

LEGISLATIVE REPORT #1

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The General Assembly convenes for a 46-day “short” session on January 9. The deadline for members to submit **Budget Amendments** is Friday, January 11, at 5:00 p.m.

Because it is a short session, the business of the House and Senate will move quickly. The two “money committees” will report their versions of the amended budget bill on Sunday, February 3. Each house must finish work on its bills by midnight on Tuesday, February 5. After that date until midnight February 18, the House will only consider Senate bills and the Senate will only consider House bills. Adjournment- February 23. Veto Session- April 3.

BILLS INTRODUCED

ADMINISTRATION OF GOVERNMENT

HB 1614 - Del. Mark Cole, Spotsylvania County – **RE: Stormwater** – to allow localities to create local Stormwater Management Funds in order to grant funds to private property owners or common interest communities for stormwater management and erosion prevention. To be used exclusively for construction, improvement or repair of stormwater management facilities or for erosion and sediment control. The Funds shall exclusively comprise appropriated local moneys.

IN HOUSE COUNTIES, CITIES AND TOWNS COMMITTEE

HB 1625 - Del. Bobby Orrock, Spotsylvania County – **RE: Animal Shelters-Definition of Animal Shelter** – to add that animals must be protected from exposure to heat or cold.

IN HOUSE AGRICULTURE, CHESAPEAKE & NATURAL RESOURCES COMMITTEE

HB 1629 - Del. Buddy Fowler, Hanover County – **RE: Procurement** – to remove the requirement (Section 2.2-4302.2) that public bodies must publish in newspapers **RFPs for professional services.**

IN HOUSE GENERAL LAWS COMMITTEE

HB 1632 - Del. Cole – **RE: Procurement** – to allow public bodies to use Multiple Award Indefinite Delivery/Indefinite Quantity (MAIDIQ) contracts under certain circumstances.

IN HOUSE GENERAL LAWS COMMITTEE

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HB 1647 - Del. Jeff Bourne, Henrico County – **RE: Fair Housing** – to prohibit discrimination in the application of local land use ordinances or guidelines; in the permitting of housing developments based on race, color, religion, national origin, sex, elderliness, familial status, or handicap; or in permitting of housing developments because a development contains or is expected to contain affordable housing units.

IN HOUSE RULES COMMITTEE

HB 1667 - Del. Terry Kilgore, Scott County – **RE: Procurement-Statute of Limitations on Construction Contracts** – to require public bodies to bring actions within 5 years of substantial completion, or within one year on a breach of a warranty or guarantee.

IN HOUSE GENERAL LAWS COMMITTEE

HB 1678 - Del. Roslyn Tyler, Sussex County – **RE: Town of Dendron** – to allow Dendron to authorize use of golf carts and utility vehicles on its public roads.

IN HOUSE TRANSPORTATION COMMITTEE

HB 1694 - Del. David Reid, Loudoun County – **RE: 911 Dispatchers** – to provide enhanced retirement benefits (equivalent to SPORS Retirement System) to f-t dispatchers; to apply to those hired on or after 1-1-2020.

IN HOUSE APPROPRIATIONS COMMITTEE

HB 1706 - Del. Kaye Kory, Falls Church – **RE: Workers Comp** – to declare that PTSD is an occupational disease; to require employers of first responders to provide educational training related to PTSD awareness, prevention, mitigation, and treatment.

IN HOUSE COMMERCE & LABOR COMMITTEE

HB 1761 - Del. Lee Carter, Prince William County – **RE: Procurement-Items Manufactured/ Produced in State Correctional Facilities** – to prohibit purchase by state and local government departments, agencies; to require that those items must be disposed of only by sale on the open market.

IN HOUSE _____

HB 1776 - Del. Cole – to allow localities to prohibit or regulate Tannerite or a similar 2-component explosive in or near residential areas.

IN HOUSE _____ COMMITTEE

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SB 998 - Sen. Adam Ebbin, Alexandria – to prohibit **discrimination** in **public employment**.

IN SENATE GENERAL LAWS & TECHNOLOGY COMMITTEE

SB 1022; HB 1804 - Sen. Amanda Chase, Chesterfield County; Del. Tim Hugo, Fairfax County – **RE: Workers Comp – Occupational Diseases** – to add cancers of the colon, brain and testes in Firefighters.

IN SENATE & HOUSE COMMERCE & LABOR COMMITTEES

SB 1039 - Sen. Mark Peake, Lynchburg - **RE: Eminent Domain** – to remove a land owner’s option of selecting commissioners instead of jurors; a land owner could elect that just compensation be determined by a jury, if he makes no election, the court would make the determination.

IN HOUSE COMMITTEE FOR COURTS OF JUSTICE

SB 1040 - Sen. Peake – **RE: Jail Reimbursements** – to direct the Department of Corrections to compensate local jails for the actual cost of incarceration as calculated in the Comp Board’s annual Jail Cost Report beginning on the 61st day.

IN SENATE FINANCE COMMITTEE

SB 1058 - Sen. Barbara Favola, Arlington County – **RE: Care of Companion Animals** – to allow localities to adopt ordinances that parallel and make more stringent the state law re: care of companion animals.

IN SENATE AGRICULTURE, CONSERVATION & NATURAL RESOURCES COMMITTEE

SB 1059 - Sen. Favola – **RE: Salary History of Prospective Employees** – to prohibit employers from requiring a prospective employee to provide his or her wage or salary history.

IN SENATE COMMERCE & LABOR COMMITTEE

HB 1796 - Del. Cole – **RE: Procurement-Professional Services** – to amend Section 2.2-4302.2 A.4. to provide that an RFP may request that offerors furnish estimates of man-hours price for services and total project price including life cycle pricing.

IN HOUSE GENERAL LAWS COMMITTEE

HB 1862 - Del. Delores McQuinn, Richmond – **RE: Employment** – to require employers, including the state and **all political subdivisions**, to provide reasonable unpaid break time daily to an employee who needs to express breast milk for her nursing child for one year after birth; should make reasonable effort to provide a space/location other than a bathroom with privacy.

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IN HOUSE _____

HB 1866 - Del. Chris Peace, Hanover County – **RE: Localities Audits** – to amend Section 15.2-2511 to require that localities submit their annual audits to the Virginia Auditor of Public Accounts. If it is not completed as required, the locality shall post a statement on its website declaring that the audit is pending, reasons for delay, and estimated completion date. Towns of 3,500 or less that voluntarily have an audit prepared shall submit their audits to the Virginia APA.

IN HOUSE _____

ECONOMIC DEVELOPMENT

SB 999; HB 1858 - Sen. Bill Stanley, Franklin County; Del. Delores McQuinn, Richmond – the **Virginia Grocery Investment Program and Fund**

IN SENATE COMMERCE & LABOR & HOUSE COMMITTEES

HB 1840 - Del. Danny Marshall, Danville – **RE: Megasites in Rural Areas** - to amend Sections 56-576 and 56-585.1. It defines megasite as less than 100 ac. and located in a locality of high unemployment or low incomes; provides that the SCC shall conduct a pilot program in the Virginia Power & APCO service areas to promote economic development in rural areas by allowing the utility to complete the construction of providing electric transmission infrastructure to a megasite prior to public announcement of a prospective occupant. County cannot be in an MSA.

IN HOUSE _____

SB 1098 - Sen. David Marsden, Fairfax County – to **redefine Small Business** for the Virginia Department of Small Business & Supplier Diversity and the Virginia Procurement Act – a business together with its affiliates has both 250 or fewer employees **and** average annual gross receipts of \$10 million or less averaged over the previous 3 years.

IN SENATE GENERAL LAWS & TECHNOLOGY COMMITTEE

EDUCATION

HBs 1631, 1765; SB 1023 - Del. Jay Leftwich, Chesapeake; Del. David Yancey, Newport News; Sen. John Cosgrove, Chesapeake – **RE: School Resource Officers** – to allow retired law enforcement officers to continue to receive retirement allowance while serving as a school security officer.

IN HOUSE APPROPRIATIONS & SENATE FINANCE COMMITTEES

LOCAL STAFF EFFORTS

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HB 1634 - Del. James Edmunds, II, Halifax County – **RE: School Construction** – to allow localities to impose an additional Local Sales Tax, if approved in a local referendum.

IN HOUSE FINANCE COMMITTEE

HB 1652; SB 1005 - Del. Roxann Robinson, Sen. Chase, Chesterfield County – **RE: School Calendar** – let local school boards decide when schools open.

IN HOUSE EDUCATION & SENATE EDUCATION & HEALTH COMMITTEES

HB 1710 - Del. Paul Krizek, Alexandria – to **require seat belts on new school buses**; localities must fully meet requirement on all buses by 7-1-2037.

IN HOUSE EDUCATION COMMITTEE

HB 1725 - Del. Barry Knight, Virginia Beach – **RE: School Security** – to amend Section 22.1-138 to require each local school board in consultation with the local building official and fire marshal to develop a procurement plan to ensure that all security enhancements comply with the USBC and Statewide Fire Prevention Code.

IN HOUSE EDUCATION COMMITTEE

HB 1733; SB 1130 - Del. Todd Gilbert, Shenandoah County; Sen. Mamie Locke, Hampton – **RE: School Resource Officers** – If the officers are employees of the local law enforcement agency, the school board shall enter into a MOU with the agency that sets forth the powers and duties of such resource officers – to be reviewed every 5 years.

IN HOUSE EDUCATION & SENATE EDUCATION & HEALTH COMMITTEES

HB 1857 - Del. Delores McQuinn, Richmond – **RE: Health Insurance Credits** – to require a health insurance credit of \$4.00/year of service to all retired school division employees with 15 years of creditable service; current law- the \$4 credit is only available to teachers.

IN HOUSE _____

HB 1877 - Del. Kelly Convors-Fowler, Virginia Beach - **RE: Adult Education** – to amend Sections 22.1-224 & 225 to **require** that local school boards provide adult ed programs on a year ‘round basis.

IN HOUSE EDUCATION COMMITTEE

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SB 1104 - Sen. Mark Peake - **RE: CSA-Community Policy & Management Teams** – to amend Section 2.2-5211 & 5212 to add in each section, “Nothing in this section shall be construed to prohibit the use of such funds for services that are provided in a public school setting”.

IN SENATE FINANCE COMMITTEE

ENVIRONMENT

HB 1669; SB 1070, SB 1116 - Del. Betsy Carr, Richmond; Sen. Ebbin; Sen. Chap Petersen, Fairfax – **RE: Plastic Bags** – to allow localities to impose a tax of 5 cents on certain disposable plastic and paper bags (retailer could keep one cent). **SB 1116** applies only in the Chesapeake Bay Watershed.

IN HOUSE & SENATE FINANCE COMMITTEES

HJR 597 - Del. Krizek – to direct DEQ to study the **Economic Impact of Litter** on fishing, water quality, farming; propose necessary state actions.

IN HOUSE RULES COMMITTEE

HB 1822 - Del. David Bulova, Fairfax County – **RE: Virginia Water Quality Improvement Fund** – to authorize DEQ to authorize grants from the WQIF for installations of certain wastewater conveyance infrastructure that diverts wastewater from one publicly owned treatment works eligible for grant funds to another and results in a WQI grant that is the same as or lower than the expense DEQ would incur in funding design/implementation of eligible nutrient removal or other treatment technology. To require DEQ to annually consult stakeholders and determine an estimate of funds needed by localities from the WQIF and Stormwater Local Assistance Fund and submit those estimates in the biennial funding report to the Governor.

IN HOUSE _____

SB 1091 - Sen. Bryce Reeves, Fredericksburg – **RE: Solar Photovoltaic Systems** – to amend Section 58.1-3660 to provide that in order to qualify for the tax exemption, these systems shall provide to the Virginia Department of Mines, Minerals & Energy a performance and reclamation bond of \$10,000 per acre- if a locality requires such guarantees, the state will be listed as an additional name on the bond; to require the Department of MME to promulgate regulations requiring owners/operators to submit decommissioning and site reclamation plans.

IN SENATE FINANCE COMMITTEE

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LAND USE

HB 1698 - Del. Matt Farris, Campbell County – **RE: Board of Zoning Appeals** – to amend Section 15.2-2311 A. to allow the zoning administrator’s written order to be sent by registered **or certified mail**.

IN HOUSE COUNTIES, CITIES & TOWNS COMMITTEE

SB 208 & SB 944 - Sen. Richard Stuart, Northern Neck – **RE: Impact Fees** – to make existing impact fee authority available to all localities that include in their comp plans a calculation of the capital costs of public facilities necessary to serve residential uses.

SB 944 had these provisions, plus seeks to remove provisions granting authority to accept **Cash Proffers**.

Both bills Carried Over from 2018 – Reported form Senate Local Government Committee on 5-2 vote. ON SENATE FLOOR.

HB 1801; SB 1143 - Del. Lee Ware, Powhatan County; Sen. Peake – **RE: Conditional Rezoning Proffers** – to amend Section 15.2-2303.4A. to add to the definition of “public safety facility improvement”, animal control-related facilities; “public school facility improvement”, buses, furniture, capital equipment; B. to provide that no locality shall require any unreasonable proffer; to allow an applicant to submit any offsite proffer that he deems reasonable and appropriate; to provide that nothing in the bill shall be deemed to prohibit communication between applicant and locality or to prohibit presentation, analysis, or discussion of potential impacts of new residential development or other residential use on the public facilities onsite or offsite that are specifically attributable to the development.

IN HOUSE COUNTIES, CITIES & TOWNS & SENATE LOCAL GOVERNMENT COMMITTEES

MISCELLANEOUS

HB 1773 - Del. Mullin, Newport News – Overhaul of statutes re: **Pawnbrokers** – they must be natural persons, cannot be a corporation, partnership, 11c, etc. A locality would be able to extend the license of a pawnbroker who is not a natural person for a period of up to 1 year.

IN _____ COMMITTEE

HJR 577, 579, 583 - Del. Sam Rasoul, Roanoke; Del. Jennifer Foy, Prince William County; Del. Jeion Ward, Hampton – to ratify the **Equal Rights Amendment**.

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IN HOUSE COMMITTEE ON PRIVILEGES & ELECTIONS

SB 1017; HB 1850 - Sen. Marsden, Del. Marcus Simon, Falls Church – to increase the **Minimum Wage** from \$8.00 in 2019 to \$11.25 in 2022. **HB 1850** has higher amounts.

IN SENATE & HOUSE COMMERCE & LABOR COMMITTEES

HB 1806 - Del. Carter – to repeal Right to Work.

IN HOUSE _____

PUBLIC SAFETY

HB 1695 - Del. Fariss – to increase the civil penalty for passing a **stopped school** bus from \$250 to \$500.

IN HOUSE TRANSPORTATION COMMITTEE

HB 1856 - Del. McQuinn – **RE: Guns** – to allow localities to prohibit in public libraries.

IN HOUSE _____

TAXATION

HB 1722; SB 1083 - Del. Robert Bloxom, Jr., Eastern Shore; Sen. Frank Ruff, Mecklenburg County – **RE: Sales Tax** – to require remote sellers to collect if they have more than \$100,000 in annual gross revenue in Virginia or at least 200 sales transaction in Virginia.

IN HOUSE RULES & SENATE FINANCE COMMITTEES

HB 1778 - Del. Bloxom – **RE: Transient Occupancy Tax** – to allow localities to impose tax in State Parks.

IN HOUSE _____ COMMITTEE

HB 1851 - Del. Peace – to **conform Virginia Tax Code to the Federal Tax Code**; to increase the standard deduction; to reduce Virginia's Corporate Income Tax rate.

IN HOUSE _____

SB 1127 - Sen. Favola – to **equalize county & city taxing authority**, effective 7-1-2020.

IN SENATE LOCAL GOVERNMENT COMMITTEE