

LEGISLATIVE REPORT #3

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January 10, 2020

BILLS INTRODUCED

SB 319 - Sen. Amanda Chase, Chesterfield County – **RE: Guns** – to add a new Section 9.1-1400 to require that on any property owned by Virginia, or any political subdivision, or used by any public body, where firearms have been prohibited by law, there shall be law-enforcement officers, or armed security officers on the premises to provide security.

REFERRED TO SENATE JUDICIARY COMMITTEE

SB 332 - Sen. Richard Stuart, Northern Neck – **RE: Transportation Trust Fund** – to amend Section 58.1-638 to have all of the Sales Tax revenue remitted to the state by **remote sellers** go into the TTF to be used solely for maintenance/repair of existing highways.

REFERRED TO SENATE FINANCE & APPROPRIATIONS COMMITTEE

SB 333 - Sen. Stuart – **RE: Security Locks – Public Buildings** – to add Section 36-99.12 to allow publicly owned buildings to have locking mechanisms on doors and windows to prevent ingress & egress in the event of a threat to the security of people inside.

REFERRED TO SENATE GENERAL LAWS & TECHNOLOGY COMMITTEE

SB 341 - Sen. Mamie Locke, Hampton – **RE: Procurement** – to amend Sections 2.2-4379-4382 to allow local public bodies to use Design-Build or Construction Management on projects with a cost over \$26 million (current law-\$10 million). If the project cost is not expected to exceed \$26 million, the public body must document in writing that competitive sealed bidding is not practical or fiscally advantageous.

REFERRED TO SENATE GENERAL LAWS & TECHNOLOGY COMMITTEE

SB 348 - Sen. Louise Lucas, Portsmouth – Comprehensive Bill which puts the **regulation of the Electronic Gaming Devices** in businesses under the Virginia Lottery. They will be licensed and taxed by the state. 55% of the funds to the state will go into the Education Support Fund for public education; 2% into the Problem Gambling Treatment & Support Fund; 43% to the State's General Fund. Section 58.1-4047 re: **Local Regulation** would allow localities to adopt and enforce local ordinances to regulate these businesses licensed by the Virginia Lottery, including local zoning and land use requirements and business license requirements, to completely prohibit them

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in a locality, or to limit the number of these businesses. Localities may, by ordinance, provide for licensing requirements with a local license fee.

REFERRED TO SENATE GENERAL LAWS & TECHNOLOGY COMMITTEE

SB 349 - Sen. Lucas – **RE: Insurance for Retirees of Political Subdivisions** – to amend Section 15.2-1517 to allow a local governing body to provide for retired employees of boards, commissions, agencies, or authorities that are political subdivisions and work in close cooperation with the locality group life, accident & health insurance.

REFERRED TO SENATE LOCAL GOVERNMENT COMMITTEE

SB 351; **HB 1242** - Sen. Lucas; Del. Steve Heretick, Portsmouth – **RE: Broadband** – to amend Section 15.2-1500 to allow any locality to establish any department, office... to offer Internet access, broadband, information and data transmission services.

REFERRED TO SENATE LOCAL GOVERNMENT & HOUSE _____ COMMITTEES

SB 360 - Sen. John Cosgrove, Chesapeake – **RE: Water & Sewer Facilities** – to amend Section 15.2-2243 to allow a locality to require a subdivider/developer to install reasonable and necessary w/s facilities on or outside the property limits of the land owned or controlled by the subdivider or developer that is necessitated or required, at least in part, by the utility needs of the development or subdivision, including reasonably anticipated capacity, extensions, or maintenance considerations of a utility service plan for the service area. Such subdivider or developer would be entitled to reimbursement of its costs by any subsequent subdivider or developer that utilizes the installed w/s facility, except for those costs associated with the installing developer's pro rata share.

REFERRED TO SENATE LOCAL GOVERNMENT COMMITTEE

SB 380 - Sen. Jeremy McPike, Prince William County – **RE: Procurement-Competitive Sealed Bidding** – to amend Section 2.2-4302.1 to allow a locality to include in the Invitation to Bid criteria that may be used in determining whether a bidder possesses the moral and business integrity and reliability that will assume good faith performance required of a responsible bidder – examples included in bill.

REFERRED TO SENATE GENERAL LAWS & TECHNOLOGY COMMITTEE

SB 381; **HB 783** – Sen. McPike; Del. Alex Askew, Virginia Beach – **RE: Workers Comp** – Same as **HBs 44, 121,733**; **SBs 9, 58**.

REFERRED TO SENATE COMMERCE & LABOR & HOUSE _____ COMMITTEES

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SB 383 - Sen. McPike – **RE: Lobbyists Working on Local Issues** – to require paid lobbyists who are working on a local action to provide notice/register to the clerk of the governing body and pay a \$25 fee.

REFERRED TO SENATE LOCAL GOVERNMENT COMMITTEE

SJR 28 - Sen. Bryce Reeves, Fredericksburg – **RE: Composite Index** – to have JLARC study it, look at other states, and determine the feasibility of reducing the local share in above-average fiscal stress and high fiscal stress localities.

REFERRED TO SENATE RULES COMMITTEE

HB 757 - Del. Lashrecse Aird, Petersburg – **RE: Questions-Hiring & Employment Applications** – Same as **SB 140- Report #1.**

REFERRED TO HOUSE _____

HB 760 - Del. Aird – **RE: Local Government Audits** – to amend Section 15.2-2511 to provide that if a locality hasn't completed the work and does not post the required notices or notify the public, any aggrieved person may file a petition for mandamus, supported by an affidavit showing good cause. The court could issue an order and impose a civil penalty.

REFERRED TO HOUSE _____

HB 761 - Del. Schuyler VanValkenburg, Henrico County – **RE: Election Administration** – to use the template of the Pre-Clearance provisions in Section 5 of the Voting Rights Act to **Require** that any locality proposing to make any changes relative to elections, to include jurisdiction boundaries, election districts, wards or any change that reduces, consolidates or relocates voting locations, submit the change to the Attorney General or the Virginia Court of Appeals and “be cleared”.

REFERRED TO HOUSE _____

HB 765 - Del. Bobby Orrock, Spotsylvania County – **RE: Zoning** – to amend Section 15.2-2280 to provide in subsection 1 that a locality in its residential district classifications may include districts specifically designated for affordable housing as defined in Section 15.2-2201.

REFERRED TO HOUSE _____

HB 769 - Del. Dave LaRock, Loudoun County – **RE: Codification of Local Ordinances** – to amend Sections 15.2-1429 & 1433 to provide that if a person is charged for violating a local ordinance that is not codified, he or she can assert as an affirmative defense that the ordinance was not codified, thus information not accessible to the public; to allow ordinances to be codified in an on-line format.

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REFERRED TO HOUSE _____

HB 773 - Del. LaRock – **RE: Refunds of Local Taxes** – Same as **HB 316** – **Report #1.**

REFERRED TO HOUSE _____

HB 774 - Del. LaRock – **RE: Transportation Revenue Sharing Funds** – to amend Section 33.2-357 to raise the matching allocation to a locality from \$5 million to \$10 million and \$5 million could be used by the locality for maintenance (current cap is \$2.5 million).

REFERRED TO HOUSE _____

HB 785 - Del Vivian Watts, Fairfax County – to give **Counties & Cities Equal Taxing Authority.**

REFERRED TO HOUSE _____

HB 828 - Del. Rip Sullivan, Arlington – **RE: Assisted Living Facilities & Group Homes** - to add language to Section 15.2-2291 to require that these facilities approved after 7-1-2020 not be located within ¼ mile of an existing residential facility, providing such enforcement is in compliance with applicable state and federal fair housing laws.

REFERRED TO HOUSE _____

HB 829 - Del. Sullivan – **RE: Group Homes** – to add Section 37.2-406.1 to Require that all applicants for licensure provide notice to the local governing body, the public (published in newspaper), all residents living within ½ mile of the group home location. The Department of Behavioral Health would have to have a process for receiving comments from the governing body and the public- 30 day comment period before Commissioner can act on license application.

REFERRED TO HOUSE _____

HB 831 - Del. Jennifer Carroll Foy, Prince William County – **RE: Utility Easements-Broadband** – to amend Section 55.1-306 to declare that is in the public interest that easements be used to provide broadband and other telecommunication services.

REFERRED TO HOUSE _____

HB 847 - Del. Chris Runion, Rockingham County – **RE: Procurement** – Action on Performance Bonds – public body to have 1 year from completion of work; construction contracts- public body would have 5 years form completion of work (includes construction management and design-build projects).

REFERRED TO HOUSE _____

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HB 875 - Del. Ronnie Campbell, Rockbridge County – **RE: Local Grass Cutting Ordinances** – to amend Section 15.2-901 to allow localities to enforce on agricultural-zoned land where the lot is one-acre or less in an area used for residential purposes.

REFERRED TO HOUSE _____

HB 890 - Del. Sickles, Fairfax County – **RE: Procurement-Construction Management & Design-Build** – to remove the cost caps from Section 2.2-4382 and leaves it to the procedures adopted by the Secretary of Administration.

REFERRED TO HOUSE _____

HB 934 - Del. James Edmunds, Halifax County – **RE: Sanctuary Localities** – to add Section 15.2-915.6 – (A) A person may lawfully possess, purchase, or transport a firearm or firearms magazine that he would otherwise be lawfully permitted to possess, purchase, or transport on January 1, 2020, while he is in a locality that has adopted or enforced any ordinance, resolution, or motion, as permitted by Section 15.2-1425, that declares such locality a sanctuary for Second Amendment rights. (B) No funds payable by the Commonwealth to a locality for any and all purposes shall be withheld from a locality solely on the basis of such locality's adopting or enforcing any ordinance, resolution, or motion that declares such locality a sanctuary for Second Amendment rights.

REFERRED TO HOUSE _____

HB 948 - Del. Mike Weibert, Fauquier County – **RE: Local License Taxes** – to add Section 58.1-3736 to prohibit any increase in these taxes beyond rates as of 1-1-2020; to prohibit localities that do not currently levy a license tax to do so.

REFERRED TO HOUSE _____

HB 1021- Del. Les Adams, Pittsylvania County – **RE: Personal Property Tax** – to include under Section 58.1-3503 Forest Harvesting & Silvicultural Equipment, except as exempted in Section 58.1-3505, as a separate category; to add under Section 58.1-3505 that a governing body may exempt: “farm machinery” includes any machinery designed solely for the planting, production, or harvesting of any agricultural product, as defined in Section 3.2-6400. It would delete forest harvesting & silvicultural activity equipment from 58.1-3506.

REFERRED TO HOUSE _____

HB 1038- Del. Sam Rasoul, Roanoke – **RE: Landfills** – to prohibit permits for new or expansions that would make the capacity above 35 million tons.

REFERRED TO HOUSE _____

HB 1052- Del. Mark Levine, Alexandria – **RE: Telecommunications Services** – to change the words Cable Television to Telecommunication Services in order that localities may provide telecommunications services to include broadband, CATV and Computer Services. Locality is defined to include any board, authority, district, commission, or other public body having overlapping geographic territory with a locality, or originally created by the locality, or any public body whose jurisdiction or membership includes any part of the locality. It would eliminate existing provisions that prohibit cross-subsidization, require feasibility studies, prevent a locality from charging less, and limits the types of localities, by population and whether they provide electric utility services.

REFERRED TO HOUSE _____

HB 1267- Del. Keith Hodges, Middlesex County – **RE: Land Banks** – to amend Sections 15.2-7500, 7502, 7512 to allow PDCs to be designated by governing bodies to be land bank entities.

REFERRED TO HOUSE _____

HB 1302- Del. Chris Hurst, Blacksburg – **RE: Duty Sheriffs** – to add Section 15.2-1609.2:1 to set the **minimum salary** for all deputy sheriffs, law enforcement and non-law enforcement at the Comp Board minimum plus a 20% supplement. In above-average or high stress localities, the state would be required to pay the entire sum of the difference between the current salary paid in the locality and the Comp Board minimum + 20% supplement.

REFERRED TO HOUSE _____

HB 1317- Del. Aird – **RE: Industrial Hemp Growers-Buffers** – to amend Sections 3.2-4114 & 4115 to require each registered grower maintain a buffer zone of a specified depth from the property lines of any premises on which this hemp is grown; and perform odor mitigation at any such premises during peak blooming season. The Board of Agriculture would adopt regulations. It also directs in 4115 a signed statement indicating that the premises on which the hemp is to be grown are located more than 100 yards from any residential area, and that the owner has complied with public notice and comment requirements.

REFERRED TO HOUSE _____