, or at another location or locations in the county or city approved by the electoral board, on the day of the election. Additionally, the provisional ballot of a person who is required to vote a provisional ballot because his name does not appear on the pollbook shall be counted if the general registrar determines during the canvass that the person was qualified for registration based upon the application for registration submitted by the person with his provisional ballot. The bill also requires registration records to be closed for the purpose of registering voters during the three days prior to any election. Currently, the registration records are required to be closed for this purpose during the 21 days prior to a primary or general election, six days prior to certain special elections, and 13 days prior to other special elections. The bill adjusts other deadlines to reflect this change.

3. [**VA - HB1913**](#) Subdivision ordinance; sidewalks.
Primary Sponsor: [Delegate David L. Bulova](#)
Summary: Subdivision ordinance; sidewalks. Allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed.

4. [**VA - HB1916**](#) Employees; break time and location to express breast milk.
Primary Sponsor: [Delegate David E. Yancey](#)
Summary: Employment; break to express breast milk. Requires employers, including the

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

5. [VA - HB1918](#) Corrections, Board of; minimum standards for health care services in local correctional facilities.

Primary Sponsor: [Delegate Christopher P. Stolle](#)

Summary: Board of Corrections; minimum standards for health care services in local correctional facilities. Authorizes the Board of Corrections (Board) to establish minimum standards for health care services in local, regional, and community correctional facilities and procedures for enforcing such minimum standards, with the advice of and guidance from the Commissioner of Behavioral Health and Developmental Services and State Health Commissioner. The bill provides that (i) such standards shall require that each local, regional, and community correctional facility submit a standardized quarterly continuous improvement report documenting the delivery of health care services, along with any improvements made to those services, to the Board and (ii) such reports shall be available to the public on the Board's website. The bill also authorizes the Board to determine that a local, regional, or community correctional facility accredited by the American Correctional Association or National Commission on Correctional Health Care meets such minimum standards solely on the basis of such accreditation; however, without exception, the requirement to submit standardized quarterly continuous quality improvement reports shall be a mandatory minimum standard. This bill is a recommendation of the Joint Commission on Health Care.

6. [VA - HB2071](#) Virginia Public Procurement Act; job order contracting, limitations.

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

Cosponsors: [Delegate Karrie K. Delaney](#), [Delegate David A. Reid](#)

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

VDOT.

7. **[VA - HB2085](#)** Transit funding; raises the existing regional transportation fee, etc.
Primary Sponsor: [Delegate Vivian E. Watts](#)
Summary: Transit funding. Raises the existing regional transportation fee, a grantor's tax, from \$0.15 per \$100 to \$0.20 per \$100 for localities in the Northern Virginia Transportation Authority that are also members of the Northern Virginia Transportation District. The bill requires half of the revenues to be deposited in the Northern Virginia Transportation Authority Fund and half to be deposited in the Washington Metropolitan Area Transit Authority (WMATA) Capital Fund. The rate of tax in the other localities will remain at \$0.15 per \$100, with one-third of the revenues to be retained by the locality to be used for transportation purposes and the other two-thirds to be deposited in the Northern Virginia Transportation District Fund. The bill also raises the existing transient occupancy tax in the localities located in the Northern Virginia Transportation District from \$2 to \$3, with all of the revenues from the tax being used to support WMATA.
8. **[VA - HB2120](#)** Paid Family and Medical Leave Program; established, financing through payroll taxes.
Primary Sponsor: [Delegate Jennifer Carroll Foy](#)
Cosponsors: [Delegate Kaye Kory](#), [Delegate Mark H. Levine](#)
Summary: Paid family and medical leave program. Requires the Virginia Employment Commission to establish and administer a paid family and medical leave program with benefits beginning January 1, 2022. Under the program, benefits are paid to eligible employees for family and medical leave. Funding for the program is provided through premiums assessed to employers and employees beginning in 2021. The amount of a benefit is 70 percent of the employee's average weekly wage, not to exceed \$850 per week, which amount is required to be adjusted annually to reflect changes in the statewide average weekly wage. The measure caps the duration of paid leave at 12 weeks in any application year. Self-employed individuals are provided the option of participating in the program. The bill has a delayed effective date of January 1, 2020.
9. **[VA - HB2141](#)** Local services districts; broadband and telecommunications services.
Primary Sponsor: [Delegate Robert M. "Bob" Thomas, Jr.](#)
Summary: Local services districts; broadband and telecommunications services. Authorizes a local governing body, with respect to a service district, to construct, maintain, and operate such facilities and equipment as may be necessary or desirable to provide broadband and telecommunications services.
10. **[VA - HB2155](#)** Vehicles stopped at crosswalks; prohibition on passing.
Primary Sponsor: [Delegate Kenneth R. Plum](#)

Cosponsors: [Delegate Vivian E. Watts](#), [Delegate Patrick A. Hope](#), [Delegate Kaye Kory](#), [Delegate Joseph C. Lindsey](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Mark H. Levine](#), [Delegate Dawn M. Adams](#), [Delegate Karrie K. Delaney](#), [Delegate David A. Reid](#), [Delegate Cheryl B. Turpin](#)

Summary: Vehicles stopped at crosswalks; prohibition on passing. Prohibits the driver of a vehicle from overtaking and passing a vehicle stopped at a marked crosswalk to permit a pedestrian to cross the highway.

11. [VA - HB2159](#) Plastic Pollution Prevention Advisory Council; established.

Primary Sponsor: [Delegate Kenneth R. Plum](#)

Cosponsors: [Delegate Patrick A. Hope](#), [Delegate Kaye Kory](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Paul E. Krizek](#), [Delegate Mark H. Levine](#), [Delegate Karrie K. Delaney](#), [Delegate David A. Reid](#)

Summary: Plastic Pollution Prevention Advisory Council. Establishes in the executive branch of state government the Plastic Pollution Prevention Advisory Council to study and make recommendations regarding plastic pollution problems in the Commonwealth, with the mission of eliminating plastic waste. The bill has a sunset date of June 30, 2022.

12. [VA - HB2178](#) Virginia voter registration system; security plans and procedures, remedying security risks.

Primary Sponsor: [Delegate Mark D. Sickles](#)

Summary: Virginia voter registration system; security plans and procedures; remedying security risks. Directs the State Board of Elections to promulgate regulations and standards necessary to ensure the security and integrity of the Virginia voter registration system and the supporting technologies utilized by the counties and cities to maintain and record registrant information. The local electoral boards are also required to develop and update annually written plans and procedures to ensure the security and integrity of the supporting technologies. The local electoral boards are further required to report annually to the Department of Elections on its security plans and procedures. The bill authorizes the Department of Elections to limit a locality's access to the Virginia voter registration system if it is determined that the county or city has failed to develop security plans and procedures or to comply with the security standards established by the State Board; such access would be limited as necessary to address and resolve any security risks or to enforce compliance. Records describing protocols for maintaining the security of the Virginia voter registration system and the supporting technologies utilized to maintain and record registrant information are exempted from the Freedom of Information Act and meetings to discuss those protocols are permitted to be closed pursuant to the provisions of the Freedom of Information Act.

13. [VA - HB2182](#) DGS; surplus property, opportunity for economic development entities to purchase.

Primary Sponsor: [Delegate Terry L. Austin](#)

Summary: Department of General Services; surplus property; opportunity for economic development entities to purchase prior to public sale. Provides that prior to offering surplus property for sale to the public, the Department of General Services (the Department) shall notify the chief administrative officer of the locality within which the property is located as well as any economic development entity for such locality of the pending disposition of such property and provide such chief administrative officer and economic development entity an opportunity to hold, for a period of not more than five years, the option to purchase such property for use with a bona fide economic development activity. The bill provides that if the option is exercised, the price at which the property is sold shall be the fair market value of the property or any other reasonable price that is agreed to by the parties. The bill provides that if no chief administrative officer or local economic development entity expresses an interest in holding such an option, the Department may proceed with disposing of the property as provided by law. The bill contains technical amendments.

14. [VA - HB2198](#) Virginia Public Procurement Act; exempts counties, cities, etc., with population greater than 3,500.

Primary Sponsor: [Delegate C. Todd Gilbert](#)

Summary: Virginia Public Procurement Act; exempt counties, cities, school boards, and towns with populations greater than 3,500; competitive negotiation for professional services. Requires all counties, cities, and school divisions, and all towns having a population greater than 3,500, in the Commonwealth that are exempt from the provisions of the Virginia Public Procurement Act (the Act) because they have adopted alternative policies and procedures as permitted by law to procure professional services through competitive negotiation as set forth in the Act when the cost of the professional service is expected to exceed \$80,000 in the aggregate or for the sum of all phases of a contract or project. Under current law, such counties, cities, and school divisions, and all towns having a population greater than 3,500, are required to procure professional services through competitive negotiation as set forth in the Act when the cost of the professional service is expected to exceed \$60,000 in the aggregate or for the sum of all phases of a contract or project.

15. [VA - HB2243](#) Virginia Energy Efficiency Revolving Fund; created.

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

Summary: Virginia Energy Efficiency Revolving Fund. Creates the Virginia Energy Efficiency Revolving Fund to provide no-interest loans to any locality, school division, or public institution of higher education for energy conservation or efficiency projects

16. [VA - HB2273](#) Passing stopped school bus; increases civil penalty.

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

Cosponsor: [Delegate Robert M. "Bob" Thomas, Jr.](#)

Summary: Passing stopped school bus; civil penalty. Increases the civil penalty for passing a stopped school bus from \$250 to \$300. The bill creates an increased penalty of \$600 for any driver who passes a stopped school bus while holding or manually manipulating a handheld personal communications device.

17. **VA - HB2359** Capital outlay plan; updates six-year plan for projects.

Primary Sponsor: [Delegate S. Chris Jones \(R\)](#)

Summary: Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

18. **VA - HB2361** Stormwater management; land-disturbing activities, prior technical criteria.

Primary Sponsor: [Delegate S. Chris Jones \(R\)](#)

Summary: Stormwater management; land-disturbing activities; prior technical criteria. Provides that beginning July 1, 2019, all land-disturbing activities that are regulated pursuant to the Stormwater Management Act shall meet the technical criteria for stormwater management that were adopted by the State Water Control Board during 2011 and became effective July 1, 2014. Under current regulations, certain projects are grandfathered under the technical criteria that applied prior to July 1, 2014.

19. **VA - HB2388** In-state tuition; eligibility for certain individuals.

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

Summary: Eligibility for in-state tuition; certain individuals. Declares eligible for in-state tuition any individual who meets certain eligibility criteria and who has filed an application for permanent residency or asylum or is under the age of 27 and is the child of an individual who has filed an application for asylum. The bill provides that any such individual shall remain eligible for in-state tuition for as long as he maintains continuous enrollment in the public institution of higher education and such application has not been denied. The bill also prohibits any student who became eligible for in-state tuition as a result of his lawful presence in the United States pursuant to approval under the Deferred Action for Childhood Arrivals program or any other federal deferred action program from being deemed ineligible for in-state tuition by virtue of the elimination or modification of any such program.

20. **VA - HB2402** Public employment; limitations on inquiries by state agencies and localities regarding.

Primary Sponsor: [Delegate Lashrecse D. Aird](#)

Cosponsor: [Delegate Glenn R. Davis](#)

Summary: Public employment; limitations on inquiries by state agencies and localities regarding criminal arrests, charges, or convictions. Prohibits state agencies and localities from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime. A prospective

employee may not be asked if he has ever been arrested or charged with or convicted of any crime unless the inquiry takes place during or after a staff interview of the prospective employee. The prohibition does not apply to applications for employment with law-enforcement agencies or positions related to law-enforcement agencies. The prohibition also does not apply to applications for state agency positions designated as sensitive or to state agencies that are expressly permitted to inquire into an individual's criminal arrests or charges for employment purposes pursuant to any provision of federal or state law.

21. [**VA - HB2488**](#) Driver's license; suspension for nonpayment of fines or costs.

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

Summary: Suspension of driver's license for nonpayment of fines or costs. Removes the requirement that a court suspend the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs. The bill allows a court, after 90 days of nonpayment where the court finds the nonpayment was not an intentional refusal to obey the sentence of the court, to provide additional time for payment, reduce the amount of each payment installment, assign community service in lieu of payment, or waive the unpaid portion in whole or in part. Upon a finding that the nonpayment was an intentional refusal to obey the sentence of the court, a court may suspend the defendant's driver's license until payment in full or until the defendant enters into a payment plan.

22. [**VA - HB2490**](#) Tech Talent Investment Program and Fund; created, report.

Primary Sponsor: [Delegate Nick Rush](#)

Cosponsors: [Delegate S. Chris Jones \(R\)](#), [Delegate Matthew James](#), [Delegate Lashrecse D. Aird](#)

Summary: Tech Talent Investment Program. Creates a grant program to assist qualified public institutions of higher education, defined in the bill, in reaching, by 2039, a goal of increasing, in the aggregate, the number of bachelor's and master's degrees awarded in computer science, computer engineering, and closely related fields by at least 25,000 degrees. To be eligible for an annual grant, a qualified institution is required to enter into a memorandum of understanding setting forth specific criteria for eligible degrees, eligible expenses, and degree production goals. The bill requires qualified institutions that are grant recipients to report annually on progress towards meeting such goals and that grants issued pursuant to the program are subject to appropriation.

23. [**VA - HB2565**](#) Voter identification; repeal of photo identification requirements.

Primary Sponsor: [Delegate Kaye Kory](#)

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

Summary: Voter identification; repeal of photo identification requirements. Removes the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation

documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. The bill adds language regarding requirements for certain voters pursuant to the federal Help America Vote Act of 2002.

24. [VA - HB2587](#) Confidentiality of tax information; local tax officers sharing information w/ local officers.

Primary Sponsor: [Delegate Danica A. Roem](#)

Summary: Confidentiality of tax information; local tax officers sharing information with local administrative officers. Authorizes a locality's commissioner of the revenue, treasurer, director of finance, or other similar local official who collects or administers taxes to share confidential tax information with such locality's financial officer and chief administrative officer, provided that such officer enters into a written nondisclosure agreement. Under current law, such information is prohibited from being shared between such officials unless some other exemption applies.

25. [VA - HB2607](#) Parking certain large vehicles; local ordinances.

Primary Sponsor: [Delegate Jeion A. Ward](#)

Summary: Parking certain large vehicles; local ordinances. Authorizes local governing bodies, by ordinance, to prohibit or limit the parking of certain large vehicles adjacent to residential areas. The bill limits the exemption from local ordinances regarding parking of certain large vehicles in commercial business areas for vehicles waiting to be loaded or unloaded to those vehicles whose waiting period lasts no more than one hour.

26. [VA - HB2621](#) Site plan approval; decommissioning certified solar energy equipment, facilities, or devices.

Primary Sponsor: [Delegate Riley E. Ingram](#)

Summary: Site plan approval; decommissioning certified solar energy equipment, facilities, or devices. Authorizes a locality, as a condition of approval of a site plan, to require an owner or developer of real property to enter into a written agreement to decommission certified solar energy equipment, facilities, or devices upon certain terms and conditions, including right of entry by the locality and financial assurance. The bill exempts a public utility from such requirements.

27. **VA - HB2677** Virginia Fair Housing Law; unlawful discriminatory housing practices, etc.
Primary Sponsor: [Delegate Roxann L. Robinson](#)
Summary: Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines sexual orientation and gender identity.
28. **VA - HB2682** Absentee voting; deadline for returning absentee ballot.
Primary Sponsor: [Delegate Mark D. Sickles](#)
Summary: Absentee voting; deadline for returning absentee ballot. Provides that any absentee ballot that is returned to the general registrar after the closing of the polls on election day but before noon on the third day after the election and postmarked on or before the date of the election shall be counted if the voter is found entitled to vote. The bill contains technical amendments.
29. **VA - HB2688** Virginia Public Procurement Act; use of best value procurement, construction.
Primary Sponsor: [Delegate Ronnie R. Campbell](#)
Cosponsor: [Delegate Glenn R. Davis](#)
Summary: Virginia Public Procurement Act; use of best value procurement; construction. Authorizes any public body to procure construction on a best value procurement basis. Under the bill, if proceeding on a best value procurement basis, the Request for Proposal must contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis and describe (i) the criteria that will be considered in evaluating the proposals and (ii) the rating or weighting system that will be used in evaluating the proposals, including a disclosure that price will be weighted at least 51 percent as a factor. The bill contains technical amendments.
30. **VA - HB2739** Historical African American cemeteries; adds six in City of Alexandria.
Primary Sponsor: [Delegate Charniele L. Herring](#)
Cosponsor: [Senator George L. Barker](#)
Summary: Historical African American cemeteries; City of Alexandria. Adds six cemeteries in Alexandria to the list of cemeteries for which qualified organizations may receive funds from the Department of Historic Resources for the care of historical African American cemeteries and graves. The cemeteries are the Baptist Cemetery at the African American Heritage Park, which contains 28 eligible graves; the Contrabands and Freedmen Cemetery, which contains 631 eligible graves; the Douglass Cemetery, which contains 83 eligible graves; the Lebanon Union Cemetery, which contains 53 eligible graves; the Methodist Protestant Cemetery, which contains 1,134 eligible graves; and the Penny Hill Cemetery, which contains 14 eligible graves.

31. **VA - HJ641** Department of Health; rulemaking process; use of rainwater, report.
Primary Sponsor: [Delegate David E. Yancey](#)
Summary: Department of Health; rulemaking process; use of rainwater; report. Requests the Department of Health to evaluate and allow for stakeholder input on additional issues related to use of rainwater as part of the rulemaking process pursuant to a 2018 Act of Assembly, including (i) the conditions under which rainwater may appropriately be used and for what purposes; (ii) standards for the use of rainwater for human consumption; (iii) standards for rainwater harvesting systems, including systems that collect rainwater for human consumption and systems that collect rainwater for use by commercial enterprises but not human consumption; (iv) a requirement that buildings that draw water from both rainwater harvesting systems and public water supplies maintain appropriate cross-connection safeguards; and (v) training and certification requirements for installers of rainwater harvesting systems, including installers of rainwater harvesting systems installed in buildings that draw water from both rainwater harvesting systems and public water supplies. The Department is also requested to provide an update on the status of the rulemaking process to the General Assembly by November 1, 2019.
32. **VA - SB1013** Driver's license; suspension for nonpayment of fines or costs.
Primary Sponsor: [Senator William M. Stanley, Jr.](#)
Summary: Suspension of driver's license for nonpayment of fines or costs. Repeals the requirement that the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs be suspended. The bill also removes a provision allowing the court to require a defendant to present a summary prepared by the Department of Motor Vehicles of the other courts in which the defendant also owes fines and costs. The bill requires the Commissioner of the Department of Motor Vehicles to return or reinstate any person's driver's license that was suspended prior to July 1, 2019, solely for nonpayment of fines or costs, provided that such person has paid the applicable reinstatement fee.
33. **VA - SB1018** Voters; review of assignments in districts throughout the Commonwealth.
Primary Sponsor: [Senator Amanda F. Chase](#)
Cosponsor: [Delegate Kaye Kory](#)
Summary: Review of voter assignments in districts throughout the Commonwealth. Directs each county, city, and town to review the assignment of voters within its jurisdiction to ensure that voters are assigned to the correct districts. The electoral board and general registrar of each county, city, or town shall conduct this review by comparing the information in the voter registration system with the boundaries of the districts and precincts set out in a Geographic Information System (GIS) map of the locality and shall make corrections to incorrect assignments as necessary, assisted by the State Board of Elections upon request. The bill requires this review to be completed not later than the 2019 November general election. After

the conclusion of its review and after making any necessary corrections, each locality is required to submit to the State Board a report of the results of its review and any corrections to voter assignments that were made. The bill requires the State Board of Elections to report the statewide results to the General Assembly on or before the first day of the 2020 Session.

34. **VA - SB1058** Companion animals; care, local ordinances.

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

Cosponsor: [Delegate Kaye Kory](#)

Summary: Companion animals; care; local ordinances. Authorizes any locality to adopt an ordinance that parallels and makes more stringent the state law regarding the care of companion animals.

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

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

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

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

36. **VA - SB1248** Stormwater Management Fund, local; locality by ordinance authorized to create.

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

Cosponsors: [Delegate Mark L. Cole](#), [Delegate Robert M. "Bob" Thomas, Jr.](#)

Summary: Local Stormwater Management Fund. Authorizes a locality by ordinance to create a local Stormwater Management Fund consisting of appropriated local moneys for the purpose of granting funds to an owner of private property or a common interest community for stormwater management and erosion prevention.

37. **VA - SB1305** Recycling and waste disposal; unpaid fees, lien.

Primary Sponsor: [Senator John S. Edwards](#)

Summary: Recycling and waste disposal; unpaid fees; lien. Authorizes a locality to recover unpaid charges, including interest for recycling and waste disposal services. The bill provides that such action shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes, and authorizes localities to combine billings for recycling and waste disposal charges with billings for water or sewer charges, stormwater charges, real property tax assessments, or other billings, in an order established by the locality.

38. **VA - SB1321** Licensed family day homes; storage of firearms.
Primary Sponsor: [Senator Emmett W. Hanger, Jr.](#)
Summary: Licensed family day homes; storage of firearms. Requires that firearms and ammunition in a licensed family day home be stored in a locked closet, cabinet, or container during the family day home's hours of operation unless they are being lawfully carried on an individual's person. The bill requires that the key or combination to such locked storage places be maintained out of the reach of all children in the family day home.
39. **VA - SB1323** Capital outlay plan; updates six-year plan for projects.
Primary Sponsor: [Senator Emmett W. Hanger, Jr.](#)
Summary: Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.
40. **VA - SB1340** Land preservation tax credits; threshold for conservation value review by DCR, lowers the threshold.
Primary Sponsor: [Senator Richard H. Stuart](#)
Cosponsor: [Senator Emmett W. Hanger, Jr.](#)
Summary: Land preservation tax credits; threshold for conservation value review by Department of Conservation and Recreation. Lowers the threshold from \$1 million to \$500,000 for (i) conservation value review of land preservation tax credit applications by the Department of Conservation and Recreation and (ii) requiring a copy of the tax credit application to be filed with the Department of Conservation and Recreation.
41. **VA - SB1341** Handheld personal communications devices, use while driving.
Primary Sponsor: [Senator Richard H. Stuart](#)
Cosponsors: [Senator Frank W. Wagner](#), [Senator Scott A. Surovell](#)
Summary: Use of handheld personal communications devices while driving. Expands the prohibition on using a handheld personal communications device while operating a motor vehicle to all uses unless the device is specifically designed to allow hands-free and voice operation and the device is being used in that manner. Current law prohibits only the reading of any email or text message and manually entering letters or text in the device as a means of communicating. The bill expands the exemptions to include handheld personal communications devices that are used (i) for navigation or generating audio transmissions when the device is physically mounted to the vehicle; (ii) as an amateur radio or a citizens band radio; (iii) to activate, deactivate, or initiate a factory-installed feature or function on the vehicle; or (iv) for official Department of Transportation or traffic incident management services.
42. **VA - SB1398** Site plan approval; decommissioning certified solar energy equipment, facilities, or devices.

Primary Sponsor: [Senator William M. Stanley, Jr.](#)

Summary: Site plan approval; decommissioning certified solar energy equipment, facilities, or devices. Authorizes a locality, as a condition of approval of a site plan, to require an owner or developer of real property to enter into a written agreement to decommission certified solar energy equipment, facilities, or devices upon certain terms and conditions, including right of entry by the locality and financial assurance. The bill exempts a public utility from such requirements.

43. [VA - SB1400](#) C-PACE loans; stormwater management, residential dwellings and condominiums.

Primary Sponsor: [Senator J. Chapman Petersen](#)

Summary: C-PACE loans; stormwater management; residential dwellings and condominiums. Authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of stormwater management improvements with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. The bill removes an exclusion for residential dwellings with fewer than five dwelling units and condominium projects from certain requirements related to a voluntary special assessment lien that secures such a loan.

44. [VA - SB1438](#) Va. Residential Landlord & Tenant Act; hearing on summons for unlawful detainer.

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

Summary: Virginia Residential Landlord and Tenant Act. Provides that when a landlord as plaintiff requests that an initial hearing on a summons for unlawful detainer be set on a date later than 21 days from the filing of such summons, the initial hearing shall not be set on a date later than 30 days after the date of the filing. The bill further provides that an order of possession for the premises in an unlawful detainer action shall not be entered unless the landlord or the landlord's attorney or agent has presented a copy of a proper termination notice that the court admits into evidence. The bill allows a landlord to amend the amount alleged to be due and owing in an unlawful detainer action to request all amounts due and owing as of the date of a hearing on the action and to further amend such an amount to include additional amounts that become due and owing prior to the final disposition of a pending unlawful detainer action. The bill prohibits a landlord from filing a subsequent and additional unlawful detainer summons for such additional amounts. The bill also (i) requires a landlord to offer the tenant a written rental agreement and sets forth terms and conditions that will be applicable by operation of law if the landlord does not offer a written rental agreement; (ii) provides that a tenant is entitled to reasonable attorney fees when an action brought by a landlord to enforce the terms of a rental agreement is dismissed at the request of the tenant or tenant's attorney or judgment is entered in favor of the tenant; (iii) extends the "pay or quit" provision from five days to 14 days; (iv) prohibits a landlord from terminating a rental agreement solely because a

tenant owes fees due to late payment of rent, provided that such tenant is current on all rental payments; and (iv) extends the amount of time that a tenant may have an unlawful detainer dismissed to two days before a writ of eviction is delivered to be executed if the tenant pays all amounts claimed on the summons for unlawful detainer to the landlord, the landlord's attorney, or the court.

45. [**VA - SB1447**](#) Voter identification; repeal of photo identification requirements.

Primary Sponsor: [Senator Mamie E. Locke](#)

Summary: Voter identification; repeal of photo identification requirements. Removes the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. The bill adds language regarding requirements for certain voters pursuant to the federal Help America Vote Act of 2002.

46. [**VA - SB1456**](#) Distributed renewable energy; promotes establishment of solar and other renewable energy.

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

Cosponsor: [Senator John S. Edwards](#)

Summary: Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multi-family residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to two megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to

include provisions supporting distributed generation of renewable energy.

47. **VA - SB1468** Northern Virginia Transportation Authority; analysis of projects.

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

Cosponsor: [Delegate Dave A. LaRock](#)

Summary: Northern Virginia Transportation Authority; analysis of projects. Shifts responsibility from the Department of Transportation to the Northern Virginia Transportation Authority for the evaluation and rating of significant transportation projects in and near Planning District 8. The bill also adds administrative and operating expenses to those expenses that can be paid by the Northern Virginia Transportation Authority Fund. Current law provides that administrative expenses be allocated to the component counties and cities of the Authority.

48. **VA - SB1550** Bicyclists and other vulnerable road users; person who operates a motor vehicle in a careless manner

Primary Sponsor: [Senator Scott A. Surovell](#)

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

Summary: Bicyclists and other vulnerable road users. Provides that a person who operates a motor vehicle in a careless or distracted manner and is the proximate cause of serious physical injury to a vulnerable road user, defined in the bill as a pedestrian or person riding a bicycle, electric wheelchair, electric bicycle, wheelchair, skateboard, skates, foot-scooter, animal, or animal-drawn vehicle, is guilty of a traffic infraction. The bill prohibits the driver of a motor vehicle from using or crossing into a bicycle lane to pass or attempt to pass another vehicle.

49. **VA - SB1598** Corrections, Board of; minimum standards for health care services in local correctional facilities.

Primary Sponsor: [Senator Siobhan S. Dunnavant](#)

Summary: Board of Corrections; minimum standards for health care services in local correctional facilities. Authorizes the Board of Corrections (Board) to establish minimum standards for health care services in local, regional, and community correctional facilities and procedures for enforcing such minimum standards, with the advice of and guidance from the Commissioner of Behavioral Health and Developmental Services and State Health Commissioner. The bill provides that (i) such standards shall require that each local, regional, and community correctional facility submit a standardized quarterly continuous improvement report documenting the delivery of health care services, along with any improvements made to those services, to the Board and (ii) such reports shall be available to the public on the Board's website. The bill also authorizes the Board to determine that a local, regional, or community correctional facility accredited by the American Correctional Association or National Commission on Correctional Health Care meets such minimum standards solely on the basis of such accreditation; however, without exception, the requirement to submit standardized

quarterly continuous quality improvement reports shall be a mandatory minimum standard. This bill is a recommendation of the Joint Commission on Health Care.

50. **VA - SB1606** Vapor products; creates state tax.

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

Summary: Vapor product tax; School Mental Health Counselors Fund created; Quit Now Virginia Fund created; penalties. Creates a state tax on electronic cigarettes, electronic cigars, electronic cigarillos, and similar products and devices (vapor products) and authorizes cities and towns and certain counties to impose a tax on vapor products. The state tax would be imposed at a rate of 40 percent of the wholesale price.

The bill provides that 90 percent of the tax revenue generated by the state tax would be distributed to the School Mental Health Counselors Fund, created by the bill. Such funds would be required to be used to fund the state's share of Standards of Quality Costs related to increasing the ratio of school counselors to students. The bill provides that 10 percent of the tax revenue generated by the state tax would be distributed to the Quit Now Virginia Fund, created by the bill. Such funds would be required to be used to fund the Virginia Department of Health's costs to provide phone-based and Internet-based services with the purpose of discouraging and eliminating the use of tobacco products and providing counseling and support for smoking cessation efforts.

Counties, cities, and towns that are currently authorized to tax cigarettes would be authorized to also tax vapor products at rates determined by the local governing bodies. The bill authorizes Arlington and Fairfax Counties to impose a vapor products tax, but at a rate that does not exceed the state tax on vapor products created under the bill. Under current law, Arlington and Fairfax Counties may impose a tax on cigarettes at a rate that does not exceed the state cigarette tax.

51. **VA - SB1612** Driver's license; suspension for nonpayment of fines or costs.

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

Summary: Suspension of driver's license for nonpayment of fines or costs. Repeals the requirement that the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs be suspended. The bill also removes a provision allowing the court to require a defendant to present a summary prepared by the Department of Motor Vehicles of the other courts in which the defendant also owes fines and costs. The bill requires the Commissioner of the Department of Motor Vehicles to reinstate any person's privilege to drive a motor vehicle that was suspended prior to July 1, 2019, solely for nonpayment of fines or costs.

52. **VA - SB1633** Local government revenues and expenditures; comparative report, filing date.

Primary Sponsor: [Senator Jennifer B. Boysko](#)

Summary: Comparative report of local government revenues and expenditures.

53. [**VA - SB1663**](#) Subdivision ordinance; sidewalks.

Primary Sponsor: [Senator George L. Barker](#)

Summary: Subdivision ordinance; sidewalks. Allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed.

54. [**VA - SB1672**](#) Absentee voting; no-excuse absentee.

Primary Sponsor: [Senator Mamie E. Locke](#)

Summary: Absentee voting; no-excuse absentee. Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.

55. [**VA - SB1680**](#) Mass transit providers; loss of certain operating funds.

Primary Sponsor: [Senator T. Montgomery "Monty" Mason](#)

Summary: Mass transit providers; loss of certain operating funds. Provides that any mass transit provider that incurs a loss in operating funds as a direct result of the performance-based allocation process set forth in Chapter 854 of the Acts of Assembly of 2018 shall be eligible for supplemental funds commensurate with operating funds in 2019. The total amount of supplemental funds available shall not exceed \$5 million annually.

56. [**VA - SB1737**](#) Civil relief; furloughed or otherwise not receiving wages, etc.

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

Cosponsors: [Delegate Mark L. Cole](#), [Senator David W. Marsden](#), [Delegate Joseph C. Lindsey](#), [Delegate Richard C. "Rip" Sullivan, Jr.](#), [Delegate Lamont Bagby](#), [Delegate Karrie K. Delaney](#), [Delegate Danica A. Roem](#)

Summary: Civil relief; citizens of the Commonwealth furloughed or otherwise not receiving wages or payments due to partial closure of the federal government. Provides a 30-day stay for eviction and foreclosure proceedings for tenants and homeowners who provide proof that they are (i) an employee of the United States government, (ii) an independent contractor for the United States government, or (iii) an employee of a company under contract with the United States government who was furloughed or is otherwise not receiving wages or payments as a result of the partial closure of the United States government beginning on December 22, 2018. The bill contains an emergency clause and a sunset date of September 30, 2019.

RECOMMENDED FOR COUNCIL TO OPPOSE

57. **[VA - HB1966](#)** Uniform Statewide Building Code; issuance of building permits.
Primary Sponsor: [Delegate David E. Yancey](#)
Summary: Uniform Statewide Building Code; issuance of building permits. Requires local building departments, when denying an application for the issuance of a building permit, to provide to the applicant a written explanation detailing the reasons for which the application was denied. The bill provides that the applicant may submit a revised application addressing the reasons for which the application was previously denied and that, if the applicant does so, the local building department shall limit its review of the revised application to only those portions of the application that were previously deemed inadequate and that the applicant has revised.
58. **[VA - HB2154](#)** Stormwater management; grandfathered land-disturbing activities.
Primary Sponsor: [Delegate Christopher P. Stolle](#)
Summary: Stormwater management; grandfathered land-disturbing activities. Authorizes any land-disturbing activity that is eligible to take place pursuant to technical criteria that were adopted by the State Water Control Board prior to July 1, 2014, to be governed by such criteria until July 1, 2024. Current regulations grandfather such activities until July 1, 2019.
59. **[VA - HB2263](#)** Firefighters and Emergency Medical Technicians Procedural Guarantee Act; breach of procedures.
Primary Sponsor: [Delegate Paul E. Krizek](#)
Cosponsors: [Delegate Patrick A. Hope](#), [Delegate Alfonso H. Lopez](#), [Delegate Richard C. "Rip" Sullivan, Jr.](#)
Summary: Firefighters and Emergency Medical Technicians Procedural Guarantee Act; breach of procedures. Creates a cause of action for breach of procedures under the Firefighters and Emergency Medical Technicians Procedural Guarantee Act. The bill removes certain provisions limiting the effect of rights granted by the Act.
60. **[VA - HB2270](#)** Incarcerated aliens, certain; release from jail, notice to Immigration & Customs Enforcement.
Primary Sponsor: [Delegate Charles D. Poindexter](#)
Summary: Release of certain incarcerated aliens from jail; notice to Immigration and Customs Enforcement. Requires that the sheriff, jail superintendent, or other official in charge of a local correctional facility or a regional jail in which an alien is incarcerated shall notify U.S. Immigration and Customs Enforcement of the release or discharge of the alien at least seven days prior to the date he is to be released or discharged from custody. The bill further provides that any local correctional facility or regional jail that fails to comply may be prohibited from receiving state funding for operating costs for the three fiscal years following such

noncompliance.

61. [**VA - HB2403**](#) Wetlands; impact, permit requirements for compensation.

Primary Sponsor: [Delegate M. Keith Hodges](#)

Summary: Impacts to wetlands; permit requirements for compensation. Requires the State Water Control Board to evaluate Virginia Water Protection Permits mitigation options for impacts to wetlands on a case-by-case basis with consideration for which option is most practicable and ecologically and environmentally preferable, including, in terms of replacement of acreage and functions, the greatest likelihood of success and reduction of temporal loss of acreage and function. Preference shall be given first to mitigation bank credits, then to permittee-responsible mitigation under a watershed approach conducted before or concurrently with project impacts, over in-lieu fee program credits that have not met success criteria.

62. [**VA - HB2465**](#) Photo-monitoring systems; requirements for localities.

Primary Sponsor: [Delegate Christopher E. Collins](#)

Summary: Photo-monitoring systems; requirements for localities. The bill requires that engineering safety analyses and monthly evaluations conducted by a locality related to traffic light signal photo-monitoring systems, commonly known as red-light cameras, be posted on such locality's website, if available. The bill requires the reporting of certain traffic incident and financial data. The bill requires localities to establish a 15-day probationary period during which only advisory letters are issued for recorded traffic light signal violations when such a system is implemented or expanded. The bill has a delayed effective date for localities with existing traffic light signal photo-monitoring systems.

63. [**VA - HB2475**](#) Virginia Public Procurement Act; use of competitive negotiation for construction, etc.

Primary Sponsor: [Delegate Luke E. Torian](#)

Summary: Virginia Public Procurement Act; use of competitive negotiation for construction; exemption from certain requirements related contracting for public works. Requires that competitive negotiation be used for construction projects where the project cost is expected to be more than \$500,000. Under current law, construction may be procured only by competitive sealed bidding, except (i) when procured by a public body on a fixed price design-build basis or construction management basis as permitted by law or (ii) when procured by a public body for the construction of highways and any draining, dredging, excavation, grading, or similar work upon real property under certain circumstances. The bill also exempts contracts for the construction of public works where the project cost is expected to be more than \$500,000 from certain provisions relating to state agency agreements with labor organizations.

64. [VA - HB2506](#) Chesapeake Bay Preservation Areas; filling low-lying areas.Primary Sponsor: [Delegate M. Keith Hodges](#)

Summary: Chesapeake Bay Preservation Areas; filling low-lying areas. Directs the State Water Control Board to adopt regulations allowing the owner of residential property in a Chesapeake Bay Preservation Area to deposit appropriate fill material in certain low-lying areas within 50 landward feet of a resource protection area (RPA) located on the property. The bill establishes certain provisions that the regulations shall contain and provides that no filling that is carried out in compliance with such regulations shall (i) be considered a land-disturbing activity for purposes of stormwater management and erosion and sediment control, (ii) require a Virginia Water Protection Permit, or (iii) require a permit from the Virginia Marine Resources Commission. The bill also authorizes certain localities to adopt ordinances establishing a local permit process for projects that disturb less than one acre, and it requires projects that disturb one acre or more of land to follow general permit requirements established in statute.

65. [VA - HB2527](#) Tolling; prohibited in Northern Virginia.Primary Sponsor: [Delegate Timothy D. Hugo](#)

Summary: Tolling; Planning District 8. Prohibits the imposition and collection of tolls on any primary, secondary, or urban highway in Planning District 8 not tolled as of January 1, 2019, without prior approval by the General Assembly.

66. [VA - HB2549](#) Cluster zoning; density calculation.Primary Sponsor: [Delegate S. Chris Jones \(R\)](#)

Summary: Cluster zoning; density calculation. Prohibits localities from including areas designated as Resource Protection Areas, pursuant to criteria developed by the State Water Control Board, in a clustering zoning density calculation and provides that nothing in the statute shall require a locality to allow a greater overall density for a clustered development than would be required on a non-clustered development.

67. [VA - HB2573](#) Utility easements; pole attachments.Primary Sponsor: [Delegate Dave A. LaRock](#)

Summary: Utility easements; pole attachments. Declares that a public service company that has acquired a prescriptive easement that is used to provide electrical service is deemed to have the right to grant to a provider of broadband or other telecommunications services the right to attach its wires and appurtenant facilities to the public service company's poles, subject to the conditions that the public service company not charge pole attachment fees for five years and that the public utility and telecommunications service provider equally share the costs of making the poles ready.

68. [VA - HB2736](#) Local employee grievance procedure; qualifying grievances by local government employees.

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

Summary: Local employee grievance procedure. Provides that qualifying grievances by local government employees shall advance to a final step as agreed upon by the aggrieved and the local government; however, if an agreement cannot be reached on whether to use a panel hearing or hearing officer, a three-person panel shall be used. The bill contains technical amendments.

69. [VA - SB1431](#) Virginia Freedom of Information Act; training requirement for local elected officials.

Primary Sponsor: [Senator Mark D. Obenshain](#)

Summary: Virginia Freedom of Information Act; training requirements; proceedings for enforcement. Requires the Virginia Freedom of Information Advisory Council to provide, and local elected officials to complete, training on the provisions of the Virginia Freedom of Information Act. The bill requires local elected officials to complete such training at least once every two years while they are in office. The bill also eliminates the three-day notice requirement for a hearing on a petition for mandamus or injunction alleging a violation of the Act. The bill contains technical amendments.

70. [VA - SB1783](#) Local employee grievance procedure; qualifying grievances by local government employees.

Primary Sponsor: [Senator Jennifer B. Boysko](#)

Summary: Local employee grievance procedure. Provides that qualifying grievances by local government employees shall advance to a final step as agreed upon by the aggrieved and the local government; however, if an agreement cannot be reached on whether to use a panel hearing or hearing officer, a three-person panel shall be used. The bill contains technical amendments.

CONTINUE TO WATCH

71. **VA - HB1738** School buildings; plans to be reviewed by a professional trained & experienced in crime prevention.
Primary Sponsor: [Delegate Nick Rush](#)
Cosponsors: [Delegate M. Kirkland Cox](#), [Delegate Terry G. Kilgore](#), [Delegate R. Steven Landes](#), [Delegate Kathy J. Byron](#), [Delegate Robert D. Orrock, Sr.](#), [Delegate Daniel W. Marshall, III](#), [Delegate Thomas C. Wright, Jr.](#), [Delegate Timothy D. Hugo](#), [Delegate Christopher K. Peace](#), [Delegate Roxann L. Robinson](#), [Delegate Tony O. Wilt](#), [Delegate Christopher T. Head](#), [Delegate Margaret B. Ransone](#), [Delegate David E. Yancey](#), [Delegate Robert S. Bloxom, Jr.](#), [Delegate Hyland F. "Buddy" Fowler, Jr.](#), [Delegate Dave A. LaRock](#), [Delegate James A. "Jay" Leftwich](#), [Delegate Robert M. "Bob" Thomas, Jr.](#)
Summary: School buildings; plans to be reviewed by a professional trained and experienced in crime prevention through environmental design. Requires the licensed architect or professional engineer who provides the required statement to accompany the school superintendent's approval on all plans and specifications for new or remodeled public school building construction to be trained and experienced in crime prevention through environmental design.
72. **VA - HB1851** Virginia income tax; advances conformity of the Commonwealth's tax code with the federal tax code.
Primary Sponsor: [Delegate Christopher K. Peace](#)
Summary: Virginia income tax; emergency. Advances conformity of the Commonwealth's tax code with the federal tax code to December 31, 2018, starting with taxable year 2018. The bill increases, starting with taxable year 2019, the amount of the standard deduction (i) from \$3,000 to \$6,000 for an individual or for married persons filing separately and (ii) from \$6,000 to \$12,000 for married persons filing jointly. Starting in 2020, the bill adjusts Virginia's standard deduction by the percentage increase in the Chained Consumer Price Index for All Urban Consumers (C-CPI-U) for the previous taxable year. In taxable year 2026, the standard deduction would return to \$3,000 for an individual or a married person filing jointly and \$6,000 for married persons filing jointly, coincident with the expiration of the individual income tax provisions of the federal Tax Cuts and Jobs Act (TCJA). Beginning in taxable year 2020, the individual tax brackets and the personal deductions will also be adjusted by the percentage increase of the C-CPI-U for the previous taxable year.
73. **VA - HB1994** Child care providers; fingerprint background checks.
Primary Sponsor: [Delegate Marcia S. "Cia" Price](#)
Cosponsors: [Delegate Vivian E. Watts](#), [Delegate Jeion A. Ward](#), [Senator Rosalyn R. Dance](#), [Delegate Betsy B. Carr](#), [Delegate Patrick A. Hope](#), [Delegate Kaye Kory](#), [Delegate Joseph C. Lindsey](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Mark H. Levine](#), [Delegate Hala S. Ayala](#), [Delegate Karrie K. Delaney](#), [Delegate Debra H. Rodman](#), [Delegate Cheryl B. Turpin](#)

Summary: Child care providers; fingerprint background checks. Allows local law-enforcement agencies to process and submit requests for national fingerprint background checks required for (i) applicants for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system; (ii) agents of an applicant for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system at the time of application who is or will be involved in the day-to-day operations of the child day center, family day home, or family day system, or who is or will be alone with, in control of, or supervising one or more of the children; (iii) adults living in such child day center or family day home; and (iv) employees and volunteers of any child day center, family day home, or family day system licensed in accordance with the provisions of this chapter, child day center exempt from licensure, registered family day home, family day home approved by a family day system, or child day center, family day home, or child day program that enters into a contract with the Department or a local department to provide child care services funded by the Child Care and Development Block Grant.

74. [VA - HB1999](#) Emergency Management, Department of; responsibilities of political subdivisions.

Primary Sponsor: [Delegate Marcia S. "Cia" Price](#)

Cosponsors: [Delegate Mark D. Sickles](#), [Delegate Patrick A. Hope](#), [Delegate Kaye Kory](#), [Delegate Alfonso H. Lopez](#), [Delegate Joseph C. Lindsey](#), [Delegate Marcus B. Simon \(D\)](#), [Delegate Paul E. Krizek](#), [Delegate Mark H. Levine](#), [Delegate Dawn M. Adams](#), [Delegate Hala S. Ayala](#), [Delegate Karrie K. Delaney](#), [Delegate Debra H. Rodman](#)

Summary: Department of Emergency Management; responsibilities of political subdivisions; provision of emergency preparedness information to individuals with limited English proficiency, disabilities, or other special needs. Directs the Department of Emergency Management (the Department) to ensure that training programs and programs of public information and education regarding emergency services and disaster preparedness activities established and operated by state agencies be designed to include and reach individuals with limited English proficiency, disabilities, or other special needs. The bill also directs the Department to develop an emergency response plan to (i) address the needs of individuals with limited English proficiency, disabilities, or other special needs in the event of a disaster, including the provisions of competent interpretation services and translated documents, and (ii) assist and coordinate with local agencies in developing a similar emergency response plan for individuals with limited English proficiency, disabilities, or other special needs. The bill requires that every local and interjurisdictional emergency management agency include in its emergency operations plan provisions to ensure that adequate and timely emergency relief assistance, including competent interpretation services and translated documents, is provided to individuals with limited English proficiency, disabilities, or other special needs. The bill requires that the governing body of each locality that is required to establish an alert and

warning plan for the dissemination of adequate and timely warning to the public in the event of an emergency or threatened disaster ensure that such alert and warning plan provides adequate and timely warning to individuals with limited English proficiency, disabilities, or other special needs.

75. **VA - HB2007** Eviction; writs of possession and eviction.

Primary Sponsor: [Delegate Lashrecse D. Aird](#)

Summary: Eviction; writs of possession and eviction. Changes the terminology from writ of possession to writ of eviction for the writ executed by a sheriff to recover real property pursuant to an order of possession. The bill specifies that an order of possession remains effective for 180 days after being granted by the court and clarifies that any writ of eviction not executed within 30 days of its issuance shall be vacated as a matter of law. This bill is a recommendation of the Virginia Housing Commission.

76. **VA - HB2103** Stormwater management plans; erosion and sediment control plans, portion of project.

Primary Sponsor: [Delegate Nicholas J. Freitas](#)

Summary: Stormwater management plans; erosion and sediment control plans; portion of project. Directs the State Water Control Board to establish a procedure that allows an operator to submit stormwater management plans that are sufficient for a particular proposed land-disturbing activity without requiring such plans to cover any subsequent land-disturbing activity anticipated at the same location or an adjacent location. The bill also amends a provision of the law that is not yet effective, directing the establishment of the same procedure as it applies not only to stormwater management plans but also to erosion and sediment control plans.

77. **VA - HB2280** Child day programs; exemptions from licensure.

Primary Sponsor: [Delegate Christopher T. Head](#)

Summary: Child day programs; exemptions from licensure. Adds to the list of programs that are not considered child day programs and are not subject to licensure (i) programs of recreational activities offered by a local government, staffed by local government employees, and attended by school-age children and (ii) programs offered by a local school division, operated for no more than four hours per day, staffed by local school division employees, and attended by children who are at least four years of age and are enrolled in public school or a preschool program within such school division. Under law that takes effect July 1, 2019, such programs are considered child day programs that are exempt from licensure and subject to certain health and safety requirements administered by the Department of Social Services. Under the provisions of the bill, however, such child day programs shall remain subject to safety and supervisory standards established by the local government or school division offering the program.

78. [**VA - HB2281**](#) Workers' compensation; occupation disease presumptions, PTSD.
Primary Sponsor: [Delegate Eileen Filler-Corn](#)
Summary: Workers' compensation; occupation disease presumptions; PTSD. Establishes a presumption that if certain firefighters, law-enforcement officers, hazardous materials officers, animal protection police officers, or 9-1-1 emergency call takers, dispatchers, or similarly situated employees (i) receive a diagnosis of post-traumatic stress disorder (PTSD) from a licensed physician, licensed clinical psychologist, licensed professional counselor, or licensed clinical social worker; (ii) suffer death or any impairment resulting in total or partial disability from work caused by the PTSD; and (iii) receive a statement from such a provider that the PTSD was caused by a single critical event or multiple exposures to critical events that occurred in the course of the employment, then the PTSD is an occupational disease, suffered in the line of duty, that is covered by the Virginia Workers' Compensation Act unless such presumption is overcome by a preponderance of competent evidence to the contrary. The measure provides that a "critical event" includes an event that results in serious injury or death to an individual; deals with a minor who has been injured, killed, abused, exploited, or a victim of a crime; deals with mass casualties; results in injury to or the death of a coworker; involves an immediate threat to the life of the claimant or another individual; or involves the abuse, cruelty, injury, exploitation, or death of an animal.
79. [**VA - HB2424**](#) Law-enforcement agencies, local; body-worn camera systems.
Primary Sponsor: [Delegate Mark H. Levine](#)
Cosponsors: [Delegate Kaye Kory](#), [Delegate Jerrauld C. "Jay" Jones](#)
Summary: Local law-enforcement agencies; body-worn camera systems. Requires localities to adopt and establish a written policy for the operation of a body-worn camera system, as defined in the bill, that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and the storage and maintenance of body-worn camera system records.
80. [**VA - HB2435**](#) Virginia Public Procurement Act; local labor use requirement for certain construction contracts.
Primary Sponsor: [Delegate Luke E. Torian](#)
Summary: Virginia Public Procurement Act; local labor use requirement for certain construction contracts. Requires under the Virginia Public Procurement Act (2.2-4300 et seq.) that every public body, when engaged in procuring contracts for construction with a projected cost in excess of \$500,000 paid for in whole by state or local funds, include in its specifications a requirement that at least 60 percent of the employees employed by contractors and subcontractors for the construction project be from the local labor market. The bill defines "local labor market" to mean every locality in Virginia and any county outside of Virginia if any portion of that county is within 75 miles of the Virginia border. The bill also provides that any

contractor or subcontractor that cannot meet this requirement and has taken certain necessary steps may obtain a waiver of the requirement from the Virginia Employment Commission. The bill applies to contracts for construction entered into, renewed, or amended by a public body under the Virginia Public Procurement Act on or after July 1, 2019.

81. [**VA - HB2436**](#) **Community Policing Act; data collection and reporting requirement.**

Primary Sponsor: [Delegate Luke E. Torian](#)

Summary: Community Policing Act; data collection and reporting requirement. Prohibits law-enforcement officers and State Police officers from engaging in bias-based profiling, defined in the bill, in the performance of their official duties. The bill requires sheriffs, police forces, and State Police officers to collect certain data pertaining to motor vehicle or investigatory stops to be reported into the Community Policing Reporting Database. The bill requires the Department of State Police to develop and implement such database to collect and analyze motor vehicle and investigatory stops and records of complaints alleging the use of excessive force. The data shall be analyzed to determine the existence and prevalence of the practice of bias-based profiling and the prevalence of complaints alleging the use of excessive force. The bill requires that, each time a law-enforcement officer or State Police officer stops a driver of a motor vehicle, the officer collect the following data: (i) the race, ethnicity, age, and gender of the person stopped; (ii) the reason for the stop; (iii) the location of the stop; (iv) whether a warning, written citation, or summons was issued or whether any persons were arrested; (v) if a warning, written citation, or summons was issued or an arrest was made, the warning provided, violation charged, or crime charged; and (vi) whether the vehicle or any person was searched. Each state and local law-enforcement agency shall also collect the number of complaints the agency receives alleging the use of excessive force. The Superintendent shall annually report the findings and recommendations resulting from the collection, analysis, and interpretation of the data from the Community Policing Reporting Database to the Governor, the General Assembly, and the Attorney General beginning July 1, 2020. The report shall include information regarding any state or local law-enforcement agency that has failed or refused to report the required data to the Department of State Police. A copy of the report shall be provided to each attorney for the Commonwealth of the county or city in which a reporting law-enforcement agency is located.

82. [**VA - HB2513**](#) **Workers' compensation; occupation disease presumptions, PTSD.**

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

Summary: Workers' compensation; occupation disease presumptions; PTSD. Establishes a presumption that if certain firefighters, law-enforcement officers, hazardous materials officers, animal protection police officers, or 9-1-1 emergency call takers, dispatchers, or similarly situated employees (i) receive a diagnosis of post-traumatic stress disorder (PTSD) from a licensed physician, licensed clinical psychologist, licensed professional counselor, or licensed clinical social worker; (ii) suffer death or any impairment resulting in total or partial disability

from work caused by the PTSD; and (iii) receive a statement from such a provider that the PTSD was caused by a single critical event or multiple exposures to critical events that occurred in the course of the employment, then the PTSD is an occupational disease, suffered in the line of duty, that is covered by the Virginia Workers' Compensation Act unless such presumption is overcome by a preponderance of competent evidence to the contrary. The measure provides that a "critical event" includes an event that results in serious injury or death to an individual; deals with a minor who has been injured, killed, abused, exploited, or a victim of a crime; deals with mass casualties; results in injury to or the death of a coworker; involves an immediate threat to the life of the claimant or another individual; or involves the abuse, cruelty, injury, exploitation, or death of an animal.

83. [**VA - HB2683**](#) Polling places; extending hours.

Primary Sponsor: [Delegate Cheryl B. Turpin](#)

Summary: Polling places; extending hours. Extends from 7:00 p.m. to 8:00 p.m. the time at which the polls close on election day. The bill aligns deadlines related to candidate filings and political party nominations with the closing of polls. The bill contains technical amendments.

84. [**VA - HB2705**](#) Historic rehabilitation; limit on tax credit that may be claimed.

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

Summary: Historic rehabilitation tax credit. Provides that the \$5 million per year limit on the amount of historic rehabilitation tax credit that may be claimed by each taxpayer, which currently expires on January 1, 2019, shall apply to all future taxable years.

85. [**VA - HB2709**](#) Elections; any registered voter allowed to vote early without providing reason, etc.

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

Summary: Elections; early voting. Allows any registered voter to vote early in any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill requires that early voting be available beginning the twenty-first day prior to any general election, the seventh day prior to any special election held on a date other than the date of a general election, and the seventh day prior to any primary election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill further requires early voting to be available during regular business hours each weekday during the applicable period, from 8:00 a.m. to 5:00 p.m. on each Saturday during the applicable period, and from 12:00 p.m. to 4:00 p.m. on each Sunday during the applicable period. The bill removes the current provisions for voting absentee in person but retains those provisions for voting an absentee ballot by mail, including the application requirement and the list of statutory reasons that allow a registered voter to vote absentee by mail. The provisions of the bill are applicable to elections beginning with the November general election in 2020; the bill requires

the State Board of Elections to report on or before December 1, 2019, on the instructions and procedures promulgated by the State Board of Elections for conducting early voting.

86. [**VA - HB2716**](#) Elections and voter registration; early voting, same day voter registration.

Primary Sponsor: [Delegate Lamont Bagby](#)

Summary: Elections and voter registration; early voting; same day voter registration. Provides for early voting beginning the twenty-first day prior to any general election, the seventh day prior to any special election held on a date other than the date of a general election, and the seventh day prior to any primary election and ending at 5:00 p.m. on the Saturday immediately preceding the election, during which any registered voter may vote without providing a reason or making a prior application for an absentee ballot. During the early voting period, any person who is qualified to register to vote shall be permitted to register to vote and cast a ballot in person in the office of the general registrar or at another location in the county or city approved by the electoral board. The bill also permits such persons to do so on the day of the election. The bill removes the current provisions for voting absentee in person but retains those provisions for voting an absentee ballot by mail, including the application requirement and the list of statutory reasons that allow a registered voter to vote absentee by mail.

87. [**VA - HJ678**](#) Constitutional amendment; qualifications of voters, 16-year-olds permitted to vote.

Primary Sponsor: [Delegate Sam Rasoul](#)

Summary: Constitutional amendment (first resolution); qualifications of voters; 16-year-olds permitted to vote. Provides that, notwithstanding the requirement that a voter shall be 18 years of age, any person who is 16 years of age or older and is otherwise qualified to vote shall be permitted to register to vote and to vote in local elections.

88. [**VA - SB1015**](#) Education Improvement Scholarships tax credits; pre-kindergarten eligibility.

Primary Sponsor: [Senator William M. Stanley, Jr.](#)

Cosponsor: [Delegate R. Steven Landes](#)

Summary: Education Improvement Scholarships tax credits; pre-kindergarten eligibility.

Expands the Education Improvement Scholarships tax credits program by including, as eligible scholarship recipients, children enrolled in or attending nonpublic pre-kindergarten programs. The maximum annual scholarship that a child admitted to, enrolled in, or attending a nonpublic pre-kindergarten program will receive is the lesser of the child's actual educational expenses or the state's share of the grant per child under the Virginia Preschool Initiative for the locality in which the child resides.

Under current law, tax credits are awarded to individuals and businesses making donations to nonprofit scholarship foundations using the donated funds to award scholarships to certain students in grades K-12 attending nonpublic schools. Eligible scholarship recipients are students in grades K-12 with a finalized individualized education program (IEP) in place or whose annual household income is not in excess of 300 percent of the federal poverty

guidelines.

The bill defines an eligible pre-kindergarten child and a nonpublic pre-kindergarten program and includes several other curriculum and administrative requirements that must be met by a nonpublic pre-kindergarten program in order for children attending the program to be eligible to receive scholarships under the tax credit program. Under the bill, the Virginia Council for Private Education or the Virginia Early Childhood Foundation will certify nonpublic pre-kindergarten programs meeting such curriculum and administrative requirements.

The bill also reduces the penalty for failure to fully disburse all donations received from 200 percent of the difference between 90 percent of the value of the donations it received and the amount disbursed to 100 percent of the difference.

89. **VA - SB1328** Stormwater Local Assistance Fund; grants to non-MS4 localities.

Primary Sponsor: [Senator Emmett W. Hanger, Jr.](#)

Summary: Stormwater Local Assistance Fund; grants to non-MS4 localities. Authorizes the Department of Environmental Quality (the Department), with the approval of the Secretary of Natural Resources, to designate a portion of the moneys in the Stormwater Local Assistance Fund to provide matching grants to local governments that are not regulated under municipal separate storm sewer (MS4) permits for the planning, design, and implementation of stormwater best management practices. The bill directs the Department to prioritize grants for projects that are regional in scope. The bill directs the Department to seek stakeholder input and public comment in developing eligibility criteria and to submit such criteria by January 1, 2020, for consideration by the State Water Control Board.

90. **VA - SB1373** Conditional rezoning proffers; extensive changes to conditional zoning provisions.

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

Cosponsors: [Senator Richard H. Black](#), [Senator David W. Marsden](#)

Summary: Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include the addition of provisions stating that no local governing body shall require any unreasonable proffer. Under current law, no locality may request or accept any unreasonable proffer. Other changes (i) allow an applicant to submit any proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers, (ii) rewrite provisions related to certain revitalization areas and floor area density standards that are excluded from the statute's requirements, and (iii) state that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities. The provisions of the bill are effective as to any application for a rezoning or proffer condition amendment filed on or after July 1, 2019, or to certain other pending applications. The bill also provides that an applicant with a pending application for a rezoning

or proffer condition amendment that was filed prior to July 1, 2016, may elect to proceed under the law as it existed prior to that date, and an applicant with a pending rezoning or proffer condition amendment application filed after July 1, 2016, but before July 1, 2019, may elect to proceed under the law as it existed during that period.

91. **VA - SB1407** Child care providers; fingerprint background checks.

Primary Sponsor: [Senator T. Montgomery "Monty" Mason](#)

Summary: Child care providers; fingerprint background checks. Allows local law-enforcement agencies to process and submit requests for national fingerprint background checks required for (i) applicants for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system; (ii) agents of an applicant for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system at the time of application who is or will be involved in the day-to-day operations of the child day center, family day home, or family day system, or who is or will be alone with, in control of, or supervising one or more of the children; (iii) adults living in such child day center or family day home; and (iv) employees and volunteers of any child day center, family day home, or family day system licensed in accordance with the provisions of this chapter, child day center exempt from licensure, registered family day home, family day home approved by a family day system, or child day center, family day home, or child day program that enters into a contract with the Department or a local department to provide child care services funded by the Child Care and Development Block Grant.

92. **VA - SB1448** Eviction; writs of possession and eviction.

Primary Sponsor: [Senator Mamie E. Locke](#)

Summary: Eviction; writs of possession and eviction. Changes the terminology from writ of possession to writ of eviction for the writ executed by a sheriff to recover real property pursuant to an order of possession. The bill specifies that an order of possession remains effective for 180 days after being granted by the court and clarifies that any writ of eviction not executed within 30 days of its issuance shall be vacated as a matter of law. This bill is a recommendation of the Virginia Housing Commission.

93. **VA - SB1465** Workers' compensation; occupation disease presumptions, PTSD.

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

Cosponsor: [Senator Richard L. Saslaw](#)

Summary: Workers' compensation; occupation disease presumptions; PTSD. Establishes a presumption that if certain firefighters, law-enforcement officers, hazardous materials officers, animal protection police officers, or 9-1-1 emergency call takers, dispatchers, or similarly situated employees (i) receive a diagnosis of post-traumatic stress disorder (PTSD) from a licensed physician, licensed clinical psychologist, licensed professional counselor, or licensed

clinical social worker; (ii) suffer death or any impairment resulting in total or partial disability from work caused by the PTSD; and (iii) receive a statement from such a provider that the PTSD was caused by a single critical event or multiple exposures to critical events that occurred in the course of the employment, then the PTSD is an occupational disease, suffered in the line of duty, that is covered by the Virginia Workers' Compensation Act unless such presumption is overcome by a preponderance of competent evidence to the contrary. The measure provides that a "critical event" includes an event that results in serious injury or death to an individual; deals with a minor who has been injured, killed, abused, exploited, or a victim of a crime; deals with mass casualties; results in injury to or the death of a coworker; involves an immediate threat to the life of the claimant or another individual; or involves the abuse, cruelty, injury, exploitation, or death of an animal.

94. **VA - SB1528** Workers' compensation; presumption of compensability for certain diseases.

Primary Sponsor: [Senator Jill Holtzman Vogel](#)

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

95. **VA - SB1554** Virginia Freedom of Information Act (FOIA); violations and civil penalties.

Primary Sponsor: [Senator Scott A. Surovell](#)

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

96. **VA - SB1588** Real property taxes; partial exemption for flood mitigation efforts.

Primary Sponsor: [Senator Lynwood W. Lewis, Jr.](#)

Summary: Partial exemption from real property taxes for flood mitigation efforts. Codifies an amendment to Article X, Section 6 of the Constitution of Virginia that was adopted by the voters on November 6, 2018, which enables a locality to provide by ordinance a partial exemption from real property taxes for flooding abatement, mitigation, or resiliency efforts for improved real estate that is subject to recurrent flooding. The bill provides that exemptions may only be granted for qualifying flood improvements. Qualifying flood improvements are defined in the bill as improvements that do not increase the size of any impervious area and are made to qualifying structures or to land. Qualifying structures are defined as structures that were completed prior to July 1, 2018 or were completed more than 10 years prior to the completion of the improvements. For improvements made to land, the improvements must be made primarily for the benefit of one or more qualifying structures. No exemption shall be granted for any improvements made prior to July 1, 2018.

The locality is granted the authority to (i) establish flood protection standards that qualifying flood improvements must meet in order to be eligible for the exemption; (ii) determine the amount of the exemption; (iii) set income or property value limitations on eligibility; (iv) provide that the exemption shall only last for a certain number of years; (v) determine, based upon flood risk, areas of the locality where the exemption may be claimed; and (vi) establish preferred actions for qualifying for the exemption, including living shorelines.