



Date of Council Meeting: June 9, 2015

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Town Code Amendments

Staff Contact: Barbara Notar, Town Attorney

Council Action Requested: To initiate changes to the Town Code to comply with 2015 General Assembly action, and to comply with current changes in the law.

Staff Recommendation: To approve an initiating resolution to update the Town Code in accordance with 2015 General Assembly action, and to comply with current changes in the law.

Commission Recommendation: Not Applicable.

Fiscal Impact: It is not yet known what the fiscal impact will be for the mandatory real property exemption given to the surviving spouse of members of the armed forces killed in action. This item is the only item where a fiscal impact may occur.

Work Plan Impact: None

Executive Summary: Each year at this time, the Town Council is asked to consider changes to the Town Code as a result of bills passed by the General Assembly, and to also consider Town code changes which have arisen in the past year due to changes in the law and town policy.

Background: The following new Town code sections and amendments are required or necessary to maintain compliance with the state code and to codify policies within the Town:

1. New Ordinance to allow additional assessment for electronic summons system to be used by the Leesburg Police Department;
2. Section 20-23 (Exemptions authorized): Adding a real property tax exemption for surviving spouses of members of the armed forces killed in action;
3. Section 2-221 (Leesburg Economic Development Commission): Amending duties of the Commission;
4. Section 2-228 (Leesburg Technology and Communications Commission) Amending duties of the Commission;

5. Section 26-24(10)(Prohibited uses of parks): Adding “remote control aircraft” to items such as missiles and rockets that can be operated at Ida Lee Park with a permit issued by the Director.
6. Section 26-26(Behavior): Allowing petting zoos at Ida Lee Park with permission of the Director;

The proposed ordinance amendments are set forth in more detail below:

1. Electronic Summons System

Virginia Code § 17.2-279.1 was amended to include governing bodies of towns to enact an ordinance to that will assess up to an additional \$5.00 as part of the costs in each criminal or traffic case in the locality’s district or circuit courts. The funds must be held for disbursement to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

2. Real Property Tax Exemption to Surviving Spouses of Members of Armed Forces Killed in Action

Virginia Code § 58.1-3219.9 (Exemption from taxes on property of surviving spouses of members of the armed forces killed in action) takes effect on July 1, 2015. It mandates that localities offer this exemption to qualified taxpayers. The Town Code would be amended as follows:

Sec. 20-23. - Exemptions authorized.

A real estate tax exemption is provided for qualified property owners who are not less than 65 years of age or are permanently and totally disabled and for disabled veterans and the surviving spouse of a disabled veteran **or member of the armed forces who is killed in action** and who are eligible according to the provisions of Chapter 872 of the Codified Ordinances of Loudoun County, Virginia, 1980, as amended, which chapter is hereby adopted by reference.

3. Amendments to the Duties of the Leesburg Economic Development Commission (“EDC”)

After much discussion, the EDC has requested that the following amendments be made to the job duties set forth in the Town Code:

Sec. 2-221. - Leesburg Economic Development Commission.

(a) *Recreated and reestablished.* The Leesburg Economic Development Commission is hereby recreated and reestablished.

(b) *Duties.* The Leesburg Economic Development Commission’s mission is to foster the economic vitality and stability of the town. The commission works to retain/expand existing businesses, attract/recruit **desirable** new businesses, to

review the town's regulations and procedures as they relate to economic development, and enhance economic activities that will benefit local businesses and residents.

(c) *Membership.* Membership, exclusive of the rules exclusive of the rules outlined in division 1 of this article, membership may consist of town residents, town property owners, town business owners, or anyone employed inside the town. At least four members shall be town residents.

(d) *Additional powers and duties.*

(1) To work with all organizations impacting economic development in the Greater Leesburg Area.

(2) To help review and recommend to council all proposals that affect economic development requiring council action.

(3) To offer guidance in developing and/or updating annually comprehensive economic development businesses plan (short/intermediate/long range with targeted and measurable goals, objectives and strategies; subject to council approval) and assist with implementation.

(4) To make specific policy recommendations to the council pertaining to economic development.

(5) To assist in reviewing proposed annual budgets for town expenditures related to economic development and making budgetary recommendations to the council.

(6) To help identify and pursue sources of public and private **grant** funds for local economic development initiatives.

(7) To publicize the economic development program to gain acceptance in the community.

(8) To assist in the development of an effective communication effort between the town government and the private business community.

(9) To help identify possible improvements in community services and infrastructure, both public and private, which enhance economic development.

(10) To ~~assist in formulating~~ **recommend** policies and practices for the retention and expansion of existing businesses.

(11) To assist in the promotion of economic development through close coordination with the County's economic development activities and statewide initiatives.

(12) To assist in the promotion of tourism through close coordination with the tourism efforts in the town, county and statewide initiatives.

~~(13) To assist in development of town-wide special events through coordination with the Leesburg Parks and Recreation Commission.~~

4. Amendments to the Leesburg Technology and Communications Commission

The Tech Commission has requested the following amendment to the “powers and duties” set forth in the Town Code:

2-228. - Leesburg Technology and Communications Commission.

(a) *Created and established.* The Leesburg Technology and Communications Commission is hereby established and created.

(b) *Powers and duties.* The Leesburg Technology and Communications Commission makes recommendations to the town council for the efficient, economical, and productive use of technology and telecommunications for the town's residents and businesses.

(c) *Additional powers and duties.* The following shall be additional powers and duties of the Leesburg Technology and Communications Commission:

(1) To make recommendations regarding the operation, staffing, maintenance, capital improvements and funding of the department of information technology.

~~(2) To maintain a continuous oversight and review of cable system operations and advise the town on grantee's compliance with the terms of its contract.~~

(3) To develop and maintain a town technology plan including recommendations on the utilization and enhancements to the town's public communications media, especially utilizing cell phones, the internet, and other public computer-based technologies.

5. Including radio-controlled aircraft as items individuals may operate at Ida Lee Park with a permit.

The Department of Parks and Recreation receives requests from individuals to use radio-controlled aircraft within Ida Lee Park. The area where this activity is allowed is limited and away from all active park uses. The Director requests an amendment to the Town Code to address these requests.

(10) Missiles and fireworks. No person in a park shall carry, shoot, fire, explode or throw any fireworks, firecrackers, rockets, torpedoes, **radio-controlled aircraft** or missiles of any kind in any park without a permit from the director.

6. Allowing petting zoos to operate at Ida Lee Park

The Department of Parks and Recreation receives requests from individuals to bring petting zoos into Ida Lee Park for parties. The Director desires to honor these requests in his discretion and requests a Town Code amendment to reflect this new practice:

d) Nondomestic animals and reptiles. No person in any park shall have been responsible for the entry of any nondomestic animal or reptile, **unless authorized by the Director.**

**2015 General Assembly Update
LGA Spring Conference
23 April 2015**

Please note – this handout was published before the 15 April veto session. Therefore, a few bills may have been amended or vetoed. Those bills are marked with “VETO” or “AMENDMENTS”

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Community & Economic Development

HB 1446 / SB 801 Clean energy; financing programs, development of underwriting guidelines.

Expands the requirements of a local ordinance authorizing contracts to provide loans for clean energy improvements. The bill adds water efficiency improvements to the list of improvements for which loans may be offered; allows a locality to contract with a third party to administer the loan program; and requires a locality to identify any administrative fee it intends to impose on participants and sets parameters for the imposition of that fee. The bill also details the priority, enforceability, and other characteristics of the lien, now called a voluntary special assessment lien, that a locality is permitted to place against the property where the clean energy systems are installed. Finally, the bill directs the Department of Mines, Minerals and Energy (DMME) to develop underwriting guidelines for local loans made to finance clean energy improvements. The bill requires DMME to finalize the guidelines by December 1, 2015, incorporating input from certain groups representing real estate, energy efficiency, banking, and other interests or industries and evaluating certain specific criteria. This bill is a recommendation of the Virginia Housing Commission.

HB 1756 Tourism zones; tax revenues for tourism projects.

Decreases from 80 percent to 70 percent the share of the total cost of a tourism project that the project must have in place before being eligible to receive a percentage of the state and local sales and use tax revenues generated on the premises of the project, to be used toward debt service to bridge the gap between available debt and equity capital and the expected costs of the project.

HB 1842 Performance and incentive grants; review of incentive packages, report, repeals certain provisions. AMENDMENTS

Provides (i) that no more than \$15 million in Virginia Investment Performance Grants may be outstanding at any time on or after July 1, 2015, (ii) that grant payments under the Major Eligible Employer Grant Program will begin three years following approval of the employer's grant application by the Secretary of Commerce and Trade, and (iii) for the MEI Project Approval Commission to review incentive packages in which the aggregate amount of incentives offered by the Commonwealth is in excess of \$10 million in value. Under current law, grant payments under the Major Eligible Employer Grant Program begin six years following approval by the Secretary of Commerce and Trade. The bill also repeals the Clean Energy Manufacturing Incentive Grant Program effective July 1, 2015, and the Commonwealth's semiconductor performance grant programs effective July 1, 2016.

HB 1898 Pulp, Paper, and Fertilizer Advanced Manufacturing Performance Grant Program; created.

Creates the Pulp, Paper, and Fertilizer Advanced Manufacturing Performance Grant Program, which would provide grants to any pulp, paper, and fertilizer manufacturer that invests at least \$2 billion in real or personal property and creates at least 2,000 new full-time jobs pursuant to a memorandum of understanding with the Commonwealth. The total amount of grants paid under the program would not exceed \$20 million. Grants would be paid when the qualifying manufacturer attains capital investment and job creation requirements included in the memorandum of understanding. Grants would be paid from the Pulp, Paper, and Fertilizer Advanced Manufacturing Performance Grant Program Fund.

HB 1986 / SB 1372 Workforce Development, Virginia Board of; changes to Board requirements.

Makes several changes to the Virginia Board of Workforce Development (the Board). Beginning November 1, 2016, and annually thereafter, each agency administering any publicly funded career and technical education and workforce development program shall submit to the Governor and the Board a report detailing the program's performance against state-level metrics. Each local workforce development board shall develop and execute a strategic plan designed to combine public and private resources to support sector strategies, career pathways, and career readiness skills development. This bill also sets the minimum level of fiscal support from WIOA Adult and Dislocated Worker funds and provides incentives. On October 1, 2017, the Executive Director of the Board shall

provide members of the Board with a detailed report evaluating the rate of the expenditures for incentives by local workforce development boards from July 1, 2015, to July 1, 2017.

HB 2193 Virginia Battlefield Preservation Fund; use of grant funds for battlefield preservation.

Expands the types of battlefields eligible to receive grants from the Virginia Battlefield Preservation Fund, previously known as the Civil War Site Preservation Fund. Currently, moneys in the fund can only be used for making grants to private nonprofit organizations for the fee simple purchase of, or purchase of protective interests in, Civil War historic sites. The bill allows the awarding of grants to protect Revolutionary War and War of 1812 historic battlefields.

HB 2330 / SB 1440 Tobacco Region Revitalization Commission; created, financial viability & feasibility.

Renames the Tobacco Indemnification and Community Revitalization Commission as the Tobacco Region Revitalization Commission and requires it to contract with a manager to oversee Commission loans, grants, and other distributions of money. The bill requires the manager to provide a written report on the financial viability and feasibility of any such distribution and prohibits the Commission from making the distribution until its viability and feasibility have received recommendations from the manager. The bill eliminates future appointments of three nonlegislative citizen members and requires 13 of the remaining 28 Commission members to have experience in particular fields. The bill requires the Commission to adopt policies governing the Tobacco Region Opportunity Fund; to require a dollar-for-dollar match from entities receiving grants; to make no distribution to a tobacco-dependent community solely based on the historical production of tobacco; to require each project to have an accountability matrix, provide a set of quantified outcome expectations and other figures, and demonstrate how it will address low employment levels or other indicators; to develop a strategic plan every two years; and to establish a public database of awards. The bill also establishes the Virginia Tobacco Region Revolving Fund, the assets of which are to be used to make loans to local governments for the financing of any project. The bill empowers the Virginia Resources Authority to administer the Fund, pledge assets of the Fund as security for bonds issued to finance a project, sell or collect on loans made from the Fund, and, in accordance with a memorandum of agreement with the Commission, establish the rates and terms of loans. The bill directs the Commission, in conjunction with VRA, to make an annual report to the General Assembly and the Governor on all loans made from the Fund.

SB 809 Virginia Economic Development Authority; may develop a site and building assessment program.

Authorizes the Virginia Economic Development Partnership Authority to develop a site and building assessment program to assess the state's industrial sites consisting of at least 250 acres.

SB 1002 Local workforce investment boards; pay-for-performance contract strategy incentives.

Encourages local workforce investment boards to implement pay-for-performance contract strategy incentives for training services as an alternative model to traditional programs. The bill also authorizes local workforce investment boards to allocate funds to the extent permissible.

SB 1007 Port of Virginia Economic & Infrastructure Development Grant Fund & Program; grants.

Allows a qualified company to receive a second grant from the Port of Virginia Economic and Infrastructure Development Grant Fund if the company locates or expands an additional facility within Virginia, creates at least 300 new permanent full-time positions at the additional facility, and increases cargo volumes through the Port of Virginia by at least five percent.

SB 1401 Tourism project of regional significance; entitlement to tax revenues.

Entitles a tourism project of regional significance to the revenues generated by a 1.5 percent state sales and use tax on transactions taking place on its premises, to be used for debt service on gap financing for the project. To qualify for the revenues, the project must meet a deficiency identified in a local tourism plan approved by the Virginia Tourism Authority. The private developer and the locality in which the project is located must each contribute funds

equal to the 1.5 percent sales and use tax contribution, which are also to be used for the gap financing payment. Current law allows certain tourism projects to qualify for revenues generated by a one percent state sales and use tax. The bill provides that a project would be eligible for the increased revenues if it involves a new private, capital investment of at least \$100 million and supports increased hotel occupancy, job creation, and out-of-state visitors.

SB 1448 Community development authorities; tax levied or assessment imposed by locality.

Provides that any special tax levied or any special assessment imposed by a locality pursuant to an agreement with a community development authority, whether previously or hereafter levied or imposed, constitutes a lien on real estate ranking on parity with real estate taxes, and any such delinquent special tax or delinquent special assessment may be collected in accordance with established procedures. EMERGENCY

Education

HB 324 Virginia Virtual School; established, report, effective date.

Establishes the Board of the Virginia Virtual School as a policy agency in the executive branch of state government for the purpose of governing the full-time virtual school programs offered to students enrolled in the Virginia Virtual School. The Secretary of Education is responsible for such agency. The 13-member Board is given operational control of the School and assigned powers and duties. The bill requires the School to be open to any school-age person in the Commonwealth and provide an educational program meeting the Standards of Quality for grades kindergarten through 12. The bill requires the average state share of Standards of Quality per pupil funding for each enrolled student to be transferred to the School. The bill has a delayed effective date of July 1, 2016 and will only become effective if reenacted by the 2016 Session of the General Assembly.

HB 1484 / SB 842 Schools; approval of annual budgets.

Conforms the county budget preparation and approval process to that of municipalities.

HB 1490 / SB 874 Standards of Learning; eligibility for retake of test, exception.

Directs the Board of Education to promulgate regulations to provide the same criteria for eligibility for an expedited retake of any Standards of Learning test, with the exception of the writing Standards of Learning tests, to each student regardless of grade level or course.

HB 1626 Students receiving home instruction; participation in public school interscholastic programs. VETO

Prohibits public schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student who (i) is receiving home instruction; (ii) has demonstrated evidence of progress for two consecutive academic years; (iii) is in compliance with immunization requirements; (iv) is entitled to free tuition in a public school; (v) has not reached the age of 19 by August 1 of the current academic year; (vi) is an amateur who receives no compensation but participates solely for the educational, physical, mental, and social benefits of the activity; (vii) complies with all disciplinary rules and is subject to all codes of conduct applicable to all public high school athletes; and (viii) complies with all other rules governing awards, all-star games, maximum consecutive semesters of high school enrollment, parental consents, physical examinations, and transfers applicable to all high school athletes. The bill provides that no local school board is required to permit students receiving home instruction in interscholastic programs. The bill has an expiration date of July 1, 2020.

HB 1672 / SB 727 School Performance Report Card; redesign to be more effective in communicating to parents & public.

Requires the Board of Education, in consultation with the Standards of Learning Innovation Committee and no later than July 1, 2016, to redesign the School Performance Report Card so that it is more effective in communicating the status and achievements of public schools and local school divisions. The bill requires the Board to provide notice and solicit public comment and summarize the redesigned Report Card in advance of July 1, 2016. The bill also repeals the A-F school grading system created in the 2013 Session and amended in the 2014 Session.

HB 1674 School accreditation; review of status by Board of Education.

Provides that the Board of Education may review the accreditation status of a public school once every three years if the school has been fully accredited for three consecutive years. At the end of the three year period, the Board shall review the accreditation status of the school and may accredit the school for another three years if the school met accreditation requirements for all three years. The bill requires the Board to review the accreditation status of any school that (i) would have failed to achieve full accreditation in one of the year of the three-year period or (ii) any school that has had a significant boundary adjustment. The bill requires Standards of Learning assessments scores to continue to be reported on the School Performance Report Card annually, regardless of accreditation frequency.

HB 1873 / SB 1320 Public schools; Board of Education to promulgate regulations for accreditation ratings.

Directs the Board of Education to promulgate regulations establishing additional accreditation ratings that recognize the progress of schools that do not meet accreditation benchmarks but have significantly improved their pass rates, are within specified ranges of benchmarks, or have demonstrated significant growth for the majority of their students and to implement such regulations by the 2016-2017 school year.

SB 821 Opportunity Educational Institution; repeals Institution.

Abolishes the Opportunity Educational Institution, created in the 2013 session.

Elections

HB 1296 / SB 1066 Elected offices; November or May general election. AMENDMENTS

Prohibits a special election to fill a vacancy in an office from being held on the same day as the general election at which that office is regularly scheduled to be filled. The bill further prohibits an election to fill a vacancy in the representation of the Commonwealth in the United States Congress from being ordered or held if the general or special election at which it is to be called is scheduled within 75 days of the end of the term of the office to be filled. The bill provides that the term of office of any person who is elected at a general election to an office that is vacant at the time of the election shall begin when the person so elected has qualified and taken the oath of office.

HB 1318 Absentee ballots; photo identification required for submission of application. VETO

Requires that any voter submitting his application for an absentee ballot by mail or by electronic or fax shall submit with his application a copy of one of the forms of identification acceptable under current law. The bill exempts from this requirement military and overseas voters and persons with a disability. Currently, only a voter who completes his application for an absentee ballot in person is required to show a form of identification.

HB 1433 /SB 1092 General registrars; reassigning duties of the electoral board.

Reassigns duties of the electoral board related to absentee voting and campaign finance to the general registrars.
EMERGENCY

HB 2062 Elections administration; pre-election and post-election activities.

Makes technical amendments that reflect the administrative reorganization of the Department of Elections that took effect July 1, 2014. The bill also requires that a precinct having more than 4,000 registered voters be provided with no less than two ballot scanner machines at a presidential election, but provides an exception for localities that determine that a second scanner is not necessary at a particular precinct on the basis of voter turnout and the average voter wait time in previous presidential elections.

SB 1062 Presidential elections; number of officers of election and ballot scanner machines.

Requires any precinct having more than 4,000 registered voters to have not less than five officers of election serving at a presidential election and requires the electoral board to appoint additional officers as may be needed to comply with this requirement. The bill also requires the governing body of a county or city that uses ballot scanner machines at elections to provide for any precinct having more than 4,000 registered voters not less than two such machines at a presidential election, but provides an exception for localities that determine a second scanner is not necessary at a particular precinct on the basis of voter turnout and the average wait time for voters in previous presidential elections. Current law requires not less than three officers of election at each precinct and at least one ballot scanner machine at each precinct that uses such machines.

SB 1089 Constitutional office; filling a vacancy.

Clarifies that the highest ranking deputy officer or, in the case of the office of attorney for the Commonwealth, the highest ranking full-time assistant attorney for the Commonwealth shall step in to fill a vacancy in a constitutional office until a special election to fill such a vacancy has been held, regardless of a county or city charter's alternative method for filling such a vacancy.

Environment & Natural Resources

HB 1734 Living shorelines; loans for creation.

Authorizes the State Water Control Board to provide loans from the Virginia Water Facilities Revolving Fund to (i) a local government for the purpose of establishing living shorelines that protect or improve water quality and prevent water pollution or (ii) a local government that has developed a funding program to provide low-interest loans or other incentives to individuals to assist in establishing living shorelines.

HB 1924 / SB 1341 Eastern Virginia Groundwater Management Advisory Committee; established, report.

Establishes the Eastern Virginia Groundwater Management Advisory Committee to assist the Department of Environmental Quality in developing, revising, and implementing a management strategy for ground water in the Eastern Virginia Groundwater Management Area. The bill prohibits the State Water Control Board and the DEQ from issuing draft permits that would require reductions in the volume of permitted ground water withdrawals before December 31, 2015. The bill has a sunset date of January 1, 2018.

HB 1950 / SB 1395 Electric utilities; net energy metering programs.

Increases, from 500 kilowatts to one megawatt, the maximum generating capacity of an electrical generating facility owned or operated by an electric utility's nonresidential customer that may be eligible for participation in the utility's net energy metering program. In addition, the capacity of any generating facility installed under this section after

July 1, 2015, shall not exceed the expected annual energy consumption based on the previous 12 months of billing history or an annualized calculation of billing history if 12 months of billing history is not available. The measure also (i) requires any eligible customer-generator seeking to participate in net energy metering to notify its supplier and receive approval to interconnect prior to installation of an electrical generating facility and (ii) clarifies requirements regarding the customer-generator's obligation to bear the costs of equipment required for the interconnection to the supplier's electric distribution system. The change to the definition of an eligible customer-generator affects the definition of a qualified energy project as used in the Virginia Small Business Financing Act.

HB 2067 Daylighted streams; not required to become Resource Protection Area.

Provides that the State Water Control Board (SWCB), when developing the criteria for a Resource Protection Area (RPA) under the Chesapeake Bay Preservation Act, shall not require that a daylighted stream become an RPA. The bill requires any locality that does not designate an RPA adjacent to a daylighted stream to use a water quality impact assessment to ensure that development adjacent to the stream does not result in the degradation of the stream. The locality's assessment must (i) be consistent with the SWCB's criteria for water quality impact assessments in RPAs, (ii) identify the impacts of proposed development on water quality, and (iii) determine measures to mitigate adverse impacts. The bill defines a daylighted stream as a stream that has been previously diverted into a culvert, pipe, or other underground drainage system and is redirected into an aboveground channel using natural channel design concepts. The bill does not limit a locality's authority to include such a stream within an RPA.

SB 1047 Stormwater utility fees; municipal separate storm sewer permits.

Provides that where two adjoining localities each hold a permit to discharge stormwater from a municipal separate storm sewer system (MS4), a waiver of charges to a public entity for property that is covered by an MS4 permit shall also apply to covered property of a school board of one locality that is located in the other locality.

SB 1201 Stormwater; procedure for approval of dredging operations in the Chesapeake Bay Watershed.

Directs the State Water Control Board to establish a procedure for the approval of dredging operations in the Chesapeake Bay watershed as a method by which to meet pollutant reduction and loading requirements. The bill provides that before the Board is required to establish the procedure, the Chesapeake Bay Program shall first approve the procedure as a creditable practice for pollutant removal. The bill requires that any dredging comply with all applicable laws. The bill also provides that any locality imposing certain stormwater fees may make funds available for stormwater maintenance dredging, including at the point of discharge, where stormwater has contributed to the deposition of sediment in state waters, and that such use of the fee is required for any locality in the Lynnhaven River watershed.

SB 1443 Comprehensive plan; strategies to combat projected sea-level rise.

Provides that any locality included in the Hampton Roads Planning District Commission shall incorporate into the next scheduled and all subsequent reviews of its comprehensive plan strategies to combat projected relative sea-level rise and recurrent flooding. The bill requires such review to be coordinated with the other localities in the Hampton Roads Planning District Commission. The bill requires the Department of Conservation and Recreation, the Department of Emergency Management, the Marine Resources Commission, Old Dominion University, and the Virginia Institute of Marine Science to provide technical assistance to any such locality upon request.

FOIA/COIA/Campaign Finance/Public Records

HB 1618 / SB 1126 Virginia Freedom of Information Act; resource management plans, closed meetings.

Creates an open meeting exemption for those meetings or portions of meetings of a Resource Management Plan Technical Review Committee, a Soil and Water Conservation District Board, a review committee of the Department of Conservation and Recreation, or the Virginia Soil and Water Conservation Board when such body discusses or

considers records currently excluded from FOIA. The bill provides that this exemption shall not apply, however, to the discussion or consideration of records that contain information that has been certified for release by the person who is the subject of the information or transformed into a statistical or aggregate form that does not allow identification of the person who supplied, or is the subject of, the information.

HB 2070 / SB 1424 State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act. AMENDMENTS

Removes the distinction between tangible and intangible gifts and prohibits any state or local officer or employee, member of the General Assembly, and certain candidates from soliciting, accepting, or receiving a single gift with a value exceeding \$100 from certain persons; however, such prohibition does not apply to gifts from personal friends. The bill also prohibits the immediate family of such officers, employees, members, or candidates from soliciting, accepting, or receiving such gifts. The bill provides an exception for gifts received at widely attended events, which are those events at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event. The bill requires disclosure of any single gift or entertainment, or any combination of gifts or entertainment, with a value exceeding \$50. The bill also requires persons subject to the Conflict of Interest Acts to request approval from the Virginia Conflict of Interest and Ethics Advisory Council (the Council) and receive the approval of the Council prior to accepting or receiving any travel-related transportation, lodging, meal, hospitality, or other thing of value provided by certain third parties that has a value exceeding \$100. The bill modifies the current composition of the Council, reducing the number of members from 15 to 9 and requires that there be bipartisan balance of the General Assembly members appointed to the Council. The bill requires electronic filing of disclosure forms with the Council and provides that local officers and employees will file disclosure forms locally instead of with the Council. The bill provides that the making of a knowing and intentional false statement on a disclosure form is punishable as a Class 5 felony. The bill also prohibits the Governor, his campaign committee, and any political action committee established on his behalf from knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$100 from persons and entities seeking loans or grants from the Commonwealth's Development Opportunity Fund (the Fund), restricts such gifts and contributions from persons and entities seeking loans or grants from the Fund, and provides that any violation shall result in a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. The bill has a delayed effective date of January 1, 2016.

SB 969 Virginia Freedom of Information Act; exception to open meeting requirements.

Clarifies that the gathering or attendance of two or more members of a public body (i) at any place or function where no part of the purpose of such gathering or attendance is the discussion or transaction of any public business, and such gathering or attendance was not called or prearranged with any purpose of discussing or transacting any business of the public body, or (ii) at a public forum, candidate appearance, or debate, the purpose of which is to inform the electorate and not to transact public business or to hold discussions relating to the transaction of public business, even though the performance of the members individually or collectively in the conduct of public business may be a topic of discussion or debate at such public meeting, is not a meeting under FOIA.

SB 1109 Virginia Freedom of Information Act; expands open meeting exemptions.

Expands the open meeting exemption for the discussion of plans to protect public safety as it relates to terrorism and security of governmental facilities to include the discussion of specific cybersecurity threats or vulnerabilities, including the discussion of related records excluded from FOIA, where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system, or software program. EMERGENCY

SB 1129 FOIA; expands record exemption for public safety, cybersecurity.

Expands the current record exemption for plans and information to prevent or respond to terrorism to include information not lawfully available to the public regarding specific cybersecurity threats or vulnerabilities or security plans and measures of an entity, facility, building structure, information technology system, or software program. EMERGENCY

SB 1133 State and local government officers and employees; prohibited conduct, retaliation.

Prohibits a state or local government officer or employee from using his public position to retaliate or threaten retaliation against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law. The bill provides, however, that the prohibition does not (i) restrict the authority of any public employer to govern conduct of its employees, and to take disciplinary action, in accordance with applicable law or (ii) limit the authority of a constitutional officer to discipline or discharge an employee with or without cause.

Health & Human Services

HB 1558 Adult fatality review teams, local and regional; created, penalty.

Allows for the creation of local or regional adult fatality review teams upon the initiative of any local or regional law-enforcement agency, department of social services, emergency medical services agency, attorney for the Commonwealth's office, or community services board. The bill provides that such teams may review the death of any person age 60 years or older, or any adult age 18 years or older who is incapacitated, who resides in the Commonwealth and who is in need of temporary or emergency protective services (i) who was the subject of an adult protective services or law-enforcement investigation; (ii) whose death was due to abuse, neglect, or exploitation or acts suggesting abuse, neglect, or exploitation; or (iii) whose death came under the jurisdiction of or was investigated by the Office of the Chief Medical Examiner as occurring in any suspicious, unusual, or unnatural manner. A violation of the confidentiality of the review process is punishable as a Class 3 misdemeanor.

HB 1570 / SB 1168 Child day centers and family day homes; regulations, national background check required, report. AMENDMENTS

Requires fingerprint-based national criminal history records checks for licensed child day centers and family day homes and requires employees and volunteers of such child day centers and family day homes to notify the provider if they are convicted of a barrier crime or subject to a founded complaint of child abuse or neglect. The bill adds the offenses that require registration in the Sex Offender and Crimes Against Minors Registry to the list of barrier crimes specific to family day homes. The bill lowers from five to four the maximum number of children for whom a family day home may provide care without a license, exclusive of the provider's children and any children who reside in the home. The bill requires (i) local commissioners of the revenue or other local business license officials to report to the Department of Social Services (the Department) semiannually the contact information for any child day center or family day home to which a business license was issued; (ii) unlicensed and unregistered family day homes, other than those in which all of the children receiving care are related to the provider by blood or marriage, to provide written notice to parents stating that the family day home is not regulated by the Department and referring the parents to a website maintained by the Department for additional information; and (iii) child day centers and family day homes that contract with the Department to provide child care services that are funded by the Child Care and Development Block Grant to comply with all requirements established by federal law and regulation. The bill also requires the Department to (a) develop recommendations related to appropriate criminal and civil penalties for individuals who wrongfully operate a child day center or family day home without a license or provide care for more children than the maximum number permitted under their license; (b) report on the requirements established in the Child Care and Development Block Grant to the Senate Committee on Rehabilitation and Social Services and the House Committee on Health, Welfare and Institutions by December 1, 2015; (c) develop and make available to child day centers and family day homes training and technical information and assistance regarding compliance with new licensure requirements established in the bill; and (d) work with certain localities authorized to regulate and license family day homes to identify and address any differences between ordinances adopted by such localities and state regulations for the licensure of family day homes. The provisions of the bill that require licensure of family day homes providing care for five or more children have a delayed effective date of July 1, 2016. The provisions of the bill that require fingerprint-based national criminal history records checks have a delayed effective date of July 1, 2017.

HB 1693 / SB 1263 Civil admission process; alternative transportation.

Provides that a magistrate may authorize alternative transportation for a person subject to an emergency custody order or temporary detention order when there exists a substantial likelihood that the person will cause serious physical harm to himself or others. Current law prohibits the use of alternative transportation when there exists a substantial likelihood that the person will cause serious physical harm to himself or others. The bill also provides liability protection for alternative transportation providers.

HB 1694 / SB 966 Temporary detention order; custody.

Removes the requirement that a person subject to a temporary detention order remain in the custody of the community services board for the duration of the order. This requirement was in conflict with other Code sections that require that such person remain in the custody of law enforcement until custody is transferred to a facility or to an alternative transportation provider.

HB 1717 / SB 773 Psychiatric treatment of minors; objecting minor.

Amends the criteria for admitting an objecting minor 14 years of age or older for psychiatric treatment to match the criteria for determining whether a nonobjecting minor or a minor younger than 14 years of age should be admitted. The bill also provides that if a minor 14 years of age or older who did not initially object to treatment objects to further treatment, the mental health facility where the minor is being treated shall immediately notify the parent who consented to the minor's treatment and provide to such parent a summary, prepared by the Office of the Attorney General, of the procedures for requesting continued treatment of the minor.

HB 1747 Health insurance; mental health parity.

Conforms certain requirements regarding coverage for mental health and substance use disorders to provisions of the federal Mental Health Parity and Addiction Equity Act of 2008 (the Act). The measure requires that group and individual health insurance coverage provide mental health and substance use disorder benefits. Such benefits shall be in parity with the medical and surgical benefits contained in the coverage in accordance with the Act, even where those requirements would not otherwise apply directly. The measure requires the Bureau of Insurance to develop reporting requirements regarding denied claims, complaints, and appeals involving such coverage and to compile the information into an annual report.

HB 1847 Public assistance; eligibility determinations.

Allows the Commissioner of Social Services, when necessary to overcome backlogs in the application and renewal process, to temporarily use other entities to receive and process applications for public assistance, conduct periodic eligibility renewals, and perform other tasks associated with eligibility determinations. Such entities shall be subject to the same confidentiality requirements as local departments of social services, and applications and renewals processed by such entities shall be subject to the same appeals process as those processed by local departments. The bill also directs local departments of social services and the Commissioner to perform certain tasks related to eligibility determinations that are currently delegated to local boards of social services.

HB 1918 Public assistance; local director of social services to determine eligibility.

Requires a local director of social services to verify the identity, income, and assets of and other information about an applicant for public assistance necessary to determine the applicant's eligibility for public assistance, consistent with federal law and regulations, for the purpose of eliminating the duplication of assistance, and deterring fraud and to deny public assistance in cases in which information provided by an applicant is inconsistent with information obtained by the local director. The bill requires the Department of Social Services to establish a means to obtain and provide the data necessary for local departments to conduct the required investigation, and to report to the General

Assembly by December 1 of each year on the specific types or sources of information local directors used during the past year for the purpose of verifying applicants' identity, income, assets and other information and any types or sources of information the Department plans to make available to local directors to use for such purpose in the future. The Department shall also report the number of applications for public assistance received, approved or denied, or referred for investigation during the past year. The bill also clarifies that eligibility for public assistance shall be reconsidered at least annually or upon receipt of information indicating a change in the recipient's circumstances, and that such reconsideration shall include a review of information necessary to verify the identity, income, and assets of and public information about the recipient.

HB 2083 / SB 1041 Community policy and management teams; policies governing referrals and reviews.

Directs community policy and management teams to establish, as part of their policies governing referrals and reviews of children and families to the family assessment and planning teams or a collaborative, multidisciplinary team process approved by the State Executive Council for Comprehensive Services for At-Risk Youth and Families, a process for parents and persons who have primary physical custody of a child to refer children in their care to the teams.

HB 2118 / SB 1265 Acute psychiatric bed registry; frequency of updating.

Requires state facilities, community services boards, behavioral health authorities, and private inpatient psychiatric service providers to update information included in the acute psychiatric bed registry whenever there is a change in bed availability or, if no change in bed availability has occurred, at least once daily.

HB 2141 Community policy and management teams; information sharing.

Changes the term "community management and planning team" to the term "community policy and management team" (CPMT) in a section of the Code of Virginia relating to information sharing and confidentiality of information in cases being reviewed by a CPMT or family assessment and planning team, to be consistent with terminology used throughout the Code.

HB 2177 Certificate of public need; eliminates regional health planning agencies.

Amends the definition of "project" for which a certificate of public need is required to include capital expenditures of \$15 million or more by or on behalf of a medical care facility other than a general hospital. Currently, all capital expenditures of \$15 million or more by or on behalf of any medical care facility constitute a project for which a certificate of public need is required. The bill also provides that capital expenditures of \$5 million or more by a general hospital shall be registered with the Commissioner of Health.

HB 2316 Southwest Virginia Health Authority; review and approval of cooperative agreements.

Authorizes the Southwest Virginia Health Authority to receive and review applications for approval of proposed cooperative agreements submitted by two or more hospitals and to and provide recommendations to the State Health Commissioner regarding the approval of such applications. The Commissioner is charged with adopting the Authority's recommendation if he determines that the recommendation is supported by a preponderance of the evidence in the record. The Commissioner is entrusted with supervising any cooperative agreement to ensure compliance with its provisions and is required, if he has reason to believe that compliance with a cooperative agreement no longer meets certain requirements, to initiate a proceeding to determine whether compliance no longer meets the requirements. The bill also provides that activities conducted pursuant to cooperative agreements approved and supervised by the Commissioner are immunized from challenge or scrutiny under the Commonwealth's antitrust laws. The measure states that it is the intention of the General Assembly that this measure immunizes cooperative agreements approved and supervised by the Commissioner from challenge or scrutiny under federal antitrust law. The City of Bristol is added to the jurisdictions participating in the Authority. The State Board of Health is required to promulgate emergency regulations that address (i) the review of applications for proposed collaborative agreements; (ii) the process by which applications for proposed collaborative agreements shall be

approved or denied; (iii) post-approval monitoring; and (iv) fees to cover costs of supervising approved cooperative agreement

HB 2368 Involuntary civil admissions; evaluations.

Directs the Commissioner of Behavioral Health and Developmental Services to develop by October 1, 2015, a comprehensive plan to authorize psychiatrists and emergency physicians to evaluate individuals for involuntary civil admission.

SB 779 Psychiatric treatment of minors; duration of admission, petition for judicial approval.

Increases from 96 to 120 hours the length of time a minor 14 years of age or older who objects to admission for inpatient treatment or who is incapable of making an informed decision may be admitted to a willing mental health facility.

SB 846 Recipients of public assistance; access to financial literacy courses.

Directs the Department of Social Services, in consultation with the Virginia Employment Commission and Virginia Community College System, to develop and implement a plan under which citizens receiving public assistance will be provided information on free financial literacy courses.

SB 850 Comprehensive Services Act for At-Risk Youth and Families; name change.

Changes the name of the Comprehensive Services Act for At-Risk Youth and Families to the Children's Services Act.

SB 1052 Developmental disabilities; definition.

Defines "developmental disability" as a severe, chronic disability of an individual that (i) is attributable to a mental or physical impairment, or a combination of mental and physical impairments, other than a sole diagnosis of mental illness; (ii) is manifested before the individual reaches 22 years of age; (iii) is likely to continue indefinitely; (iv) results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and economic self-sufficiency; and (v) reflects the individual's need for a combination and sequence of special interdisciplinary or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

SB 1114 Emergency custody order; temporary detention for testing, observation, and treatment.

Provides that a court or magistrate may issue an order for temporary detention for medical testing, observation, and treatment for a person who is also the subject of an emergency custody order for evaluation and treatment of mental illness. Upon completion of any required testing, observation, or treatment, the hospital emergency room or other appropriate facility in which the person is temporarily detained shall notify the nearest community services board, and a designee of the community services board shall complete the evaluation as soon as is practicable but prior to the expiration of the order for temporary detention for testing, observation, or treatment.

SB 1117 Child abuse or neglect, suspected; time period for investigation.

Clarifies that, in cases of alleged child abuse or neglect where the subject of the report is an employee of a school division who is suspected of abusing or neglecting a child in the course of his educational employment, the time period for investigating reports of alleged child abuse or neglect, making a determination of whether the report is founded or unfounded, and transmitting the required report to the Department of Social Services and the person who is the subject of the investigation shall be mandatory, and every local department shall make the required determination and report within the specified time period without delay.

SB 1151 State and local advisory team; expands membership.

Expands membership of the state and local advisory team for the State Executive Council for Comprehensive Services for At-Risk Youth and Families to include (i) one parent representative who is not an employee of any public or private program that serves children and families and who has a child who has received services that are within the purview of the Comprehensive Services Act and (ii) one member from each of the five different geographical areas of the Commonwealth who is representative of one of the different participants of community policy and management teams pursuant to § 2.2-5205.

SB 1264 Involuntary admission and incapacity information; access by law-enforcement.

Provides that certain information related to persons adjudicated incapacitated or ordered to involuntary inpatient or outpatient treatment or to persons who were subject to a temporary detention order who agreed to voluntary admission may be disseminated to a full-time or part-time employee of a law-enforcement agency for purposes of the administration of criminal justice.

SB 1283 Certificate of public need; eliminates regional health planning agencies and adds an exception.

Amends the definition of "project" for which a certificate of public need is required to include capital expenditures of \$15 million or more by or on behalf of a medical care facility other than a general hospital. Currently, all capital expenditures of \$15 million or more by any medical care facility constitute a project for which a certificate of public need is required. The bill provides that capital expenditures of \$5 million or more by a general hospital shall be registered with the Commissioner of Health. The bill also directs the Secretary of Health and Human Resources to convene a work group to review (i) the current certificate of public need process and its impact on health care services in the Commonwealth and (ii) the need for changes to the current certificate of public need process.

Land Use, Housing & Zoning

HB 1594 Outdoor advertising; regulation by county governing bodies.

Allows county governing bodies to take over from the Commissioner of Highways the regulation of authorized outdoor advertising or notices that are on public park or school property owned by the county and are not visible from interstates or other components of the National Highway System.

HB 1642 / SB 775 Virginia Residential Property Disclosure Act; representations related to special flood hazard areas.

Requires the owner's representation to a prospective purchaser of residential property under the Virginia Residential Property Disclosure Act that the owner makes no representations with respect to whether the property is located in one or more special flood hazard areas and purchasers are advised to exercise whatever due diligence they deem necessary, including (i) obtaining a flood certification or mortgage lender determination of whether the property is located in one or more special flood hazard areas, (ii) review of any map depicting special flood hazard areas, and (iii) whether flood insurance is required, in accordance with terms and conditions as may be contained in the real estate purchase contract, but in any event, prior to settlement pursuant to such contract. The bill contains technical amendments.

HB 1849 Zoning appeals, board of; granting of variance, ex parte communications, proceedings.

Changes the standard by which a board of zoning appeals shall grant an application for a variance by eliminating or altering several of the requirements.

HB 2094 Building Code; limitation of prosecution for violations.

Provides that prosecutions for Uniform Statewide Building Code violations relating to the maintenance of existing buildings or structures shall commence within one year of the issuance of a notice of violation for the offense by the building official. Under current law, such prosecutions shall commence within one year of the discovery of the offense by the building official.

HB 2283 Virginia-recognized Indian tribes; enforcement of Uniform Statewide Building Code.

Authorizes a state-recognized Indian tribe to be responsible for the enforcement of the Uniform Statewide Building Code (USBC) on any Indian reservation recognized by the Commonwealth if the Indian tribe has adopted the USBC by tribal ordinance and (i) assumed sole responsibility for existing buildings and new construction on the reservation and (ii) retained firms or individuals to function as the building official for purposes of enforcing the ordinance.

EMERGENCY

SB 1257 Cash proffer for residential construction; removes sunset date.

Removes the July 1, 2017, expiration date of a current law that delays the payment of certain per-dwelling-unit cash proffers until after the final inspection of the subject property and prior to the issuance of any certificate of occupancy. The removal of the sunset date also extends existing provisions protecting a right to delayed payment of cash proffers and allowing a court to award fees and costs to a party that prevails in a legal challenge to a conflicting ordinance. In addition, the bill repeals the July 1, 2017, expiration date of a 2009 act of assembly that lowered the cap on the administrative costs a locality could charge a developer for the dedication of a public right-of-way from 25 percent to 10 percent of the estimated construction cost.

SB 1272 Alcoholic beverage control; limited distillers' licenses.

Creates a limited distiller's license for distilleries that (i) manufacture no more than 36,000 gallons of spirits per calendar year, (ii) are located on a farm in the Commonwealth on land zoned agricultural and owned or leased by such distillery or its owner, and (iii) use agricultural products grown on the farm in the manufacture of its alcoholic beverages. The bill also establishes local and state taxes for limited distiller's licenses and prevents local regulation of certain activities by such licensees.

SB 1355 Local planning commission; action on proposed plat.

Applies certain provisions, including a 60-day time limit, to the process of approval by any local planning commission of a plat or site plan that solely involves commercial real estate. Currently, the provisions apply only to planning commissions in localities with a population greater than 90,000 based on the 2000 U.S. Census.

SB 1435 Eminent domain; lost profits and just compensation.

Requires that any and all liability for lost profits claimed in an action for compensation pursuant to a taking under eminent domain be set forth specifically in the award for just compensation and that in a partial acquisition, in the event that the owner of the property being condemned and the owner of the business or farm operation claiming lost profits are the same, then any enhancement shall be offset against both damage to the residue and lost profits. The bill also defines lost profits as a loss of business profits for a period not to exceed three years from the date of valuation if there is a partial taking and for a period not to exceed one year from the date of valuation if the entire parcel of property is taken.

Miscellaneous

HB 1499 / SB 1427 Breast-feeding in public places; mother's right.

Provides that a mother may breastfeed in any place where the mother is lawfully present. Current law allows breastfeeding on any property owned, leased, or controlled by the Commonwealth.

HB 1553 Local notifications; locality may by ordinance establish system to deliver to residents by email.

Provides that any locality may by ordinance establish a system to deliver notifications to residents by email, phone, text message, or other similar means of communication. Such ordinance shall be adopted only after a public hearing and shall contain an opt-in provision for nonemergency notifications. Existing notification systems shall be deemed to meet the requirements of the bill.

HB 1751 Administrative Process Act; certain review by Joint Commission on Administrative Rules, report.

Provides that in the event the economic impact analysis completed by the Department of Planning and Budget (the Department) reveals that a proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance within the 45-day period allowed for preparation of the economic impact analysis. The bill requires the Joint Commission on Administrative Rules to review such rule or regulation and report quarterly to the Governor and the General Assembly on any such regulation, including in its report a statement of any position taken by the Commission on any such regulation.

HB 1790 State agency or official; prohibition on payments without an appropriation, prohibition on IOUs.

Prohibits a state agency or official from attempting, guaranteeing, or purporting to pay for a good or service or a debt unless the General Assembly has appropriated funds, or funds are otherwise lawfully available, to pay the same. The prohibition on payment does not apply to payments required by federal law. The bill also prohibits a state agency or official from furnishing an IOU in exchange for any good or service, as a means to pay for any good or service, or in lieu of a payment on a debt.

HB 2081 Employers; disclosure of social media account information.

Prohibits an employer from requiring a current or prospective employee to disclose the username and password to his social media account. The measure also prohibits an employer from requiring an employee to add an employee, a supervisor, or an administrator to the list of contacts associated with the employee's social media account.

SB 1001 Dogs or cats; sell, exchange, etc., prohibited on or in any roadside, parkway, etc.

Prohibits the sale or display of a dog or cat on or in a roadside, parking lot, flea market, or similar place, with certain exceptions. The bill limits the sources of pet shop dogs to humane societies, public animal shelters, and breeders who meet certain qualifications and establishes a record-keeping requirement for pet shops selling dogs. The bill also applies the existing misdemeanor penalty for a violation of the section to each dog sold or offered for sale.

SB 1381 Private animal shelter; clarifies purpose and definition.

Clarifies that the purpose of a private animal shelter is to find permanent adoptive homes for animals.

Personnel & Benefits

HB 1486 / SB 770 Workers' compensation; exclusivity of remedy.

Provides that if the Worker's Compensation Commission or a court on appeal from the Commission makes a finding in an unappealed order based on an evidentiary hearing or a factual stipulation of the parties that the claim relating to an accident, injury, disease, or death did not arise out of or in the course of the employee's employment, then that finding shall be res judicata between the parties and estop them from arguing before a court that the accident is barred by the exclusivity provisions of the Workers' Compensation Act. The bill further sets out the notice provisions required in order for the court finding to be res judicata.

HB 1681 Workplace safety; employer reporting requirements.

Requires employers to notify the Virginia Department of Labor and Industry of any work-related hospitalization, amputation, or loss of an eye. Existing law requires employers to report hospitalizations involving three or more employees and does not specifically address reporting an amputation or enucleation.

HB 1820 Workers' compensation; pecuniary liability of the employer for medical services, report.

Requires the Virginia Workers' Compensation Commission to determine the number and geographic area of communities across the Commonwealth. The measure also requires the Commission to convene a work group of stakeholder representatives of employers, health care service providers, claimants, and insurers to advise and assist the Commission in (i) reviewing, analyzing, and comparing information contained within and reports on all possible databases containing workers compensation or healthcare data for medical services rendered in Virginia, (ii) reviewing, analyzing, and comparing information contained within and reports on how similar databases are used for the establishment of the pecuniary liability of the employer in other states, and (iii) making findings or recommendations as to how the databases reviewed and the contents thereof may serve to enhance or replace Virginia's current mechanisms for establishing the pecuniary liability of the employer for medical services provided to an injured employee.

HB 1890 Virginia Retirement System; purchase of service credit for prior service.

Makes numerous changes to the purchase of service credit program to simplify it and make it more cost-neutral to the fund and more in line with other states' programs. The bill has a delayed effective date of January 1, 2017.

HB 1940 Health insurance; mandated coverage for autism spectrum disorder.

Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals from age two through 10. Currently, coverage is required to be provided for individuals from age two through six. The provision applies with respect to insurance policies, subscription contracts, and health care plans delivered, issued for delivery, reissued, or extended on or after January 1, 2016. The measure does not apply to policies, contracts or plans issued in the individual market or the small group market, which effective January 1, 2016, will include employers with no more than 100 employees.

HB 1969 Virginia Retirement System; cash balance retirement plan.

Directs the Virginia Retirement System to develop a proposed cash balance retirement plan and provide the proposal to the General Assembly no later than November 1, 2015.

HB 1998 State and federal programs; VRS shall convene a work group to review, etc.

Requires the Virginia Retirement System to convene a work group to review current state and federal programs that encourage citizens of the Commonwealth to save for retirement by participating in retirement savings plans. The

review will include an examination of retirement savings options for self-employed individuals, part-time employees, full-time employees whose employers do not offer a retirement savings plan, and groups with a low savings rate. The Virginia Retirement System will report its findings to the Governor and the General Assembly by January 1, 2017.

HB 2178 / SB 1162 Hybrid retirement program; disclosure of services, etc., associated with voluntary contributions.

Allows school divisions the option of establishing and administering their own deferred compensation and cash match plans for the hybrid retirement program. Employees of such school divisions would have the option of participating in such programs. The bill has a delayed effective date of January 1, 2016.

HB 2204 Line of Duty Act; codifying revisions to the Act.

Revises the Line of Duty Act by codifying revisions to the Act in the appropriation act, transferring overall administration of the Act to the Virginia Retirement System (VRS), transferring administration of health insurance benefits under the Act to the Department of Human Resource Management (DHRM), and providing for an administrative appeal process. The bill also directs VRS and DHRM, with the input of all stakeholders, to develop proposals on how to improve the Act and ensure its long-term fiscal viability. Except for the development of proposals by VRS and DHRM, the bill becomes effective July 1, 2016, and only if reenacted in the 2016 Session.

HB 2277 Life insurance; coverage for retired state employees.

Provides that the basic life insurance coverage for retired state and local employees with 30 or more years of creditable service shall not be reduced to less than \$8,000, indexed to the amount of post-retirement supplements for retirees as calculated for employees hired on or after July 1, 2010.

SB 942 Virginia Retirement System; purchase of prior service credit.

Allows a member of the Virginia Retirement System granted an unpaid leave of absence for the death of a qualifying child to purchase up to one year of service credit per occurrence of leave. Current law allows the purchase of service credit for an unpaid leave of absence related to the birth or adoption of a child.

SB 1046 Benefits consortium; formation of a not-for-profit consortium by localities.

Authorizes the governing bodies of three or more cities, counties, or school boards, if they composed the membership of a multiple employer welfare arrangement on December 31, 2014, to form a benefits consortium for the purpose of establishing a self-funded employee welfare benefit plan. The benefits consortium will be a nonstock corporation established to operate a benefits plan. Each member of the benefits consortium shall be contractually liable for its allocated share of the consortium's liabilities. The benefits consortium will be exempt from taxation and from insurance regulations.

Procurement

HB 1608 Local government; prohibits practices that would require contractors to provide benefits. VETO

Prohibits local governing bodies from establishing provisions related to procurement of goods, professional services, or construction services that would require a wage floor or any other employee benefit or compensation above what is otherwise required by state or federal law to be provided by a contractor to one or more of the contractor's employees as part of a contract with the locality. The prohibition shall not affect contracts between a locality and another party that were executed prior to January 31, 2016, or the renewal or future rebids of services thereof. Also, localities shall not be prohibited from entering into contracts for economic development incentives in which the company receiving the incentives is required to maintain a certain stated wage level for its employees.

HB 1628 Virginia Public Procurement Act; contract modification.

Provides that the contract modification provisions of the Virginia Public Procurement Act do not limit the amount a party to a public contract may claim or recover against a public body in the event of a contract dispute. The bill provides that modifications made by a political subdivision that fail to comply with the above provisions are voidable at the discretion of the governing body, and unauthorized approval of a modification cannot be the basis of a contractual claim under the Virginia Public Procurement Act.

HB 1637 Virginia Public Procurement Act; job order contracts and design professional contracts.

Decreases the population threshold for localities for the procurement of architectural and engineering services from 80,000 to 78,000 and increases the single project limit for architectural and engineering services for such localities from \$2 million to \$2.5 million and the aggregate limit for projects performed in a one-year contract term from \$5 million to \$6 million.

HB 1835 / SB 1371 Virginia Public Procurement Act (VPPA); methods of procurement. AMENDMENTS

Clarifies that small purchase procedures include the procurement of non-transportation related construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill adds independent agencies of the Commonwealth to the definition of public body under the VPPA. The bill also increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited, (ii) no public body shall issue or use a job order, under a job order contract, solely for the purpose of receiving professional architectural or engineering services that constitute the practice of architecture or the practice of engineering as those terms are defined in § 54.1-400. However, professional architectural or engineering services may be included on a job order where such professional services are (a) incidental and directly related to the job, (b) do not exceed \$25,000 per job order, and (c) do not exceed \$75,000 per contract term., and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill clarifies the provisions of the VPPA related to cooperative procurement and requires that by October 1, 2017, the Department of Small Business and Supplier Diversity, public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005, any state agency utilizing job order contracting, and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing, on behalf of local public bodies, working cooperatively report their respective experiences and findings relating to the appropriateness and effectiveness of job order contracting in general, the job order project cost limitations as added by this bill, and the architectural and professional engineering term contract limits to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill also requires for construction projects in excess of \$2 million, a public body, including public institutions of higher education, provide its justification for use of any procurement method other than competitive sealed bidding to the Director of the Department of General Services. The bill requires the State Corporation Commission (SCC) to develop a process for the administrative review of its procurement decisions that is consistent with the Constitution of Virginia. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015, except that the provisions of subsection B of § 2.2-4303.2, as added by this bill, shall apply to any renewal of a job order contract. The bill and is a recommendation of the General Laws Special Joint Subcommittee Studying the Virginia Public Procurement Act.

HB 1886 Public-Private Transportation Act; establishes requirement for finding of public interest.

Establishes the requirements for a finding of public interest and requires such a finding prior to an initiation of procurement. The bill establishes the Transportation Public-Private Partnership Advisory Committee to determine by a majority vote whether a VDOT or Department of Rail and Public Transportation project meets the finding of public interest and to report such determination to the General Assembly. The bill requires certification of the finding prior to the execution of a comprehensive agreement and requires the public-private partnership guidelines to incorporate the finding. The bill requires VDOT to establish (i) a process for identifying high-risk projects and (ii) procurement processes and guidelines for such projects to ensure that the public interest is protected.

HB 1917 Governmental agencies; contracts for items listed on commercial activities list. AMENDMENTS

Requires any governmental agency that intends to purchase services for an amount over \$25,000 from another governmental agency, which service is found on the commercial activities list, to post notice of such purchase and provide the opportunity for comment by or the submission of information from the private sector on each such intended purchase. The bill specifies where the notice is to be posted and defines commercial activities list and governmental agency.

HB 2293 Value engineering; report shall not be required for certain projects.

Eliminates the need for a value engineering report for projects that (i) are designed utilizing either the design-build or construction management at risk basis and (ii) have the value engineering process as an integral component. The bill also eliminates the requirement that a designee of the Department of General Services (the Department) participate in all cost-saving decisions for such projects having a waiver granted by the Director of the Department. The bill requires that only a written summary of the cost savings that have been incorporated into the design be provided to the Division of Engineering and Buildings prior to moving forward to the construction phase of the contract.

SB 1226 Virginia Public Procurement Act; requirements for Requests for Proposal.

Requires that Requests for Proposal include the specifics of any numerical scoring system to be used and indicate the weight that will be given to individual components of a proposal. The bill provides that if a numerical system is used, the point values assigned to each of the evaluation criteria must be included in the RFP or posted at the location designated for public posting of procurement notices prior to the due date and time for receiving proposals.

Public Safety

HB 1355 Photo monitoring; use of systems to enforce traffic light signals, appeals.

Provides that an operator of a motor vehicle found in violation of an ordinance created to enforce photo-monitoring systems for traffic lights has a right to appeal to the circuit court in a civil proceeding. The bill also reduces from \$50 to \$20 the amount of the matter in controversy above which an appeal of right exists in a civil case.

HB 1408 Telecommunication records; warrant requirement, prohibition on collection by law enforcement.

Provides that if an investigative or law-enforcement officer would be required to obtain a search warrant in order to obtain the contents of electronic communications or real-time location data from a provider of electronic communication service or remote computing service, the officer shall not use any device to intercept such communications or collect such real-time location data without first obtaining a search warrant authorizing the use of the device.

HB 1560 / SB 888 Electronic summons systems; towns may assess an additional sum.

Allows towns to assess a fee not to exceed \$5, as part of the costs in each criminal or traffic case in the district or circuit courts located where such cases are brought, to be used for the implementation and maintenance of an electronic summons system.

HB 1584 / SB 938 Fire services and emergency medical services; revises certain terminology.

Revises terminology related to fire services and emergency medical services and reorganizes provisions governing fire services and emergency medical services.

HB 1606 / SB 1217 Private police departments; definition.

Defines "private police department" as any police department that employs private police officers operated by an entity authorized by statute or an act of assembly to establish a private police department. The bill provides that the authority of a private police department is limited to real property owned, leased, or controlled by the entity and, if approved by the local chief of police or sheriff, any contiguous property. The bill also provides that private police departments and private police officers shall be subject to and comply with the relevant laws and regulations governing municipal police departments and shall meet the minimum compulsory training requirements for law-enforcement officers. The bill provides further that any private police department in existence on January 1, 2013, that was not otherwise established by statute or an act of assembly and whose status as a private police department was recognized by the Department of Criminal Justice Services at that time may continue to operate as a private police department, provided that it complies with the necessary requirements. The private police departments so recognized are the Aquia Harbor Police Department, the Babcock and Wilcox Police Department, the Bridgewater Airpark Police Department, the Carilion Police and Security Services Department, the Kings Dominion Park Police Department, the Kingsmill Police Department, the Lake Monticello Police Department, the Massanutten Police Department, and the Wintergreen Police Department. EMERGENCY

HB 1611 Assault and battery; felony when committed against certain persons.

Amends provision making it a Class 6 felony to commit an assault or an assault and battery against judges, magistrates, law-enforcement officers, correctional officers, firefighters, emergency medical services personnel, and persons directly involved in the care, treatment, or supervision of certain inmates, juvenile offenders, and sexually violent predators when they are engaged in the performance of their public duties to state that the crime occurs regardless of where in the Commonwealth the public duties are performed. The bill provides that its provisions are declarative of existing law.

HB 1673 / SB 965 Government Data Collection and Dissemination Practices Act; limitation on collection. AMENDMENTS

Provides that, unless a criminal or administrative warrant has been issued, law-enforcement and regulatory agencies shall not use surveillance technology to collect or maintain personal information where such data is of unknown relevance and is not intended for prompt evaluation and potential use regarding suspected criminal activity or terrorism by any individual or organization. The bill authorizes law-enforcement agencies to collect information from license plate readers, provided that such information is held for no more than seven days and is not subject to any outside inquiries or internal usage, except in the investigation of a crime or missing persons report. After seven days, such collected information must be purged from the system unless it is being used in an ongoing investigation. The bill also adds to the definition of "personal information" vehicle license plate numbers and information that affords a basis for inferring an individual's presence at any place.

HB 1785 Campus police departments; sexual assault reporting.

Requires that mutual aid agreements between a campus police force and a law-enforcement agency contain provisions requiring either the campus police force or the agency with which it has established a mutual aid agreement to notify the local attorney for the Commonwealth within 48 hours of any investigation involving felony criminal sexual assault occurring on campus property or other property related to the institution of higher education. The bill also requires institutions of higher education that have security departments instead of campus police forces to enter into a memorandum of understanding with a law-enforcement agency and such memorandum of understanding shall contain similar provisions requiring reports to the local attorney for the Commonwealth.

HB 1808 / SB 1184 Missing persons; search and rescue.

Provides that no local law-enforcement agency shall establish or maintain any policy that requires a waiting period before accepting a critically missing adult report and requires a local law-enforcement agency that receives such a report to initiate an investigation of the case within two hours of receipt. The bill defines a critically missing adult as any missing adult 21 years of age or older whose disappearance indicates a credible threat to the health and safety of

the adult as determined by a law-enforcement agency and under such other circumstances as deemed appropriate after consideration of all known circumstances. The bill requires the Department of Criminal Justice Services to establish training standards and publish a model policy for missing children, missing adults, and search and rescue protocol. The bill requires the Department of Emergency Management to establish a Coordinator of Search and Rescue. This bill is a recommendation of the Virginia State Crime Commission.

HB 1833 Naloxone; administration by law-enforcement officers. AMENDMENTS

Allows first responders, members of an emergency medical services agency, or law-enforcement officers to possess naloxone and administer naloxone to a person who is believed to be experiencing or about to experience an opiate overdose. The bill provides civil immunity for such first responders, members of an emergency medical services agency, and law-enforcement officers for any personal injury that results from any act or omission in the good faith administration of naloxone. See, also SB 1186.

HB 1955 / SB 1232 Cigarette laws; administration and enforcement. AMENDMENTS

Modifies several provisions relating to the administration and enforcement of Virginia's cigarette laws by prohibiting persons convicted of certain offenses from being authorized holders, requiring the Office of the Attorney General to place on its website a list of individuals ineligible to be an authorized holder, and authorizing additional entities to audit and inspect records of persons receiving, storing, selling, handling, or transporting cigarettes. This bill is a recommendation of the Virginia State Crime Commission.

HB 2009 Firearms, certain; law-enforcement certification. VETO

Requires that when certification of a chief law-enforcement officer is required by federal law for transfer of a firearm as defined in the National Firearms Act, such certification must be provided within 60 days if the applicant is not prohibited by law from receiving the firearm. If the applicant is prohibited by law from receiving the firearm, the chief law-enforcement officer or his designee shall notify the applicant in writing of the reason for the prohibition. For the purposes of this measure, the definition of "firearm" is limited to machine guns, rifles and shotguns of a certain length, weapons made from certain rifles or shotguns, and silencers. If the chief law-enforcement officer fails to provide certification within 60 days, the applicant has a right to an ore tenus hearing in circuit court and, unless the evidence shows that the applicant is prohibited by law from receiving the firearm, the court shall order the chief law-enforcement officer to issue the certification within five business days.

HB 2043 / SB 1361 Incarcerated persons; transfer to U.S. Immigration and Customs Enforcement.

Allows the custodian of a state or local inmate to transfer custody of an incarcerated alien to U.S. Immigration and Customs Enforcement no more than five days before the date on which such inmate would otherwise be released if the custodian receives a detainer from U.S. Immigration and Customs Enforcement. The bill requires that, upon such transfer of custody, the alien receive credit for the number of days remaining before he would otherwise have been released.

HB 2092 / SB 1094 Virginia Sexual and Domestic Violence Local Program Center; established.

Establishes the Virginia Sexual and Domestic Violence Program Professional Standards Committee and requires the Department of Criminal Justice Services to administer its activities by providing technical assistance and administrative support. This Committee is tasked with establishing voluntary accreditation standards and procedures by which local sexual and domestic violence programs can be systematically measured and evaluated with a peer-reviewed process. An Advisory Committee on Sexual and Domestic Violence is also established and has the responsibility for advising and assisting state and local entities on matters related to the prevention and reduction of sexual and domestic violence and to promote the efficient administration of grant funds. This bill is a recommendation of the Virginia State Crime Commission.

HB 2112 DCJS; eliminates requirement for training standards for undercover work.

Eliminates the requirement that the Department of Criminal Justice Services establish compulsory training courses for law-enforcement officers who have not completed the compulsory minimum training standards prior to assigning any such officer to undercover investigation work. Such training is not offered by criminal justice training academies due to liability and officer safety issues.

HB 2125 / SB 1301 Use of unmanned aircraft systems; search warrant required. AMENDMENTS

Replaces the moratorium on the use of unmanned aircraft systems by state and local law-enforcement and regulatory entities, except in defined emergency situations or in training exercises related to such situations, that will expire on July 1, 2015, with an absolute prohibition on the use of unmanned aircraft systems by such law-enforcement and regulatory entities unless a search warrant has been obtained prior to such use. The warrant requirement does not apply when such systems are utilized to support the Commonwealth for purposes other than law enforcement or to certain search and rescue operations, certain Virginia National Guard and U.S. Armed Forces functions, research and development conducted by institutions of higher education or other research organizations, or the use of unmanned aircraft systems for private, commercial, or recreational use.

HB 2206 / SB 1195 Conservators of the peace, special; application for appointment. AMENDMENTS

Makes various changes to the laws providing for the appointment of special conservators of the peace, including (i) requiring the Criminal Justice Services Board to adopt regulations establishing compulsory minimum training standards of 98 hours for unarmed special conservators of the peace and 130 hours for armed special conservators of the peace.

HB 2222 / SB 1360 Commonwealth's Attorneys Training Fund; established.

Establishes the Commonwealth's Attorneys Training Fund to be used for the purpose of supporting prosecutor training and law-enforcement training.

HB 2235 HOT lanes; when law-enforcement vehicles may use.

Clarifies the circumstances under which law-enforcement vehicles may use HOT lanes without paying a toll.

HB 2369 Conservators of the peace, special; orders of appointment.

Provides that a judge may revoke an order of appointment for a special conservator of the peace for good cause shown and after the special conservator of the peace has been given notice and an opportunity to be heard. Pending a hearing on revocation, the order may be temporarily suspended. The bill also provides that an appointment shall be eligible for suspension and revocation after a hearing if a special conservator of the peace is convicted of an offense for which he could not initially become registered as a special conservator of the peace.

SB 845 Volunteer first responders; immunity from civil liability when in route to an emergency.

Provides that no volunteer firefighter or volunteer emergency services personnel shall be liable for any injury to persons or property arising out of the operation of an emergency vehicle when such volunteer is en route to respond to a fire or to render emergency care or assistance to any ill or injured person at the scene of an accident, fire, or life-threatening emergency and the emergency vehicle displays warning lights and sounds a siren, exhaust whistle, or air horn, unless such injury results from gross negligence or willful or wanton misconduct. Such immunity shall be in addition to, not in lieu of, any other applicable immunity provided by state or federal law.

SB 936 Unclaimed firearms; donation to Department of Forensic Science.

Permits localities, the Capitol Police, and the State Police to donate unclaimed firearms to the Department of Forensic Science. The bill also extends from 60 to 120 days the period for which various law-enforcement agencies must retain unclaimed firearms before destroying or donating such firearms.

SB 951 Dead bodies; disposition of remains or burial of decedent.

Clarifies the role of a person other than a decedent's next of kin, a person designated to make arrangements for the decedent's burial or the disposition of his remains, an agent named in an advance directive, or a court-appointed guardian to make decisions regarding the disposition of a decedent's remains. The bill defines "disposition" as the burial, interment, entombment, cremation, or other authorized disposition of a dead body. The bill also clarifies the definition of next of kin.

SB 997 Emergency medical services personnel; background checks, process.

Allows local governments, by adoption of an ordinance, to use an alternative method for criminal history background checks for emergency medical services personnel. Emergency medical services agencies in such localities shall require applicants to submit fingerprints and personal identifying information to be provided directly to the Central Criminal Records Exchange, which shall forward the results of the state and national records search to the local government or chief law-enforcement officer of the locality, who shall notify the Office of Emergency Medical Services of the applicant's eligibility for employment or volunteer service.

**SB 1049 Regional jails; reimbursement of capital costs, regional contracts for cooperative jailing.
AMENDMENTS**

Reduces from one-half to one-fourth the maximum state reimbursement for capital costs for construction, enlargement, or renovation of regional jails and jails where there is a regional contract for cooperative jailing. The Commonwealth shall continue to reimburse up to one-half of the capital costs for (i) the enlargement or renovation of any regional jail created prior to July 1, 2015, and (ii) the construction, enlargement, or renovation of any regional jail approved by the Governor prior to such date.

The bill also prohibits any project to construct, enlarge, or renovate a jail or jail facility that was not approved by the Governor prior to July 1, 2015, or created prior to such date, unless the project is specifically authorized in the general appropriation act.

SB 1098 Juvenile Justice and Prevention, Advisory Committee on; delinquency prevention.

Broadens the scope of the Advisory Committee on Juvenile Justice to include review of juvenile delinquency prevention activities in the Commonwealth. The bill also adds the Commissioner of Health to the membership of the Advisory Committee and provides that the Advisory Committee may serve as an advisory committee as may be required by other federal or state laws or programs administered by the Department of Criminal Justice Services.

SB 1137 Loaded rifle or shotgun; regulation of transportation. VETO

Provides that any person who holds a valid concealed handgun permit shall not be subject to the provisions of certain local ordinances that make it unlawful for any person to transport, possess, or carry a loaded shotgun or loaded rifle in any vehicle on any public street, road, or highway within such locality.

SB 1186 Naloxone; administration in cases of opiate overdose.

Provides that a pharmacist may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written, or standing order in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, that a person may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opiate overdose, and that firefighters and law-enforcement officers who have

completed a training program may possess and administer naloxone. The bill also provides that a person who in good faith prescribes, dispenses, or administers naloxone or other opioid antagonist used for overdose reversal in an emergency to an individual who is believed to be experiencing or about to experience a life-threatening opioid overdose shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if acting in accordance with the provisions of § 54.1-3408 or in his role as a member of an emergency medical services agency.

SB 1238 Emergency Management, Department of; electromagnetic pulses and geomagnetic disturbances.

Requires the Department of Emergency Management, in carrying out its duties related to disaster preparedness planning and response, to specifically plan for disasters caused by electromagnetic pulses and geomagnetic disturbances.

SB 1307 Search warrants; collection of evidence from computers, computer networks, or other device.

Clarifies that a search warrant that authorizes the lawful seizure of digital evidence from a computer, computer network, or other device containing electronic or digital information includes the search and seizure of the physical components and the electronic or digital information contained in such computer, computer network, or other device. The bill also provides that any search, including the search of any computer, computer network, or other device, may be conducted in any location and not just the location where the evidence was seized. The bill provides that its provisions are declaratory of existing law.

SB 1311 Prisoners; sheriff, etc., to notify victim as soon as practicable of transfer.

Requires the sheriff, superintendent, or Department of Corrections to give notice to any victim of the offense for which a prisoner was incarcerated as soon as practicable following the transfer of such prisoner. Under current law, such notice must be given at least 15 days prior to the transfer.

SB 1434 Dead bodies; disposition, identification of decedent.

Provides that in cases in which the identity of a decedent and the county or city in which the decedent resided at the time of death are known, the person or institution having initial custody of the dead body shall notify the primary law-enforcement agency for the county or city in which the decedent resided of the decedent's death, and such law-enforcement agency shall make good faith efforts to identify and notify the decedent's next of kin. Currently, the primary law-enforcement agency for the county or city in which the person or institution having initial custody of the dead body is located is responsible for making good faith efforts to identify the decedent and notify the decedent's next of kin.

Taxation, Finance & Revenues

HB 1291 / SB 678 Real property tax; notice of assessments.

Clarifies that the information required on the notice of assessment regarding assessments in the immediately prior two tax years refers to the immediately prior two tax years' final assessments.

HB 1297 Machinery and tools tax; production of renewable energy.

Classifies machinery and tools owned by a business and used directly in producing or generating renewable energy as a separate class of property for tax rate purposes. The bill authorizes each locality to impose a tax on such machinery and tools at a rate less than that generally applicable in the locality to machinery and tools.

HB 1340 / SB 1219 Tangible personal property tax relief; autocycles.

Adds autocycles to those motor vehicles that qualify for tangible personal property tax relief. Beginning in 2016, certain localities would be required to apply tangible personal property tax relief to autocycles used for nonbusiness purposes.

HB 1386 Disaster relief; assistance by out-of-state businesses and employees.

Provides that out-of-state businesses and employees who come into the Commonwealth solely for the purpose of performing disaster-related or emergency-related work in response to a declared disaster or emergency shall not be subject to state or local taxes or registration requirements. However, nothing in the bill is to be construed as to change the obligation of the business or employee to be subject to withholding or pay income taxes in the employee's home state during the disaster response period. Upon request, the State Corporation Commission may require such a business to provide certain information. The Commission is required to maintain a record of such information and to make the record available to the public. EMERGENCY

HB 1424 Virginia Water and Waste Authorities Act; delinquent payment.

Repeals a provision of the Virginia Water and Waste Authorities Act that limits a landlord's liability for a tenant's separately metered sewer or water charges to three delinquent billing periods of no more than 90 days in total. The provision being repealed also prohibits a water or sewer authority from refusing service to the affected premises, or other premises of the landlord, on account of the delinquency as long as the landlord has paid the charges for which he is liable.

HB 1483 Real property assessment; valuation for land preservation.

Permits localities to set acreage requirements less than the current five-acre requirement for agricultural property to qualify for land use valuation.

HB 1488 Conservation easements; tax benefits, disputes over easement terms.

Allows a landowner or other party to a conservation easement to request that the Virginia Land Conservation Foundation use the Administrative Dispute Resolution Act to resolve a dispute relating to the interpretation of the easement.

HB 1489 Local taxes; payment by a third party.

Increases from 24 months to 96 months the maximum reimbursement time period for third-party tax payment agreements, in which a taxpayer repays a third party who paid local taxes on the taxpayer's behalf.

HB 1567 Tax-delinquent property; multijurisdictional sale.

Provides a method for the sale of tax-delinquent real property that is located in more than one locality. The consent of the treasurer of each locality within which the property is located is required.

HB 1589 Personal property; tax relief on certain motor vehicles leased by members of the military.

Requires each locality receiving personal property tax reimbursement from the Commonwealth to ensure that the reimbursement covers all of the tax attributable to the first \$20,000 of value on each qualifying vehicle leased by an active duty member of the United States military, his spouse, or both, pursuant to a contract requiring the active duty member to pay the tangible personal property tax on such vehicle, if the vehicle would not be taxed in Virginia if it were owned.

HB 1705 / SB 1308 Gas severance tax; no tax shall be imposed on or after January 1, 2018.

Extends the sunset date from December 31, 2015, to January 1, 2018, for the local gas severance tax that is dedicated to (i) the local Coal and Gas Road Improvement Fund, (ii) the Virginia Coalfield Economic Development Fund, and (iii) water, sewer, and natural gas systems and lines.

HB 1711 Real property tax; nonjudicial sale of certain tax-delinquent property.

Clarifies that the person who administers a locality's zoning ordinance, and therefore the person who makes determinations whether certain tax-delinquent real property meets the requirements for a nonjudicial sale, does not have to have "zoning administrator" as his official title.

HB 1721 Real property tax; exemption for surviving spouses of members of armed forces killed in action.

Exempts from taxation the dwelling of the principal residence of a surviving spouse of a member of the armed forces of the United States killed in action. If the value of the dwelling is in excess of the average assessed value of dwellings in the locality situated on property zoned as single family residential, then the portion of the value in excess of such average assessed value shall be subject to taxation. Pursuant to subdivision (b) of Section 6-A of Article X of the Constitution of Virginia, which was adopted by the voters in 2014, the General Assembly previously enacted legislation exempting from taxation the principal residence of such surviving spouse only if the assessed value of the residence was not in excess of the averaged assessed value. This bill exempts the portion of the residence below the average assessed value, regardless of the full assessed value of the dwelling.

HB 1727 / SB 1044 Commonwealth's tax code; conformity with federal law.

Advances conformity with the federal tax code from January 2, 2013, to December 31, 2014. EMERGENCY

HB 1766 / SB 1031 Real property tax; exemption for certain leasehold interests.

Authorizes localities to exempt from real property tax the leasehold interest in property in which the lessor is exempt from real property tax and the lessee is entitled to federal rehabilitation tax credits related to the property and uses the property for charitable, literary, scientific, cultural, or educational purposes..

HB 1828 / SB 1019 Land preservation; tax credit.

Makes several changes to the land preservation tax credit by (i) reducing the maximum amount of tax credits that may be issued in each calendar year from \$100 million to \$75 million beginning in 2015; (ii) with the exception of credits issued for fee simple interest donations, reducing the maximum amount of the land preservation tax credit that may be claimed in any year from \$100,000 in taxable year 2014 to \$20,000 in taxable years 2015 and 2016 and \$50,000 for each taxable year thereafter; (iii) requiring that a complete application for the tax credit with regard to a conveyance be filed with the Department of Taxation by December 31 of the year following the calendar year of the conveyance; and (iv) prohibiting the Department of Taxation from issuing any tax credit for a donation from any allocation or pool of tax credits attributable to a calendar year prior to the year in which the complete tax credit application for the donation was filed.

HB 1966 Local vehicle license fees and taxes; counties/towns to enter into reciprocal agreements to collect.

Allows counties and adjoining towns to enter into reciprocal agreements to collect each other's nondelinquent vehicle license fees and taxes.

HB 2098 / SB 1127 Tangible personal property; miscellaneous and incidental property.

Declares miscellaneous and incidental property used in a trade or business with an original cost of less than \$250 as a separate classification of tangible personal property, thereby permitting localities to impose a lower tax rate on

such property. The bill also authorizes localities to permit taxpayers to provide an aggregate estimate of the total value of such property instead of an itemized list.

HB 2161 / SB 999 Deeds of trust or mortgages; calculation of tax shall be calculated using rate scale, etc.

Clarifies and makes substantive and technical changes to state recordation taxes and fees, including requiring that the recordation tax on any deed of trust that is supplemental to an existing deed of trust be calculated only on that portion of the debt that is in addition to the original debt on which the tax has been paid. Under current law, such calculation of the recordation tax is restricted to supplemental deeds of trust with the same lender.

HB 2173 Real property tax; waiver of delinquent taxes.

Authorizes any locality to waive delinquent taxes on real property in exchange for the owner's donating the property to a nonprofit organization that builds, renovates, or revitalizes affordable housing for low-income families.

HJ 490 Constitutional amendment (first resolution); right to work.

Provides that any agreement or combination between any employer and any labor union or labor organization whereby persons not members of such union or organization are denied the right to work for the employer, or whereby such membership is made a condition of employment or continuation of employment by such employer, or whereby any such union or organization acquires an employment monopoly in any enterprise, is against public policy and constitutes an illegal combination or conspiracy and is void.

HJ 597 Constitutional amendment; real property tax exemption.

Provides that the General Assembly may provide for a local option to exempt from taxation the primary residence of the surviving spouse of any law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel killed in the line of duty. Such tax exemption may not be claimed by a surviving spouse who has remarried.

SB 721 Seizure of property; receipt required. AMENDMENTS

Requires the agency seizing property to, as soon as practicable, conduct an inventory of the seized property and provide a copy of such inventory to the property owner.

SB 872 Real property; explanation of increased assessment.

Requires an assessing officer of a governing body to provide, upon taxpayer request, a written explanation of or justification for an increase in the assessed value of the taxpayer's property.

SB 1010 Taxation, Department of; disclosure of information.

Authorizes the Department of Taxation to disclose (i) whether a person, firm, or corporation is registered as a retail sales and use tax dealer and whether a certificate of registration number for such tax is valid, (ii) to the developer or the economic development authority of a tourism project tax information facilitating the repayment of gap financing, and (iii) tax information to a private entity with which the Department has contracted to assist in the administration of the refund process. The bill also allows the Attorney General and the Tax Commissioner to disclose tax information relating to sellers and purchasers of cigarettes or other tobacco products to a federal, state, or local agency.

SB 1040 License tax; businesses ceasing operations.

Allows a person, firm, or corporation that ceases business in one year, but attempts to settle existing, outstanding accounts in the next year, to pay a license tax based on the estimate of the current year's gross receipts instead of the

previous year's gross receipts. At the time all accounts are closed, the amount paid shall be adjusted for actual gross receipts. Penalties apply if the person, firm, or corporation provides an unreasonable estimate, or if the person, firm, or corporation continues to operate the business during such a year. EMERGENCY

SB 1177 Commissioners of the revenue; production of documents related to tax liability by taxpayer.

Authorizes a commissioner of the revenue to require a taxpayer to produce documents related to his tax liability. Current law authorizes a treasurer to summon a taxpayer and require the production of documents, but authorizes a commissioner of the revenue only to summon a taxpayer.

Transportation

HB 1402 Highway maintenance; payments to certain cities and towns. AMENDMENTS

Provides that cities and towns that receive highway maintenance payments from the Commonwealth based on moving-lane-miles of highway will not have such payments reduced if moving-lane-miles of highway are converted to transit-only lanes and allows the City of Richmond to convert such moving-lanes to bicycle lanes and not lose its maintenance payment before July 1, 2016. The bill also directs the Secretary of Transportation to report by December 1, 2015, on an appropriate maintenance formula for bicycle lanes.

HB 1593 Parking in residential areas; localities may by ordinance permit in a public right-of-way.

Provides that localities may by ordinance permit the parking of vehicles within residential areas in a public right-of-way that constitutes a part of the state highway system so long as the vehicle does not obstruct the right-of-way.

HB 1662 / SB 1025 Transportation network companies (TNCs); licensing process by DMV.

Establishes a process for the licensing of transportation network companies (TNCs) by the Department of Motor Vehicles (DMV), provided that TNCs comply with the requirements for licensure. The bill requires TNCs to screen drivers (TNC partners), ensure that all drivers are at least 21 years old and properly licensed to drive, and conduct background checks on all drivers including a national criminal background check, a driving history report, and status on the state and national sex offender registries.

The bill also requires that TNC partner vehicles be titled and registered personal vehicles; be insured; have a maximum seating capacity of no more than seven persons, excluding the driver; be registered with DMV for TNC use; and display TNC and DMV identification markers. The bill further requires that TNC drivers be covered by a specific liability insurance policy and specifies the nature and limits of the insurance coverage. The bill also imposes several other operational requirements, including requirements that the TNC provide a credential to the driver and disclose information about the TNC partner and TNC policies to passengers.

The bill authorizes DMV to conduct periodic reviews of TNCs to confirm compliance and authorizes fees to cover DMV's costs of administering the program, an initial TNC license fee of \$100,000 and an annual license renewal fee of \$60,000. The bill requires DMV to review the fee structure and report by December 1, 2016.

HB 1827 Routine highway maintenance projects; exemption from erosion and sediment control requirements.

Exempts routine highway and road maintenance projects from the requirements of the Erosion and Sediment Control Act, including the reduction of flow runoff rates. This exemption is consistent with the exemption for similar routine highway maintenance projects under the Stormwater Management Program.

HB 1887 Commonwealth Transportation Board; membership, funding, updates annual reporting, and allocations.

Removes the Executive Director of the Virginia Port Authority from the Commonwealth Transportation Board (CTB) and makes the members of the CTB subject to removal by the Governor for malfeasance, misfeasance, incompetence, misconduct, neglect of duty, absenteeism, conflicts of interest, failure to carry out the policies of the Commonwealth, or refusal to carry out a lawful directive of the Governor. Both provisions would become effective July 1, 2016.

The bill updates the annual report of the Commissioner of Highways made to the Governor and the General Assembly and adds that such report be submitted to the Joint Legislative Audit and Review Commission and the CTB. The report must include the condition of existing transportation assets; the methodology used to determine maintenance and state of good repair needs; performance targets and outcomes; a listing of prioritized pavement and bridge projects based on the priority ranking system; VDOT strategies for improving the safety, security, and operations of highways; and a review of VDOT's collaboration with the private sector in delivering services.

The bill adds to transportation funding considerations the state of good repair purposes along with asset management practices and maintenance and requires the CTB to develop a priority ranking system for structurally deficient bridges and deteriorated pavements.

The bill establishes the high-priority projects program and the highway construction district grant program and replaces the \$500 million annual allocation made by the CTB and the 40-30-30 allocation formula to the primary, secondary, and urban highways with a new 40-30-30 allocation of funds to state of good repair purposes, high-priority projects, and highway construction district grants.

The bill also reallocates the interest, dividends, and appreciation that currently accrue to the Transportation Trust Fund and Highway Maintenance and Operating Fund: two-thirds of such current accruals to the Virginia Transportation Infrastructure Bank and one-third of such accruals to the Transportation Partnership Opportunity Fund. The bill also removes the definition of "grant" from the Virginia Transportation Infrastructure Bank and excludes grants from other financing, thereby removing the ability of a governmental entity to apply for a grant. The bill also allows the CTB to make transfers from the Toll Facilities Revolving Account to the Virginia Transportation Infrastructure Bank.

Further, the bill authorizes the Department of Rail and Public Transportation to enter into agreements not to exceed 20 years under the Public-Private Transportation Act to improve passenger rail service with private entities that finance improvements in return for annual payments.

HB 1915 / SB 1314 Northern Virginia Transportation Authority; regional plan.

Requires NVTa's regional transportation plan to make reducing congestion its primary objective in Planning District 8 to the greatest extent practicable. Also, each locality embraced by the Authority shall annually report to the Authority any aspects of its comprehensive plan that are not consistent with the regional transportation plan.

HB 2391 Highway funds; allocation by the Commonwealth Transportation Board.

Provides that the five percent of moneys allocated annually by the Commonwealth Transportation Board currently dedicated to paving of unpaved highways carrying more than 50 vehicles per day will instead be allocated for paving or improving such highways. This bill has a delayed effective date of July 1, 2016.

SB 792 Secondary state highway system; expands number of streets eligible to be taken into system.

Expands the number of streets eligible to be taken into the secondary state highway system by changing the definition of "street" from including streets that were opened to public use and used by motor vehicles prior to July 1, 1992, to streets that have been open to public use and used by motor vehicles for at least 20 years.

SB 847 Interstate 73 Transportation Compact; created.

Creates the Interstate 73 Transportation Compact to develop and plan the Interstate 73 corridor, advocate for federal and other funding resources for the project, and facilitate plans and programs for the project between the signatory states. The bill establishes the Interstate 73 Transportation Compact Commission, which shall include a seven-member delegation from Virginia, meet at least twice annually, and annually report on its activities to the Governor and the legislature of each signatory state. Such compact shall not become effective until enacted by at least one other signatory state.

SB 1451 Tolls; imposition and collection for use on Interstate Route 95 south of City of Fredericksburg.

Requires General Assembly approval prior to tolling on Interstate 95 south of Fredericksburg, pursuant to the federal Interstate System Reconstruction or Rehabilitation Pilot Program. This bill codifies the 11th enactment clause of Chapter 766 of the Acts of Assembly of 2013.

Charters/Legislation of Limited Application

HB 1284 Branchville, Town of; amending charter, elections, terms of office of council members.

Moves the date of election of the mayor and members of the town council from June to November and extends their terms from two years to four years. Council members serving on council who were elected in May 2014 shall have their terms of office shortened by six months but shall continue in office until their successors have been elected at the November general election and have been qualified to serve. EMERGENCY

HB 1470 Northern Virginia Transportation Authority; use of revenues, effective date.

Includes transit projects in those transportation projects that will be rated by VDOT in accordance with § 33.2-257 before they are funded by the Authority. The bill has a delayed effective date of July 1, 2016.

HB 1471 Affordable housing; City of Fairfax added to list of localities with authority to provide.

Adds the City of Fairfax to the list of localities with authority to provide for an affordable dwelling unit program under § 15.2-2304.

HB 1532 / SB 1276 Roanoke, City of; amending charter, appointment of director of finance, term of office.

Shifts authority to appoint the director of finance from the city council to the city manager.

HB 1510 Hampton Roads Transportation Accountability Commission; population estimates.

Provides that the population criterion required for decisions of the Hampton Roads Transportation Accountability Commission shall be the estimates, not the projections, made by the Weldon Cooper Center for Public Service of the University of Virginia.

HB 1625 Lovettsville, Town of; amending charter, updates boundaries, town powers, etc.

Updates the town's boundaries. Other changes eliminate the requirement of monthly meetings and provide that no distinction shall be made between a member elected to the council and a member who has been appointed to the council except as to voting on those matters set forth in Article VII, Section 7 of the Constitution of Virginia. The bill also makes numerous technical amendments and corrects outdated provisions.

HB 1656 James City County; amending charter, director of planning.

Removes the requirements that the director of planning be appointed by and report to the manager of development management.

HB 1663 Buchanan, Town of; amending charter, powers and elections.

Shifts the town's municipal elections from May to November and reduces the number of council members from six to four.

HB 1682 / SB 1214 Alexandria, City of; amending charter, changes certain powers of mayor, city council, etc.

Deletes numerous outdated provisions and updates references to the Code of Virginia.

HB 1758 Portsmouth, City of; appointment of board of zoning appeals.

Allows the Portsmouth City Council to appoint the members of the board of zoning appeals rather than the circuit court.

HB 1761 / SB 749 Portsmouth, City of; amending charter, election of mayor and city council members.

Allows any member of the city council to be a candidate for the office of mayor without resigning his office. Currently, the charter requires such a council member to resign by a specific date and sets out a procedure for filling the member's vacant seat.

HB 1784 Virginia Port Authority; capital projects.

Restricts expenditures by the Virginia Port Authority on capital projects, except certain specified projects, to those located on real property that is owned, leased, or operated by the Virginia Port Authority.

HB 1834 Luray, Town of; amending charter, changes date of municipal elections.

Shifts the town's municipal elections from May to November.

HB 1857 Weber City, Town of; amending charter, extends terms of council members, mayor, etc.

Extends the terms of council members, the mayor, the treasurer, the clerk of the council, and the town sergeant from two to four years and deletes outdated language.

HB 1885 / SB 1173 Virginia Retirement System; revocation of participation of political subdivision.

Allows the Town of Damascus, on the basis that it has not made contributions to VRS for 25 consecutive years, to revoke in writing its agreement to contribute to VRS for creditable service rendered by employees subsequent to the revocation. This is an exception to the general rule that election to participate in the Retirement System is irrevocable.

HB 1893 Bristol, City of; amending charter, clarifying changes to the Bristol Virginia Utilities Authority.

Clarifies the relinquishment of certain powers set out in the charter of the City of Bristol that were transferred to the BVU Authority in 2010. The bill also removes provisions related to the Youth Services Department and replaces references to the city comptroller with chief financial officer.

HB 2025 / SB 695 Hampton, City of; amending charter, candidacy of councilmembers in mayoral election.

Bars any City of Hampton mayoral candidate from simultaneously running for a place on the Hampton city council and establishes a procedure for the resignation of any serving councilmember who wishes to run for mayor. The bill establishes a deadline, effective date, and other parameters for the resignation of a serving councilmember and provides for the filling of the remaining term of office of a councilmember who has resigned to become a candidate in a mayoral election.

HB 2035 Lynchburg, City of; establishment of airport police department at Lynchburg Regional Airport.

Allows the City of Lynchburg by ordinance to establish an airport police department at the Lynchburg Regional Airport. The authority of the airport police department shall be limited to real property owned, leased, or controlled by the Airport. Such authority shall not supersede the authority, duties, or jurisdiction vested by law with the local police department or sheriff's office. The airport police department and airport police officers shall be subject to and comply with the United States Constitution, the Constitution of Virginia, the laws governing municipal police departments, and any regulations adopted by the Criminal Justice Services Board that the Department of Criminal Justice Services designates as applicable to private police departments. Any person employed as an airport police officer pursuant to this act shall meet all requirements, including the minimum compulsory training requirements, for law-enforcement officers pursuant to Chapter 1 (§ 9.1-100 et seq.) of Title 9.1 of the Code of Virginia.

HB 2051 / SB 1247 Charlottesville, City of; amends current sidewalk construction provision.

Authorizes the City of Charlottesville, as part of its zoning ordinance, to offer developers certain options regarding the construction of sidewalks. The bill amends a 2013 act of assembly that granted this authority to Charlottesville only as part of its subdivision ordinance.

HB 2128 Amherst, Town of; amending charter, creates the office of town manager and reassigns various duties.

Creates the office of town manager and reassigns various duties. The bill also deletes outdated provisions.

HB 2236 Chesapeake Hospital Authority; changes compensation for members.

Changes the compensation for members of the Chesapeake Hospital Authority from a maximum of \$3,000 per year to \$250 per meeting attended and requires the Authority to adopt as part of its bylaws a definition of "compensable meeting" prior to compensating any member. The bill stipulates that no member shall be compensated for participation in a meeting by electronic means when the member is not physically present at the meeting.

HB 2255 Lawrenceville, Town of; DOC to convey certain real property to be used for water facilities.

Conveys a 0.94-acre parcel from the Department of Corrections to the Town of Lawrenceville in Brunswick County. The parcel contains a water booster station and storage tank maintained by the Town and formerly used to serve a prison that the Department operated adjacent to the parcel. The conveyance is required to be made without consideration or cost to the Commonwealth.

HB 2292 Culpeper, Town of; amending charter, notice of special meetings and residence of Town Manager.

Makes technical changes to notice provisions for special meetings of town council and requires the town manager to reside within Culpeper County during his tenure of office. EMERGENCY

HB 2308 County manager plan of government; governing body (Arlington County) may appoint county auditor.

Allows the governing body in a county with the county manager plan of government (Arlington County) to appoint a county auditor. The county auditor shall have the power to make performance reviews of operations of county agencies or county-funded programs to ascertain that sums appropriated are expended for the purposes for which such appropriations were made and to evaluate the effectiveness of those agencies and programs.

SB 744 Portsmouth, City of; members, etc., of board of zoning appeals shall be appointed by governing body.

Adds the City of Portsmouth to a provision requiring the governing body to appoint members and alternates to the board of zoning appeals. Under the general law, the circuit court appoints the members of a locality's board of zoning appeals.

SB 755 Falls Church, City of; amending charter, city boundaries.

Adds to the description of the city boundary a reference to land added by a court order.

SB 759 Transient occupancy tax; Isle of Wight County authorized to impose a tax of up to two percent.

Adds the County of Isle of Wight to the list of counties authorized to impose a transient occupancy tax of up to five percent, with any excess over two percent to be designated and spent solely for tourism purposes.

SB 889 Affordable dwelling units; City of Fairfax authorized to adopt zoning ordinance to provide.

Adds the City of Fairfax to the list of localities whose governing bodies are authorized to adopt zoning ordinances that provide for an affordable housing dwelling unit program.

SB 940 Montross, Town of; amending charter, moves election date of town council.

Moves the date of election for the members of the town council from May to November, beginning in 2016.

SB 1014 Suffolk, City of; amending charter, appointment of members of board of equalization & school board.

Amends the charter of the City of Suffolk to clarify the roles of the circuit court in appointing members of the board of equalization and of the qualified voters of the city in electing the members of the school board.

SB 1176 Bristol, City of; amending charter, clarifying changes to the Bristol Virginia Utilities Authority.

Clarifies the relinquishment of certain powers set out in the charter of the City of Bristol that were transferred to the BVU Authority in 2010. The bill also removes provisions related to the Youth Services Department and replaces references to the city comptroller with chief financial officer.

SB 1229 Real estate with delinquent taxes; appointment of special commissioner in City of Fredericksburg.

Adds Fredericksburg to the list of cities with heightened requirements for the appointment of a special commissioner to execute the necessary deed to convey property with delinquent taxes or liens to the locality in lieu of a sale at public auction.

SB 1240 Transient occupancy tax; Bland & Russell Counties added to list of counties authorized to impose.

Adds Bland County and Russell County to the list of counties authorized to impose a transient occupancy tax of up to five percent, with any excess over two percent to be designated solely for tourism purposes.

SB 1245 Affordable housing in the City of Charlottesville; income level.

Amends Chapter 693 of the Acts of Assembly of 2008, as amended by Chapter 527 of the Acts of Assembly of 2013, which authorized the City of Charlottesville to require developers to either provide Affordable Dwelling Units or make a contribution to the city's affordable housing fund in connection with certain projects. The bill raises the maximum income level of a household deemed eligible for an Affordable Dwelling Unit from 60 percent to 80 percent of the area median income. The bill also authorizes the city to establish a minimum term for the units to remain affordable as it deems necessary to ensure the creation of Affordable Dwelling Units.

SB 1287 Alcoholic beverage control; mixed beverage licenses for certain establishments.

Provides that mixed beverage licenses may be granted to establishments located on property (i) within the boundary of any town incorporated in 1911 located adjacent to the intersection of Route 63 and Route 58 Alternate (Town of Saint Paul); (ii) located west of Route 58 and approximately 3,000 feet north of Interstate 81 (Washington County); (iii) fronting U.S. Route 11 and 1,300 feet north of Interstate 81 (Washington County); (iv) located within 1,500 feet of Exit 26 on Interstate 81 (Washington County); and (v) within the boundary of any town incorporated in 1894 consisting of 1.9 square miles that prior to the town's incorporation was known as Guest Station (Town of Coeburn). The bill also creates an art instruction studio license, which authorizes the licensee to serve wine or beer on the premises of the licensee to any bona fide customer of the licensee; however, the licensee shall not give more than two five-ounce glasses of wine or one 12-ounce glass of beer to any such customer, nor shall it sell or otherwise charge a fee to such customer for the wine or beer served or consumed. The bill defines art instruction studio and sets the state and local taxes for this new license.

SB 1378 Virginia Public Procurement Act; cooperative procurement, certain councils of governments.

Provides that a public body may purchase from the contract of the Metropolitan Washington Council of Governments. The bill also provides that a public body may participate in, sponsor, conduct, or administer a cooperative procurement agreement on behalf of or in conjunction with the MWCOG.

Failed Bills

HB 1280 Elections; date of June primary elections.

Changes the date of primary elections held in the month of June from the second Tuesday in June to the third Tuesday in June and changes candidate filing deadlines to reflect that change of date.

HB 1293 Stormwater fees; exemptions for religious groups.

Requires the State Water Control Board, in establishing a statewide fee schedule for stormwater management programs, to waive permit fees for land-disturbing activities undertaken on property owned by certain churches, religious associations, or denominations. The bill also requires localities to waive stormwater management program service charges for properties owned by such organizations.

HB 1294 Churches and other religious bodies.

Exempts churches, religious associations, and religious denominations from all state and local taxes, fees, and other charges.

Requires the proper political party committee to reimburse in full each county and city conducting a primary election at the direction of the Commonwealth. The bill also shifts payment of the costs of a presidential primary election from the Commonwealth to the proper political party committee.

HB 1300 Elections; costs of primaries; reimbursement to localities.

Requires the proper political party committee to reimburse in full each county and city conducting a primary election at the direction of the Commonwealth. The bill also shifts payment of the costs of a presidential primary election from the Commonwealth to the proper political party committee.

HB 1301 Electoral board members and general registrars; compensation and expenses.

Provides for reimbursement to the localities of the whole amount of compensation and expenses of electoral board members and general registrars, notwithstanding any provision of the general appropriation act to the contrary.

HB 1309 Local school boards; arming of school security officers.

Permits local school boards to arm school security officers with batons, stun weapons, or any spray device designed to incapacitate a person and to allow school security officers to use such devices under the appropriate circumstances.

HB 1352 BPOL tax; deduction for amounts paid under subcontracts.

Allows a deduction from gross receipts for amounts paid by the licensee to persons who are not employees pursuant to a subcontract between the licensee and such other persons. The deduction would become effective beginning with the 2016 license year.

HB 1383 Local government appointees, certain; serve at the pleasure of local governing body.

Provides that any appointee of a local governing body to a local board, commission, or committee, whether appointed pursuant to § 15.2-1411 or any other provision of the Code, shall serve at the pleasure of the local governing

HB 1405 Legal notices; advertisement by locality.

Allows localities with a population of 50,000 or greater to meet certain notice requirements by utilizing their websites, radio, or television instead of a newspaper of general circulation.

HB 1416 Real property tax assessment; appeal to circuit court.

Provides that neither the taxpayer nor the locality shall have the burden of proof in an appeal of a real property assessment to the circuit court.

HB 1437 Prayer at public events; authority to adopt an ordinance to allow.

Provides that a deliberative public body, by ordinance, resolution, or written policy statement, may adopt a policy to permit a public invocation before each meeting of the public body, for the benefit of the public body. The policy may allow for an invocation to be offered on a voluntary basis, at the beginning of the meeting, by (i) a chaplain elected by the public officials of the deliberative public body or (ii) an invocation speaker selected on an objective and rotating basis from among a wide pool of the religious leaders serving established religious congregations in the local community in which the deliberative public body meets. The bill also defines deliberative body and public invocation.

HB 1438 Local government; publication of notices for charter changes, referenda, and public hearings, etc.

Gives localities alternatives to publication in a newspaper of general circulation in the locality for legal ads and other notices of proposed action. These alternatives include publication in at least two of the following forms of publication: (i) in a newspaper of general circulation in the locality, including such newspaper's online publication, if any; (ii) on the locality's website; (iii) on any public access channel operated by the locality, to be aired during prime-time programming and at least two other times during the day; (iv) using any automated voice or text alert systems used by the locality; or (v) posting at the local public library established pursuant to § 42.1-33, if any. In addition, the bill provides that any resident of the locality annually filing a written request for notification with the locality shall be provided notice by the locality in a manner mutually agreed upon by the locality and such individual. The request shall include the resident's name, address, zip code, daytime telephone number, and email address, if available. In selecting the methods of publication, the bill requires the locality to publish/advertise in a manner gauged to ensure that the maximum number of persons within the locality are likely to be informed of the existence and content of the proposed action. The bill contains technical amendments.

HB 1513 Jail authorities; sovereign immunity.

Provides that regional jail authorities enjoy sovereign immunity in the performance of government functions.

HB 1514 Composite index of local ability-to-pay; use value of real estate in certain localities.

Requires, for the purpose of determining the state and local shares of basic aid funding, that the composite index of local ability-to-pay or local composite index (LCI) utilize the use value of all applicable real estate (i) devoted to agricultural use, horticultural use, forest use, and open-space use in each locality that has adopted an ordinance by which it provides for the use valuation and taxation of such real estate and (ii) used in agricultural and forestal production within an agricultural district, forestal district, agricultural and forestal district, or agricultural and forestal district of local significance in each locality that provides for the use valuation and taxation of such real estate, regardless of whether it has adopted a local land-use plan or local ordinance for such valuation and taxation.

HB 1520 Sheriffs, local police, and State Police; transportation & security of officials, dignitaries, etc.

Requires sheriffs, local police forces, and the State Police to transport and provide security for government officials, members of civic organizations, and other dignitaries.

HB 1540 Virginia Public Procurement Act; job order contracting and cooperative procurement.

Clarifies that small purchase procedures include the procurement of construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill also increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited, (ii) no public body shall issue or use a job order solely for the purpose of providing professional architectural or engineering services that constitute the practice of architecture or the practice of engineering; however, professional architectural or engineering services may be included on a job order where such professional services are (a) incidental and directly related to the job and (b) no more than 25 percent of the construction cost, not to exceed \$60,000, and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill removes the provision that allows a public body to discuss nonbinding estimates of total project costs, life-cycle costing, and, where appropriate, nonbinding estimates of price for services. The bill provides that negotiations may be held on proposed terms and conditions set out in the Request for Proposal. The bill also clarifies the provisions of the VPPA related to cooperative procurement and requires that by October 1, 2017, the Department of Small Business and Supplier Diversity; public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005; any state agency utilizing job order contracting; and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing, on behalf of local public bodies working cooperatively, report their respective experiences and findings relating to (1) the appropriateness and effectiveness of job order contracting in general, (2) the project cost limitations set forth in subsections B and D of § 2.2-4303.1 as added by this bill, and (3) the architectural and professional engineering term contract limits set forth in § 2.2-4303.1 to the Chairmen of the

House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015, except that the provisions of subsection B of § 2.2-4303.2, as added by this bill, shall apply to any renewal of a job order contract. The bill contains numerous technical amendments.

HB 1550 School calendar; local school boards responsible for setting.

Makes local school boards responsible for setting the school calendar and determining the opening date of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

HB 1576 Real property tax assessments; arbitration.

Permits the taxpayer to submit the valuation of an owner-occupied dwelling to binding arbitration in lieu of an appeal to court.

State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act; prohibited gifts; civil penalty. Provides that, for purposes of the prohibition against acceptance of certain items that reasonably tend to influence official duties, any money, loan, gift, favor, service, or business or professional opportunity that is accepted by a member of the immediate family of an officer or employee of a state or local governmental or advisory agency or a member of the General Assembly shall be considered to have been accepted by the officer, employee, or member of the General Assembly if (i) such money, loan, gift, favor, service, or business or professional opportunity was accepted or retained with his knowledge and acquiescence and (ii) he knows or has reason to know that such money, loan, gift, favor, service, or business or professional opportunity was given to the member of his immediate family because of his official position. First violations of this provision are subject to the existing penalties of § 2.2-3124 and § 30-126, while a second or subsequent violation within a calendar year is subject to a civil penalty of no less than \$2,500. This bill was incorporated into HB 2070.

HB 1599 Voter registration; political party affiliation on registration record.

Provides that a voter who votes in a primary election held by a political party shall be designated on his registration record as affiliated with that political party. The bill requires the State Board to use the list of persons voting in a primary election submitted by the electoral boards to designate a political party affiliation on the registration record for each voter, but prohibits the State Board of Elections from designating a political party affiliation for a voter until the voter has voted in a primary election held on or after January 1, 2016. Voters may change their party affiliation or designate themselves as independents by providing written notice to the general registrar for the locality in which they are registered. The bill does not change Virginia's present primary laws, and all registered voters remain eligible to participate in the primary of a political party that chooses to nominate by primary. The bill has a delayed effective date of January 1, 2016.

HB 1670 Sheriffs; always serving as chief law-enforcement officer of locality.

Provides that sheriffs shall always serve as the chief law-enforcement officer of a locality and receive funding in an amount as provided in the general appropriation act to perform in that capacity. The bill also provides that a locality may still establish a police department.

HB 1744 Local employee grievance procedure; final step in procedure adopted by local government.

Requires that the final step in an employee grievance procedure adopted by a local governing body, providing for a hearing before an administrative hearing officer or an impartial panel hearing, be selected by the aggrieved employee. Currently, the selection of this final step requires the agreement of both parties. The bill also permits a school board to conduct a teacher grievance hearing before a three-member fact-finding panel. Under current law, the school board has the option of appointing a hearing officer or conducting such hearing itself. The bill contains technical amendments.

HB 1765 Sheriffs; immunity for actions of deputy.

Provides that a sheriff shall not be liable for civil damages resulting from any act or omission by a deputy sheriff in the performance of his duties as a deputy sheriff.

HB 1781 Broadband and television service cables; VDOT standards.

Requires VDOT to develop and implement uniform statewide standards for broadband and television service cables installed or to be installed along all roadways and bridges controlled by VDOT.

Requires the transcript of each student who has been suspended or permanently dismissed from the institution for a violation of the institution's code, rules, or set of standards governing the conduct of students.

HB 1949 County food and beverage tax; referendum.

Provides that a county shall not hold a referendum proposing the imposition of a food and beverage tax more often than every three years.

HB 1994 Cigarettes; all counties permitted to impose a tax.

Permits all counties to impose a local cigarette tax. Current law provides that Arlington and Fairfax Counties may impose such a tax.

HB 2002 "Jake brakes" or Jacobs brakes; local regulation.

Authorizes counties, cities, and towns to regulate the use of "Jake brakes" when operating motor vehicles within their boundaries.

HB 2004 School nurses; divisionwide ratio students in average daily membership.

Requires local school boards to employ at least one school nurse per 750 students in average daily membership in grades kindergarten through 12.

HB 2024 Firearms; prohibits in libraries owned or operated by localities.

Allows a locality to adopt an ordinance that prohibits firearms, ammunition, or components, or a combination thereof, in libraries owned or operated by the locality.

HB 2097 Condemnation proceedings; mandatory dispute resolution orientation session.

Provides that when the court refers the parties in a condemnation proceeding to a dispute resolution orientation session, the court shall also provide the name of a single independent appraiser to determine the fair market value of the property in question.

HB 2163 Photo-monitoring systems; for traffic light enforcement.

Repeals the authority for localities to operate a photo-monitoring system for traffic light enforcement, colloquially known as a "photo red" program.

HB 2223 Virginia Freedom of Information Act; willful and knowing violations of certain provisions, penalty.

Provides that in addition to the civil enforcement provisions of FOIA, any officer, employee, or member of a public body who, without legal excuse or justification, deliberately, willfully, and knowingly violates certain FOIA provisions is guilty of a Class 1 misdemeanor.

HB 2325 Utility pole attachments; broadband service providers.

Requires each public utility, including electric cooperatives, to provide broadband service providers with neutral and nondiscriminatory access to any pole, duct, conduit, or right-of-way it owns or controls. The State Corporation Commission (SCC) is authorized to determine just and reasonable rates, terms, conditions, and costs for such attachments to its poles. The existing provisions that address pole attachments by telecommunications service providers and cable television systems are conformed to these new provisions for broadband service providers. The SCC is directed, in implementing the provisions of this measure, to rely on interpretations by the Federal Communications Commission and the federal judiciary of terms and concepts included in this measure that are used or defined in the pole attachments section of the federal Communications Act.

HB 2336 Virginia Public Procurement Act; IT procurement; terms and conditions; limitation on liability.

Provides that terms and conditions relating to the liability of a contractor contained in any solicitation for the procurement of information technology goods or services shall be reasonable and limited to an amount deemed necessary to protect the interests of the public body, which amount shall in no event exceed twice the value of the contract.

HB 2394 Local composite index; appeal of computation.

a procedure for appeal of the computation of the local composite index.

HJ 42 Transportation; Joint Legislative Audit and Review Commission to study equity of funding.

Directs JLARC to review the equity of transportation funding in light of new revenues and because such a study has not been conducted in 30 years. This resolution was continued to the 2015 Session of the General Assembly.

HJ 45 BPOL tax; joint subcommittee to study local tax.

Establishes a joint subcommittee to study the local business license (BPOL) tax. This resolution was continued to the 2015 Session of the General Assembly.

HJ 590 Tangible personal property tax relief; reimbursement payments to localities.

Requests the Department of Taxation to conduct a study of reimbursement payments to localities providing tangible personal property tax relief.

SB 756 Traffic light signal photo-monitoring systems; referenda.

Provides that localities who wish to enact an ordinance providing for the use of traffic light signal photo-monitoring systems must first have voter approval by a referendum. The bill also provides that those localities that have already enacted such ordinances must also provide for a referendum and must repeal their ordinance if not approved by the voters.

SB 785 Public employment; prohibits discrimination based on basis of sexual orientation or gender identity.

Prohibits discrimination in public employment based 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 special disabled veteran or other veteran. The bill incorporates SB 1181.

SB 796 County food and beverage tax; referendum requirement.

Removes the requirement that a county food and beverage tax be approved by a referendum before the county may pass an ordinance.

SB 797 Photo-monitoring systems; enforcement.

Establishes a procedure by which the operator of a traffic light signal violation monitoring system will mail a "notice of violation" to the alleged violator. If the matter is not resolved within 45 days from the mailing of the notice of violation, a summons may be executed and the matter may be enforced in court. Existing provisions for contesting the matter by filing an affidavit stating that the person was not the operator of the vehicle or by so testifying in court are retained.

SB 820 Voter identification; accepted forms of identification.

Adds to the list of accepted forms of identification for purposes of voting valid student photo identification cards issued by any private school located in the Commonwealth. Students of public high schools are currently permitted to use their student photo identification cards for purposes of voting because current law allows the use of photo identification issued by the Commonwealth or one of its political subdivisions. Current law also allows students from both public and private institutions of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting. This bill incorporates SB 688.

SB 823 Public schools; physical activity requirement.

Requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for students in grades kindergarten through five. This requirement becomes effective beginning with the 2017-2018 school year.

SB 827 Voting systems; use of direct recording electronic machines on and after July 1, 2016.

Prohibits the use of direct recording electronic (DRE) machines in elections on and after July 1, 2016, except for the express purpose of providing accessible voting equipment as required by law. The bill allows the modification of previously acquired DREs for the express purpose of providing accessible voting equipment.

SB 830 School calendar; continuing waivers.

Requires the Board of Education to waive the requirement that a local school board set the first day students are required to attend school to be after Labor Day for any local school board that was granted a "good cause" waiver of this requirement for the 2011-2012 school year.

SB 840 Congressional and state legislative districts.

Provides criteria for the General Assembly to observe in drawing districts, including respect for political boundaries, equal population, racial and ethnic fairness, contiguity, compactness, and communities of interest. Use of political data or election results is prohibited unless necessary to determine if racial or ethnic minorities can elect candidates of their choice.

SB 841 Ordinances; adoption by counties, notice by publication.

Removes the requirement that counties, except as otherwise required by law, publish notice of an intention to propose an ordinance for two weeks in a newspaper having a general circulation. The bill contains technical amendments.

SB 866 Health insurance; school board allowed to elect to have employees & retirees to receive state plan.

Allows local school boards and local governing bodies to elect to have all their employees and retirees, as well as the dependents of employees and retirees, eligible to participate in the state employee health insurance plan. The local school boards and governing bodies shall be responsible for whatever portion of the cost of such insurance is

not paid by the employee, except any portion that the General Assembly elects to pay. The school board and governing body of a given locality must both elect to participate in the state plan in order for their employees to participate. This bill incorporates SB 1075.

SB 887 Real property; tax on commercial and industrial property in certain localities.

Requires counties to appropriate 30 percent of the revenue from the special tax on commercial and industrial property attributable to property located within any town that constructs and maintains its streets to such town, unless the county and town agree otherwise.

SB 890 Zoning ordinance; vehicle title loan businesses and payday lenders.

Allows a local zoning ordinance to include reasonable limits on the number of motor vehicle title loan businesses and payday lenders that may be operated at any one time within a zoning district.

SB 945 Payday loans; permitted interest.

Removes provisions of the Payday Loan Act that authorize lenders to charge a loan fee or verification fee, thereby limiting permissible charges on payday loans to interest at a maximum annual rate of 36 percent.

SB 974 State police training; reduction in local law-enforcement funding.

Requires a locality to reimburse the Department of State Police for training costs if the locality hires an officer of the Department of State Police within five years of the officer's completion of basic training at a police school operated and funded by the Department of State Police. The amount of the reimbursement will be reduced by one-fifth for each year that the officer worked for the Department of State Police.

SB 975 Tourism zones; tax revenues for tourism projects.

Decreases from 80 percent to 70 percent the share of the total cost of a tourism project that the project must have in place before being eligible to receive a percentage of the state and local sales tax revenues generated on the premises of the project, to be used towards debt service to bridge the gap between available debt and equity and the expected costs of the project. This bill was incorporated into SB 1401.

SB 980 Public schools; teacher grievance procedures.

Gives a teacher who has been recommended for dismissal by the superintendent the option of requesting a hearing before a three person fact-finding panel consisting of one person chosen by the teacher, one person chosen by the superintendent, and one impartial third member, thus restoring this option for a fact-finding panel that was eliminated by act of assembly in 2013. The fact-finding panel conducts a hearing and presents findings of fact and recommendations to the full school board for a decision regarding the teacher's dismissal. The bill also requires the full school board to conduct a further hearing when its decision is at variance with the recommendation of the fact-finding panel.

SB 987 Virginia Public Procurement Act; bid match preference for Virginia businesses.

Provides that whenever the lowest responsive and responsible bidder is a resident of another state that allows a percentage preference for resident contractors, a like preference shall be allowed to the lowest responsive and responsible bidder who is a resident of Virginia and is within five percent of the lowest bid price. The bill also requires the Department of General Services to include in its posting of states that allow preferences those states that allow resident contractors a price matching preference.

SB 1011 Cash proffers; purchase of development rights by locality.

Allows a locality to use a cash payment voluntarily proffered by a landowner to purchase development rights within the locality in accordance with the comprehensive plan and local ordinances allowing for the transfer of development rights. The bill provides that the locality seeking to purchase such rights must first notify the proffering landowner and conduct a public hearing. Following the hearing, the locality is required to find that the purchase is in accordance with the local ordinance allowing the transfer of development rights, the rights to be purchased are within the areas identified in the comprehensive plan for land conservation, and the purchase is in the public interest. The bill contains technical amendments.

SB 1017 Employment applications; inquiries regarding criminal arrests, charges, or convictions.

Prohibits state agencies from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. A prospective employee may not be asked if he has ever been convicted of any crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if the prospective employee has a conviction record that bears a rational relationship to the duties and responsibilities of the position. A prospective employee may not be asked if he has ever been arrested or charged with a crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if (i) the prospective employee's criminal arrest or charge resulted in the prospective employee's conviction of a crime and (ii) the crime of which he was convicted bears a rational relationship to the duties and responsibilities of the position. The prohibition does not apply to applications for employment with law-enforcement agencies, fire departments, and emergency medical services agencies. The bill also authorizes localities to prohibit such inquiries.

SB 1026 Lobbyist disclosure; reporting by certain political subdivisions.

Requires political subdivisions composed of, or managed or controlled by, one or more counties, cities, towns, or other local or regional political subdivisions to file a separate registration statement on behalf of their officers and employees who will be engaged in lobbying. The bill also prohibits such political subdivisions from using public funds to support lobbying efforts and requires funds used for lobbying to be segregated from public funds and held in a separate bank account.

SB 1060 Primary elections; voter registration by political party.

Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. The bill requires the State Board of Elections, in September 2015, to notify all registered voters of the new party registration law and send them a return card to indicate their party affiliation or independent status. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed in advance of an election. The bill (i) requires the state party chairman to notify the State Board by January 31 of each year whether the party will close or open its primaries, (ii) requires that primary candidate petitions be signed and witnessed by voters registered as affiliated with the party conducting the primary, (iii) sets the required number of petition signatures at one percent of the number of voters registered as affiliated with the party in the election district where the primary is being held, and (iv) allows an official political party to retain that status as long as at least 15 percent of the Commonwealth's registered voters are registered as affiliated with that party.

SB 1061 Electronic pollbooks; photographs and identifying information for each voter.

Requires electronic pollbooks to contain a photograph and identifying information received by the State Board of Elections from the Department of Motor Vehicles for each registered voter for whom the Department of Motor

Vehicles has such a photograph and identifying information. Lists of voters furnished pursuant to current law are prohibited from containing any voter's photograph or identifying physical information. The bill also provides that if the electronic pollbook contains the voter's photograph and identifying information, the officer of election is required to access that photograph and identifying information and the voter is not required to present one of the statutorily required forms of identification. Additionally, the bill requires the officer of election to challenge the voter's vote if the voter does not appear to be the same person depicted in the photograph or in the pollbook. The bill has a delayed effective date of July 1, 2016.

SB 1075 State health plan; participation by employees of local school divisions.

Provides for the participation by employees of a school division in the state employee health plan. After a period of three plan years, the local school board shall be required to make an irrevocable election whether to participate in the state employee health plan. The total cost of participation shall be borne by the local school board and the employee of the school division. This will was incorporated into SB 866.

SB 1076 Elections; date of June primary elections.

Changes the date of primary elections held in the month of June from the second Tuesday to the third Tuesday and changes candidate filing deadlines accordingly.

SB 1077 Vote centers; pilot program.

Authorizes the State Board of Elections to conduct a pilot program under which one or more localities unanimously approved by the State Board would establish vote centers for use in primary elections instead of operating a polling place for every precinct in the locality. The bill defines "vote center" as a location established by local ordinance where qualified voters from two or more designated precincts are directed to vote. The bill requires the governing body of a locality applying to participate in the pilot program to have the unanimous consent of its local electoral board. The bill also requires the State Board to publish a report on the program by August 15 of any year in which a vote center is used. The provisions of the bill would expire on December 31, 2019. This bill was incorporated into SB 691.

SB 1091 Public schools; adjustment of calculation of local composite index for funding.

Directs the Department of Education to adjust its funding calculations for the local ability to pay by using the use-value assessment of real property, instead of the true value, in localities that have adopted use-value taxation.

SB 1103 Disposable plastic shopping bags; distribution prohibited, local option.

Allows any locality by ordinance to prohibit the distribution, sale, or offer of disposable plastic shopping bags to consumers. The bill exempts from any such prohibition reusable bags of a certain thickness; bags that are used to carry certain products, such as ice cream or newspapers; and garbage bags that are sold in multiples.

SB 1110 Search of electronic device without warrant prohibited.

Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.

SB 1140 Local fiscal impact bills; first day introduction.

Requires bills that require a net reduction of revenues by local governments to be introduced no later than the first day of the regular session of the General Assembly.

SB 1158 Statewide Fire Prevention Code; authorizes use of consumer fireworks in Commonwealth.

Adds definitions for consumer fireworks and display fireworks and authorizes the use of consumer fireworks in the Commonwealth. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks, (b) any person using, igniting or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property, or (c) instances when such permissible or consumer fireworks are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissive fireworks or the use of such fireworks on private property. The provisions of the bill have a delayed effective date of January 1, 2016.

SB 1175 Rental property tax; localities permitted to impose a short-term tax on bicycles.

Permits localities to impose a short-term rental property tax on bicycles at the rate of \$1 per rental or at the rate permitted under current law, which is a rate not to exceed one and one-half percent of the price of the rental.

SB 1181 Nondiscrimination in public employment.

Prohibits discrimination in public employment based 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 special disabled veteran or other veteran. This bill was incorporated into SB 785.

SB 1182 Health benefit exchange; information on health benefit plans.

Requires health carriers that offer health benefit plans for sale to persons in the Commonwealth through an exchange to provide to the operator of the exchange's website certain information about those plans, to be posted on the exchange's website. Copies of the information provided to the website operator, together with evidence that the information was provided to the website operator, shall be submitted to the State Corporation Commission (SCC). The SCC is directed to make reasonable efforts to ensure that the information provided to the website operator is made available to persons who access the website.

SB 1243 Tangible personal property; miscellaneous and incidental property.

Declares miscellaneous and incidental property with an original cost of less than \$250 as a separate classification of tangible personal property. The bill clarifies that when reporting such property, a taxpayer may provide an aggregate estimate of the total value of such property instead of an itemized list. The bill also authorizes a locality to tax such property at a separate rate of taxation not to exceed the rate imposed on general tangible personal property. This bill was incorporated into SB 1127.

SB 1246 Parking and engine idling; certain cities and counties to prohibit.

Allows certain cities and counties to prohibit engine idling of certain stopped or parked motor vehicles.

SB 1256 Localities; advertisement of legal notices on radio or television.

Allows localities required to advertise legal notices by publication in a newspaper of general circulation in the locality or posting on the locality's website to advertise such notices on radio or television in lieu of or in addition to such publication or posting.

SB 1279 Handheld personal communications devices; use while driving, penalty.

Provides that, subject to certain exceptions, using a handheld personal communications device while operating a moving vehicle, unless such device is used in voice-operated or hands-free mode, is a traffic infraction punishable by a fine of \$125 for a first offense and \$250 for a second or subsequent offense. If a person is using such a device at the same time he (i) violates any traffic offense punishable as a misdemeanor or a felony or (ii) causes an accident as the proximate result of his use of the device, he is guilty of reckless driving, a Class 1 misdemeanor. Currently, only texting while driving is a traffic infraction, subject to the same \$125 and \$250 fines. The bill also eliminates the additional mandatory minimum fine imposed upon a person convicted of reckless driving who was texting while driving at the time of the offense.

SB 1291 Community policy and management teams; powers and duties, referral to family assessment.

Requires community policy and management teams to establish a process for parents and caregivers to directly refer children in their care to family assessment and planning teams.

SB 1292 Sanitary districts; boat ramps, shoreline management, and dredging.

Authorizes a county governing board to construct and operate boat ramps and facilities systems, beach and shoreline management and restoration systems, and creek and river dredging systems within a county sanitary district. The bill also authorizes the governing board to charge the owner of each parcel of real property a flat fee for a shoreline management or dredging system. The bill contains an emergency clause.

SB 1299 VPPA; public contracts for construction, etc., required to use products manufactured in the U.S.

Requires public contracts for the construction, reconstruction, alteration, repair, improvement, or maintenance of a public building or public works to contain a provision that the iron, steel, and manufactured goods used or supplied in the performance of the public contract or any subcontract shall be manufactured in the United States. This requirement does not apply if the requirement is inconsistent with the public interest, the products are not manufactured within the United States in sufficient and reasonably available quantities or with satisfactory quality, or using the products will increase the cost of the public contract by 25 percent or more. A person intentionally mislabeling or misrepresenting the origin of products will be ineligible to receive any other public contracts.

SB 1340 School board clerks; electronic maintenance of records.

Permits the clerk of each school board to keep volumes of meeting minutes and receipt and disbursement records, vouchers, contracts, and other official papers electronically. This bill was incorporated into SB 1339.

SB 1402 Virginia Freedom of Information Act; open meeting exemption for gang-related activities.

Authorizes a public body to convene a closed meeting for consultation with or briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning criminal street gang-related activities.

SB 1420 VPPA; information technology procurement, terms and conditions, limitation on contractor liability.

Provides that terms and conditions relating to the liability of a contractor contained in any solicitation for the procurement of information technology goods or services shall be reasonable and limited to an amount deemed

necessary to protect the interests of the public body, which amount shall in no event exceed twice the value of the contract.

SB 1422 Correctional facilities, local; state appropriations for operating costs.

Provides that the appropriation for operating costs for local correctional facilities, for each fiscal year, contained in the Governor's proposed biennial budget bill shall include an amount for compensating localities for the cost of maintaining prisoners arrested on state warrants in local jails, regional jails, and jail farms and for maintaining convicted state felons in local correctional facilities for a period of incarceration that may not exceed one year unless a longer period of incarceration has been agreed upon in writing by the governing body of the locality or the regional jail authority. Current law requires that the Governor's biennial budget bill contain such amounts but does not impose the limitation of the length of the period of incarceration.

SB 1438 State and local government employees; prohibited use of state funds.

Prohibits the use of state funds to pay the individual membership dues or enrollment fees of a state or local employee to join a private organization without the prior written consent of the employee.

SB 1457 Health insurance; mandated coverage for autism spectrum disorder.

Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals of any age. Currently, such coverage is required to be provided for individuals from age two through age six. The provision applies with respect to insurance policies, subscription contracts, and health care plans delivered, issued for delivery, reissued, or extended on or after January 1, 2016.

SB 1458 Cable franchises; service available to areas where density is not less 20 residential units.

Provides that local ordinances to adopt a cable franchise shall require that a cable operator make service available in areas where the average occupied residential household density is not less than 20 occupied residential dwelling units per mile as measured from the nearest dwelling with existing cable service. The current statute requires a standard of not less than 30 occupied residential dwelling units per mile as measured from the nearest technically feasible point on the cable operator's active cable system.

SJ 23 Interstate Route 73; joint subcommittee to study proposed construction.

Creates a joint subcommittee to conduct a two-year study to promote the construction of I-73 in Virginia. This resolution was continued to the 2015 Session of the General Assembly.

SJ 254 Clean Water Act; opposition.

Urges the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to recognize the Commonwealth of Virginia's opposition to the proposed rule regarding the Clean Water Act definition of "waters of the United States."

SJ 264 Constitutional amendment; right to acquire farm-produced food.

Provides that people have the right to acquire, for their own consumption, farm-produced food directly at the farm with agreement from the farmer who produced it. J264

SJ 284 Constitutional amendment; Virginia Redistricting Commission established.

Establishes the Virginia Redistricting Commission which will conduct the decennial reapportionment of the election districts for the House of Representatives and the General Assembly. The amendment also establishes the criteria and process to be used for each decennial reapportionment. The bill incorporates [SJ 224](#).

Speaker bios

Phyllis Errico is General Counsel for the Virginia Association of Counties. Prior to joining VACo she served as a Senior Assistant County Attorney and School Board Counsel for Henrico County Virginia. She has also served as an Assistant County Attorney for Hanover County Virginia and as Assistant Attorney General for the Commonwealth of Virginia. Phyllis has her undergraduate degree from Lehigh University in Bethlehem Pennsylvania where she also served on the Board of Trustees. She earned her JD from T.C. Williams Law School at the University of Richmond.

Phyllis is a graduate of LEAD Virginia, a statewide leadership program. She is a former chair of the Virginia State Bar Local Government section and the Virginia School Board Association Council of School Attorneys. She currently serves as President of the National Association of County Civil Attorneys an affiliate of the National Association of Counties. She is on the Board of Directors for the National Association of Counties and also serves on the Finance Committee. Phyllis is a Certified Association Executive and serves on the Board of Directors of the Virginia Society of Association Executives. She has been a member of the Local Government Attorneys Association of Virginia for over 25 years. She has served as an Adjunct Faculty member for the University of Virginia and Virginia Commonwealth University teaching school law.

Mark Flynn, General Counsel, joined the Virginia Municipal League in 1998. A native of southern Illinois who was raised in Loudoun County, Flynn is a graduate of Virginia Tech and Washington & Lee University Law School. He has served as county attorney in Tazewell and was city attorney for Winchester for 11 years. He worked in private practice with the Richmond law firm of Sands, Anderson in 1997, specializing in local government and transportation law. Flynn is a past president of the Local Government Attorney's Association, an organization in which he has been active during his career. He is the 2013 recipient of LGA's Edward Finnegan Award for Distinguished Service and a 2015 fellow of the Virginia Law Foundation. Before joining the league staff, Mark's VML participation included service on the Legislative Committee, author of an article on ethics for elected officials and service on several VML task forces. Mark is a gubernatorial appointee to the Virginia Housing Commission and served on the Governor's Housing Policy Task Force. He is a member of the Richmond Symphony Orchestra Civic Role Committee.

Jeff Gore, Hefty Wiley & Gore, P.C. Jeff's practice includes advising a wide variety of local and regional entities, including localities, juvenile detention commissions, regional jail authorities, economic development authorities, boards of zoning appeals, social services agencies and planning district commissions. He also represents governmental and private sector clients before the Virginia General Assembly and state executive branch agencies. Jeff's previous experience includes serving four years as an attorney at the Virginia Division of Legislative Services, where he was legal counsel to the Senate Local Government Committee and the House Counties, Cities and Towns Committee. Immediately prior to entering private practice Jeff was Director of Governmental Affairs for the Virginia Association of Counties. Jeff received his undergraduate degree in history from the University of Virginia and his law degree from George Mason University.

PRESENTED June 9, 2015

RESOLUTION NO. _____

ADOPTED _____

A RESOLUTION: INITIATING AMENDMENTS TO THE TOWN CODE TO ADDRESS AMENDMENTS TO THE CODE OF VIRGINIA ENACTED DURING THE 2015 VIRGINIA GENERAL ASSEMBLY SESSION; AND BATCH AMENDMENTS TO THE TOWN CODE

WHEREAS, as a result of a House Bill 1560 passed during the 2015 Virginia General Assembly, towns may enact an ordinance to assess up to \$5.00 on any criminal or traffic case brought by the Leesburg Police Department in the general district court or circuit court to fund an electronic summons system; and

WHEREAS, as a result of House Bill 1721, localities must provide a real property tax exemption to the surviving spouse of members of the armed forces killed in action and the Town Code should be updated to reflect this mandatory change in the law; and

WHEREAS, during the past year, certain amendments to the Town Code have been requested by members of Boards and Commissions; and

WHEREAS, the Town Code should be amended to reflect the current needs of users of the Town parks.

THEREFORE, RESOLVED, the Council of the Town of Leesburg in Virginia directs the Town Attorney to prepare draft ordinances, advertise these draft ordinances and hold a public hearing on the following amendments to the Town Code:

1. New Town Code Section authorizing the an assessment of up to \$5 on criminal and traffic cases to be used towards the payment of an electronic summons system;
2. Amendment to Town Code § 20-23 to add a real property tax exemption for members of armed forces killed in action;
3. Amendment to Town Code § 2-221 amending EDC duties;

A RESOLUTION: INITIATING AMENDMENTS TO THE TOWN CODE TO ADDRESS:
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AMENDMENTS TO THE TOWN CODE

4. Amendment to Town Code §2-228 amending Technology and Communications Commission duties;
5. Amending Town Code § 26-24 to add “remote controlled aircraft” to activities authorized within Town Parks with a permit;
6. Amending Town Code § 26-26 to allow petting zoos within Town parks with permission of director.

PASSED this _____ day of _____, 2015.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council