

Bills Recommended for Support

1. **VA - HB1634** Sales & use tax for counties and cities; county appropriations to incorporated towns for education.

Primary Sponsor: [Delegate James E. Edmunds, II](#)

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

Summary: Additional sales and use tax for counties and cities; county appropriations to incorporated towns for educational purposes. Authorizes counties and cities to impose an additional local sales and use tax at a rate as determined by the governing body, if initiated by a resolution of the local governing body and approved by the voters at a referendum. Revenue from the tax shall be used solely for capital projects for the construction or improvement of schools.

The bill removes the limit on the amount that a county may appropriate to an incorporated town that has not complied with the provisions of its charter relating to the elections of local officials. Under current law, such amount is limited to the amount the town would have received from local sales and use tax for educational purposes if such election had been held.

Last Action: Referred to Committee on Finance (November 7, 2018)

2. **VA - HB1641** Absentee voting; no-excuse absentee.

Primary Sponsor: [Delegate Charniele L. Herring](#)

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.

Last Action: Referred to Committee on Privileges and Elections (November 26, 2018)

3. **VA - HB1644** Firearms; reporting when lost or stolen, civil penalty.

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

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

Last Action: Referred to Committee on Militia, Police and Public Safety (November 27, 2018)

4. **VA - HB1646** Virginia Preschool Initiative; enrollment, funding.

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

Summary: Virginia Preschool Initiative; enrollment; funding. Permits any local school board to offer any slots in its Virginia Preschool Initiative program that remain unfilled by at-risk students after initial enrollment to students who reside in the school division and meet the age requirements but do not qualify as at-risk and to charge a fee for such enrollment. The bill permits any school board that charges a fee for such enrollment to use such fees for the purpose of meeting the required local match for its Virginia Preschool Initiative program.

Last Action: Referred to Committee on Appropriations (November 27, 2018)

5. **VA - HB1652** School calendar; opening day of the school year.

Primary Sponsor: [Delegate Roxann L. Robinson](#)

Cosponsor: [Delegate Les R. Adams](#)

Summary: School calendar; opening day of the school year. Makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill requires local school boards that set the school calendar with a pre-Labor Day opening date, except those schools that were granted a "good cause" waiver for the 2018-2019 school year, to close all schools in the division from (i) the Thursday immediately preceding Labor Day through Labor Day or (ii) the Friday immediately preceding Labor Day through the Tuesday immediately succeeding Labor Day.

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

6. **VA - HB1669** Disposable paper and plastic bags; local taxation per bag when provided to consumers.

Primary Sponsor: [Delegate Betsy B. Carr](#)

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

Last Action: Referred to Committee on Finance (December 3, 2018)

7. [VA - HB1691](#) Manufacture, import, sale, transfer, or possession of undetectable firearms; penalty.
Primary Sponsor: [Delegate Marcus B. Simon \(D\)](#)
Summary: Manufacture, import, sale, transfer, or possession of undetectable firearms; penalty. Creates a Class 5 felony for any person who manufactures, imports, sells, transfers, or possesses any firearm that after removal of all parts other than a major component, defined in the bill, is not detectable as a firearm by the types of detection devices, including X-ray machines, commonly used at airports for security screening. The bill also updates language regarding the types of detection devices that are used at airports for detecting plastic firearms.
Last Action: Referred to Committee for Courts of Justice (December 9, 2018)[VA - SJ261](#)
[Constitutional amendment; qualifications of voters and the right to vote \(first reference\)](#).
Primary Sponsor: [Senator Mamie E. Locke](#)
Summary: Constitutional amendment (first resolution); qualifications of voters and the right to vote. Establishes that the sole qualifications to vote in the Commonwealth are United States citizenship, being at least 18 years of age, residency in the Commonwealth, and registration to vote in accordance with the requirements set out in the Constitution of Virginia. The amendment further provides that any person who meets those qualifications has the right to vote and that such right cannot be abridged by law. The bill removes from current constitutional qualifications to vote not having been convicted of a felony and not having been adjudicated to be mentally incompetent.
Last Action: Referred to Committee on Privileges and Elections (November 28, 2018)
8. [VA - HB1755](#) Broadband services; prohibited features.
Primary Sponsor: [Delegate Lee J. Carter](#)
Summary: Broadband services; prohibited features. Prohibits a provider of broadband services from offering or renewing services to consumers within any locality in the Commonwealth in which certain media is throttled, blocked, or prioritized on the basis of its content, format, host address, or source.
Last Action: Committee Referral Pending (December 21, 2018)
9. [VA - HB1763](#) Firearms; removal from persons posing substantial risk of injury to himself, etc., penalties.
Primary Sponsor: [Delegate Richard C. "Rip" Sullivan, Jr.](#)
Cosponsor: [Delegate Chris L. Hurst](#)
Summary: Firearms; removal from persons posing substantial risk; penalties. Creates a procedure by which any attorney for the Commonwealth or any law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. If an emergency substantial risk order is issued, a judge or magistrate may issue a warrant to remove firearms from such person. An emergency substantial risk warrant shall

expire on the fourteenth day following issuance of the order. The bill requires a court hearing in the circuit court for the jurisdiction where the person is subject to the order resides within 14 days from issuance of an emergency substantial risk order to determine whether a substantial risk order should be issued. Seized firearms shall be retained by a law-enforcement agency for the duration of an emergency substantial risk order or a substantial risk order or, with court approval, may be transferred to a third party 21 years of age or older chosen by the person from whom they were seized. The bill allows the complainant of the original warrant to file a motion for a hearing to extend the substantial risk order prior to its expiration. The court may extend the order for a period not longer than 180 days. The bill provides that persons who are subject to a substantial risk order, until such order has been dissolved by a court, are guilty of a Class 1 misdemeanor for purchasing, possessing, or transporting a firearm; are disqualified from having a concealed handgun permit; and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of an order is guilty of a Class 4 felony.
Last Action: Committee Referral Pending (December 21, 2018)

10. **VA - HB1811** Handheld personal communications devices, use while driving.

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

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.

Last Action: Committee Referral Pending (December 29, 2018)

11. **VA - HB1850** Minimum wage; increases to \$9.00 per hour effective July 1, 2019.

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

Cosponsors: [Delegate Kenneth R. Plum](#), [Delegate Kaye Kory](#), [Delegate Sam Rasoul](#), [Delegate Lamont Bagby](#), [Delegate Paul E. Krizek](#), [Delegate Karrie K. Delaney](#), [Delegate Elizabeth R. Guzman](#)

Summary: Minimum wage. Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$9 per hour effective July 1, 2019, to \$10 per hour effective January 1, 2020, to \$11 per hour effective January 1, 2021, to \$13 per hour effective January 1, 2022, and to \$15 per hour effective January 1, 2023, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). For 2024 and thereafter, the annual minimum

wage shall be adjusted to reflect increases in the consumer price index. The measure also provides that the Virginia minimum wage applies to persons whose employment is covered by the FLSA.

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

12. **VA - SB1005** School calendar; opening day of the school year.

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

Summary: School calendar; opening day of the school year. Makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill requires local school boards that set the school calendar with a pre-Labor Day opening date, except those schools that were granted a "good cause" waiver for the 2018-2019 school year, to close all schools in the division from (i) the Thursday immediately preceding Labor Day through Labor Day or (ii) the Friday immediately preceding Labor Day through the Tuesday immediately succeeding Labor Day.

Last Action: Referred to Committee on Education and Health (July 16, 2018)

13. **VA - SB1017** Minimum wage; increases to \$8.00 per hour effective July 1, 2019.

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

Summary: Minimum wage. Increases the minimum wage from its current federally mandated level of \$7.25 per hour to (i) \$8.00 per hour effective July 1, 2019; (ii) \$9.00 per hour effective July 1, 2020; (iii) \$10.10 per hour effective July 1, 2021; and (iv) \$11.25 per hour effective July 1, 2022, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). The measure also provides that the cash wage paid to a tipped employee shall not be less than 50 percent of the minimum wage and that the tip credit shall equal the difference between the cash wage required to be paid to a tipped employee and the minimum wage.

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

14. **VA - SB1026** Absentee voting; no-excuse absentee.

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

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.

Last Action: Referred to Committee on Privileges and Elections (October 17, 2018)

15. **VA - SB1034** Handguns; limitation on purchases, penalty.

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

Summary: Purchase of handguns; limitation on handgun purchases; penalty. Prohibits any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-

day period and establishes such an offense as a Class 1 misdemeanor. The bill exempts from this provision (i) persons who have been issued a certificate by the Department of State Police under certain circumstances and with an enhanced background check, (ii) law-enforcement agencies and officers, (iii) state and local correctional facilities, (iv) licensed private security companies, (v) persons who hold a valid Virginia concealed handgun permit, (vi) persons whose handgun has been stolen or irretrievably lost or who are trading in a handgun, (vii) purchases of handguns in a private sale, and (viii) purchases of antique firearms.

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

16. **VA - SB1035** Absentee voting; no-excuse absentee.

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

Cosponsor: [Delegate Kaye Kory](#)

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.

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

17. **VA - SB1055** In-state tuition; domicile, individuals granted Deferred Action for Childhood Arrivals.

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

Summary: In-state tuition; domicile; individuals granted Deferred Action for Childhood Arrivals. Declares that, absent congressional intent to the contrary, any individual currently granted Deferred Action for Childhood Arrivals by U.S. Citizenship and Immigration Services has the capacity to intend to remain in the Commonwealth indefinitely and is therefore eligible to establish domicile and receive in-state tuition charges at any public institution of higher education in the Commonwealth.

Last Action: Referred to Committee on Education and Health (December 6, 2018)

18. **VA - SB1070** Disposable paper and plastic bags; local taxation.

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

Summary: Local paper and plastic bag tax. Authorizes localities to impose, by ordinance, a \$0.05 tax on certain disposable paper bags and disposable plastic bags provided to consumers by certain retailers. Revenues from the local tax, less \$0.01 of every \$0.05 collected, which the bill authorizes the retailer to retain, would be submitted to the Tax Commissioner and distributed monthly to the county or city imposing the tax. The bill requires each county or city adopting an ordinance to impose the tax to (i) specify in the ordinance that the tax revenues shall be used for pollution and litter mitigation and (ii) provide a certified copy of the ordinance to the Tax Commissioner at least six months prior to the date the tax is to become effective.

Last Action: Referred to Committee on Finance (December 12, 2018)

19. **VA - SB1074** School calendar; local school board in No. Va. responsible for setting opening day of school year.
Primary Sponsor: [Senator Janet D. Howell](#)
Summary: School calendar; opening day of the school year. Provides that the local school board of a school division located in Planning District 8 shall be responsible for setting the school calendar and determining the opening day of the school year.
Last Action: Referred to Committee on Education and Health (December 13, 2018)
20. **VA - SB1075** Absentee voting; no-excuse in-person available 21 days prior to election.
Primary Sponsor: [Senator Janet D. Howell](#)
Summary: Absentee voting; no-excuse in-person available 21 days prior to election. Allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting.
Last Action: Referred to Committee on Privileges and Elections (December 13, 2018)
21. **VA - SB1084** Firearms; use in commission of crime, civil liability for negligent gun storage.
Primary Sponsor: [Senator David W. Marsden](#)
Summary: Use of firearm in commission of crime; civil liability. Provides that a person may be held civilly liable for injury to the person or property of another or for wrongful death resulting from the use of a firearm in the commission of a crime if it can be shown by clear and convincing evidence that the firearm came into the possession of the person who committed the crime because of the failure of the civil defendant to reasonably secure the firearm from theft or unauthorized possession. The bill provides that a civil defendant exercising the ordinary standard of care for securing firearms will not be held civilly liable.
Last Action: Referred to Committee for Courts of Justice (December 17, 2018)
22. **VA - SB1095** Protective orders; possession of firearms, penalty.
Primary Sponsor: [Senator Janet D. Howell](#)
Summary: Protective orders; possession of firearms; penalty. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect, which is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a

firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person.

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

23. [VA - SJ261](#) Constitutional amendment; qualifications of voters and the right to vote (first reference).

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

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

Last Action: Referred to Committee on Privileges and Elections (November 28, 2018)

24. [VA - SJ262](#) Constitutional amendment; qualifications of voters and the right to vote (first reference).

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

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

Last Action: Referred to Committee on Privileges and Elections (November 29, 2018)

Bills Recommended to Oppose

25. [VA - SB1033](#) Body-worn camera; release of recordings, penalty.

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

Summary: Body-worn camera; release of recordings; penalty. Provides a procedure for a defendant to request the inspection and the copying or photographing of any body-worn camera recordings that are within the possession, custody, or control of the Commonwealth. The bill provides that the Commonwealth may designate any body-worn camera recording subject to disclosure as Counsel Only Material and that any unlawful reproduction or dissemination of such designated recordings is punishable as a Class 1 misdemeanor. The bill provides a retention schedule for such recordings and provides that such recordings shall not be considered a public record for the purpose of the Virginia Public Records Act (42.1-76 et

seq.). The bill requires all such requests for body-worn camera recordings to comply with the Virginia Freedom of Information Act (2.2-3700 et seq.).

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

26. **VA - SB1038** Voter registration; verification of social security numbers, provisional registration status.

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

Summary: Voter registration; verification of social security numbers; provisional registration status. Requires the general registrars to verify that the name, date of birth, and social security number provided by an applicant on the voter registration application match the information on file in the Social Security Administration database or other database approved by the State Board of Elections (State Board) before registering such applicant. If the information provided by the applicant does not match the information in such a database, the applicant (i) is provisionally registered to vote and notified as to what steps are needed to be fully registered to vote and (ii) is permitted to vote by provisional ballot, but such ballot shall not be counted until the voter presents certain information. The bill also requires the general registrars to verify annually no later than August 1 that the name, date of birth, and social security number in the registration record of each registered voter in the registrar's jurisdiction match the information on file with the Social Security Administration or other database approved by the State Board and, in accordance with current law, to initiate the cancellation of the registration of any voter whose registration record information does not match the database information. The State Board is authorized to approve the use of any government database to the extent required to enable each general registrar to carry out the provisions of this measure and to promulgate rules for the use of such database. The Department of Elections is required to provide to the general registrars access to the Social Security Administration database and any other database approved by the State Board. The Department of Elections is further required to enter into any agreement with any federal or state agency to facilitate such access.

Last Action: Referred to Committee on Privileges and Elections (November 15, 2018)

27. **VA - SB1052** Body-worn camera; release of recordings, penalty.

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

Summary: Body-worn camera; release of recordings; penalty. Provides a procedure for a defendant to request the inspection and the copying or photographing of any body-worn camera recordings that are within the possession, custody, or control of the Commonwealth. The bill provides that the Commonwealth may designate any body-worn camera recording subject to disclosure as Counsel Only Material and that any unlawful reproduction or dissemination of such designated recordings is punishable as a Class 1 misdemeanor. The bill provides a retention schedule for such recordings and provides that such recordings shall not be considered a public record for the purpose of the Virginia Public Records Act (42.1-76 et seq.). The bill requires all such requests for body-worn camera recordings to comply with the

Virginia Freedom of Information Act (2.2-3700 et seq.).

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

Bill Recommended to Continue to Watch

28. [**VA - HB1786**](#) Vehicles on sidewalks; adds "other power-driven mobility devices" to list of vehicles.
Primary Sponsor: [Delegate Chris L. Hurst](#)
Summary: Vehicles on sidewalks. Adds "other power-driven mobility devices," as defined by federal regulations, to the list of vehicles that can legally be ridden or driven on sidewalks.
Last Action: Committee Referral Pending (December 27, 2018)
29. [**VA - HB1794**](#) Early voting; any registered voter allowed to vote early without providing reason, etc.
Primary Sponsor: [Delegate Schuyler T. VanValkenburg](#)
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 fifteenth day prior to any general election, the seventh day prior to any special election held on a date other than the date of a general election, and the seventh day prior to any primary election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill further requires early voting to be available during regular business hours each weekday during the applicable period, from 9:00 a.m. to 5:00 p.m. on each Saturday during the applicable period, and from 12:00 p.m. to 4:00 p.m. on each Sunday during the applicable period. The bill removes the current provisions for voting absentee in person but retains those provisions for voting an absentee ballot by mail, including the application requirement and the list of statutory reasons that allow a registered voter to vote absentee by mail.
Last Action: Committee Referral Pending (December 27, 2018)
30. [**VA - SB997**](#) Marijuana; decriminalization of simple possession, penalty.
Primary Sponsor: [Senator Adam P. Ebbin](#)
Cosponsor: [Delegate Mark H. Levine](#)
Summary: Marijuana; decriminalization of simple marijuana possession; penalty.
Decriminalizes simple marijuana possession and provides a civil penalty of no more than \$50 for a first violation, \$100 for a second violation, and \$250 for a third or subsequent violation. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that the suspended sentence/substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations or to civil violations by a juvenile. The bill provides that a court may suspend a driver's license for a civil violation committed by an adult. A civil violation will be treated as a conviction for prohibitions on the purchase or transport of a handgun and disqualification for a concealed handgun permit.

Last Action: Referred to Committee for Courts of Justice (July 16, 2018)

31. **VA - SB1096** Minors; allowing access to firearms, penalty.

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

Summary: Allowing access to firearms by minors; penalty. Provides that any person who leaves a loaded, unsecured firearm in such a manner as to endanger the life or limb of any person under the age of 18 is guilty of a Class 6 felony. Current law provides that any person who recklessly leaves a loaded, unsecured firearm in such a manner as to endanger the life or limb of any child under the age of 14 is guilty of a Class 3 misdemeanor. The bill contains technical amendments.

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

Bills Recommended for City Council Support

1. [**VA - HB1629**](#) Virginia Public Procurement Act; request for proposals, publication.
Primary Sponsor: [Delegate Hyland F. "Buddy" Fowler, Jr.](#)
Summary: Virginia Public Procurement Act; request for proposals; publication. Removes the requirement for newspaper publication of Requests for Proposals for professional services.
Last Action: Referred to Committee on General Laws (October 26, 2018)

2. [**VA - HB1632**](#) Virginia Public Procurement Act; multiple award indefinite delivery/indefinite quantity contracting.
Primary Sponsor: [Delegate Mark L. Cole](#)
Summary: Virginia Public Procurement Act; multiple award indefinite delivery/indefinite quantity contracting. Adds multiple award indefinite delivery/indefinite quantity contracting as an allowable method of procurement for public bodies under the Virginia Public Procurement Act (2.2-4300 et seq.).
Last Action: Referred to Committee on General Laws (October 30, 2018)

3. [**VA - HB1731**](#) Treasurers, local; recordkeeping.
Primary Sponsor: [Delegate Emily M. Brewer](#)
Summary: Local treasurers; recordkeeping. Replaces the term "well-bound book" with "record" relating to local treasurers' required method of recordkeeping and clarifies that warrants include all forms of legal demand instruments.
Last Action: Referred to Committee on Finance (December 19, 2018)

4. [**VA - HB1740**](#) Government Data Collection and Dissemination Practices Act; exemptions.
Primary Sponsor: [Delegate Richard P. Bell](#)
Summary: Government Data Collection and Dissemination Practices Act; exemptions. Modifies current law to provide that personal information systems related to adult services and adult protective services that are maintained by the Department for Aging and Rehabilitative Services (DARS), rather than the Department of Social Services, are exempt from the Government Data Collection and Dissemination Practices Act. The bill also adds to such exemption DARS personal information systems related to auxiliary grants.
Last Action: Referred to Committee on General Laws (December 19, 2018)

5. [**VA - HB1751**](#) Forgery; venue for prosecution.
Primary Sponsor: [Delegate James A. "Jay" Leftwich](#)
Summary: Forgery; venue. Provides that, in addition to the current forgery venue provisions, forgery may be prosecuted in any county or city where an issuer, acquirer, or account holder sustained a financial loss as a result of the offense.
Last Action: Committee Referral Pending (December 21, 2018)

6. [**VA - HB1790**](#) Absentee voting; certain absentee voters permitted to vote after close of absentee voting location.
Primary Sponsor: [Delegate Paul E. Krizek](#)
Summary: Absentee voting; certain absentee voters permitted to vote after close of absentee voting location. Provides that an applicant who is in line to cast his ballot when the office of the general registrar or location being used for in-person absentee voting closes shall be permitted to cast his absentee ballot that day.
Last Action: Committee Referral Pending (December 27, 2018)

7. [**VA - SB998**](#) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.
Primary Sponsor: [Senator Adam P. Ebbin](#)
Cosponsor: [Delegate Mark H. Levine](#)
Summary: Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran.
Last Action: Referred to Committee on General Laws and Technology (July 16, 2018)

8. [**VA - SB1007**](#) Same-sex marriages; civil unions.
Primary Sponsor: [Senator Adam P. Ebbin](#)
Cosponsor: [Delegate Mark H. Levine](#)
Summary: Same-sex marriages; civil unions. Repeals the statutory prohibitions on same-sex marriages and civil unions or other arrangements between persons of the same sex purporting to bestow the privileges and obligations of marriage. These prohibitions are no longer valid due to the United States Supreme Court decision in Obergefell v. Hodges, 576 U.S. (June 26, 2015).
Last Action: Referred to Committee for Courts of Justice (July 23, 2018)

9. [**VA - SB1031**](#) False information and hoax criminal activities; penalty.
Primary Sponsor: [Senator Amanda F. Chase](#)
Summary: False information and hoax criminal activities; penalty. Makes it a Class 1 misdemeanor for any person to knowingly engage in conduct with the intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take place that would constitute a felony violation of Chapter 4 (18.2-30 et seq.) (Crimes Against

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13. [**VA - SB1092**](#) Preliminary protective orders; hearing dates.

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

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

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

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

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

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

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

15. [**VA - SJ265**](#) Municipal solid waste generated within a solid waste planning unit; reduction of recycling rate.

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

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

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

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

Proposed Bills Recommended for City Council to Oppose

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

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

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

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

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

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

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

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

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

Proposed Bills Recommended for City Council to Continue to Watch

18. [**VA - HB1651**](#) Grand larceny; increases threshold amount.

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

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

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

19. [**VA - HB1658**](#) Vote by mail; Department of Elections to develop a pilot program.

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

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

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

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

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

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

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

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

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

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

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

Primary Sponsor: [Delegate Kaye Kory](#)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26. [**VA - HB1745**](#) Juvenile offenders; eligibility for parole.

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

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

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

27. [**VA - HB1800**](#) Correctional facilities, local; voting information for persons incarcerated.

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

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

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

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

28. [**VA - HB1801**](#) Conditional rezoning proffers; extensive changes to zoning provisions.

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

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

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

29. [VA - HB1804](#) Workers' compensation; presumption of compensability for certain diseases.
Primary Sponsor: [Delegate Timothy D. Hugo](#)
Summary: Workers' compensation; presumption of compensability for certain diseases. Adds cancers of the colon, brain, or testes to the list of cancers that are presumed to be an occupational disease covered by the Virginia Workers' Compensation Act when firefighters and certain employees develop the cancer. The measure removes the compensability requirement that the employee who develops cancer encountered a toxic substance in the line of duty.
Last Action: Committee Referral Pending (December 28, 2018)
30. [VA - HB1843](#) Driver privilege cards; penalty.
Primary Sponsor: [Delegate Robert S. Bloxom, Jr.](#)
Summary: Driver privilege cards; penalty. Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months; (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle; and (iii) provides an unexpired passport as proof of identity. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Summary: Workers' compensation; presumption of compensability for certain diseases. Adds cancers of the colon, brain, or testes to the list of cancers that are presumed to be an occupational disease covered by the Virginia Workers' Compensation Act when firefighters and certain employees develop the cancer. The measure removes the compensability requirement

that the employee who develops cancer had contact with a toxic substance encountered in the line of duty.

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

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

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

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

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

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

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

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

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

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

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

Summary: Protective orders; possession of firearms; penalty. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect, which is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person.

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

40. [**VA - SB1079**](#) Va. Minimum Wage Act; removes exemptions for newsboys, shoe-shine boys, etc., from coverage.
Primary Sponsor: [Senator Lionell Spruill, Sr.](#)
Summary: Payment of wages. Removes the exemptions for newsboys, shoe-shine boys, ushers, doormen, concession attendants, and theater cashiers from coverage under the Virginia Minimum Wage Act (the Act). The measure limits the Act's exemption for babysitters to babysitters not employed more than 10 hours per week. The measure eliminates the Act's exemption for persons employed by an employer that has fewer than four employees at any one time.
41. [**VA - SB1081**](#) Juvenile offenders; sentencing, geriatric parole.
Primary Sponsor: [Senator David W. Marsden](#)
Summary: Juvenile offenders; sentencing; geriatric parole. Provides that for any juvenile felony a circuit court may consider a juvenile's diminished culpability and heightened capacity for change in determining the particular sentence to be imposed. The bill allows the Parole Board to consider a petitioner's demonstrated maturity and rehabilitation and the lesser culpability of juvenile offenders in reviewing a petition for geriatric release when submitted by a person serving a sentence imposed on a juvenile for an offense that would be a crime if committed by an adult.
Last Action: Referred to Committee for Courts of Justice (December 14, 2018)
42. [**VA - SB1091**](#) Solar photovoltaic systems; bonding requirement, property tax exemption.
Primary Sponsor: [Senator Bryce E. Reeves](#)
Summary: Property tax exemption for solar photovoltaic systems; bonding requirement; regulations. Requires an owner or operator of solar photovoltaic systems and related equipment to submit a performance and reclamation bond to the Department of Mines, Minerals and Energy (the Department) in order to qualify for a property tax exemption. The bill also requires the Department to promulgate regulations requiring all such owners and operators to submit decommissioning and site reclamation plans.
Last Action: Referred to Committee on Finance (December 19, 2018)
43. [**VA - SB1104**](#) Community policy and management teams; use of funds.
Primary Sponsor: [Senator Mark J. Peake](#)
Summary: Community policy and management teams; use of funds. Provides that the state pool of funds for community policy and management teams may be used for residential or nonresidential services in a public school setting and to provide services to children placed in public residential facilities or public special education day schools in addition to such private

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

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

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

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

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

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