



Date of Council Meeting: January 22, 2013

**TOWN OF LEESBURG  
TOWN COUNCIL MEETING**

- Subject:** 2013 Legislative Update #1
- Staff Contact:** Betsy Fields, Research & Communications Manager
- Recommendation:** Recommend the Council approve the proposed amendments to the Town's 2013 Legislative Agenda and Positions Statement.

**Issue:** This update provides information on the status of items on the Town's 2013 Legislative Agenda and Positions Statement. In addition, bills related to several issues not on the Town's 2013 Legislative Agenda or Positions Statement have been introduced. The Council should take a position on these issues.

**Fiscal Analysis:** The Town's legislative agenda and positions statement seek to protect the Town's authority over local revenue sources as well as increase revenue to the Town from the state.

**Background:** The Virginia General Assembly convened on Wednesday, January 9, 2013 and will adjourn on Saturday, February 23, 2013. Filing deadline for all bills, with the exception of budget bills, is Friday, January 18, 2013.

**A. Legislation Tracking.**

Town staff is currently tracking 130+ bills that would affect the Town government in some way. The attached spreadsheet lists those bills, and their status as of January 17, 2013. The spreadsheet is divided into three sections (noted on the footer of each page):

- **Hot List.** Bills dealing with subjects on the Town's Legislative Agenda, or that would have a significant impact (either positive or negative) on the Town. Town staff will place a priority on attending committee meetings at which these bills are discussed.
- **Senate Bills.** Bills introduced in the Senate dealing with subjects on the Town's Legislative Agenda or Positions Statement, or that would have some impact (either positive or negative) on the Town government. If these bills are referred to a committee on which a Leesburg or Loudoun Senator sits, staff will communicate the Town's position to those legislators. If these bills are reported out of committee and go to the floor of the Senate for a vote, staff will communicate the Town's position to our Leesburg and Loudoun Senators.

- **House Bills.** Bills introduced in the House of Delegates dealing with subjects on the Town's Legislative Agenda or Positions Statement, or that would have some impact (either positive or negative) on the Town government. If these bills are referred to a committee on which a Leesburg or Loudoun Delegate sits, staff will communicate the Town's position to those legislators. If these bills are reported out of committee and go to the floor of the House of Delegates for a vote, staff will communicate the Town's position to our Leesburg and Loudoun Delegates.

## **B. Current Status of 2013 Legislative Agenda Items**

Attachment 2 shows the status, as of January 17, 2013, of items on the Council's 2013 Legislative Agenda.

## **C. Addition to the 2013 Legislative Agenda – Precious Metals Dealers**

A bill dealing with precious metals dealers (HB 1649) has been introduced. Town staff would like to approach the patron of this bill (through one of our legislators) about an amendment to the bill that would exempt jewelry stores from the provisions of the precious metals dealer regulations, if purchases of precious metals account for less than 5% of the jewelry store's total business. If the Council concurs, this item can be added to the Town's 2013 Legislative Agenda by motion during the Council Meeting on Tuesday, January 22, 2013.

## **D. Additions to the 2013 Legislative Positions Statement.**

Bills dealing with several issues that are not on the current 2013 Legislative Positions Statement, but would affect the Town, have been introduced. Those issues are:

- **Local Authority to Prohibit Guns in Public Buildings.** SB 1228 would authorize localities to adopt ordinances that prohibit firearms on property owned or leased by the locality. HB 1662 would apply specifically to libraries. Staff recommends that the Council support these bills.
- **Legal Notices on Websites.** Several bills have been introduced that would allow localities to place legal notices on websites rather than publishing in a newspaper. If passed, this flexibility would save the Town considerable money. Staff recommends that the Council support these bills.
- **State Funding for School Resource Officers.** SB 940 would require school resources officers be provided for every public (currently SROs are only required at

middle and high schools) and would require state funding for SROs. Staff recommends that the Council support this bill.

- **Virginia Public Procurement Act Provisions.** Every session, a variety of bills are submitted that deal with procurement, some that would require the Town to give preference to certain businesses and some that give the Town greater flexibility in awarding contracts. Staff recommends that the Council follow the recommendations of the Virginia Association of Governmental Purchasing on these bills.

If the Council wishes, these items can be added to the Town's 2013 Legislative Positions Statement by motion during the Council Meeting on Tuesday, January 22, 2013.

#### **E. Support or Opposition for Specific 2013 Bills.**

Staff recommends that the Council take a position of support or opposition to the following bills:

- **HB 1401 (Delinquent Real Estate Taxes)** - This bill would prohibit localities from instituting a judicial sale for delinquent taxes on real property that is the sole dwelling of the taxpayer. Staff recommends that the Council oppose this bill.
- **HB 1430 (Right to Farm Act)** – This bill, as currently written, would severely restrict the Town's land use authority over agricultural-zoned land. Staff recommends that the Council oppose this bill.
- **SB 1073 and HB 1429 (Attorney's Fee in Zoning Cases)** – These bills would allow the courts to award attorney's fees in successful challenges to a locality's zoning ordinance or local action related to land use. Staff recommends that the Council oppose these bills.

#### **Attachments:**

1. 2013 Legislation Tracking spreadsheet
2. Status of 2013 Legislative Agenda Items
3. Draft Motions

2013 General Assembly  
Hot List Summary

Topic	Town Position	Senate Bills			House Bills		
		Bill #	Patron	Status	Bill #	Patron	Status
Thomas Balch Library endowment fund	Support	SB 890	Black	Reported from Local Government (Jan 15)	HB 1558	Minchew	Referred to CCT, Subcommittee #1; Passed by for the day on Jan 16; will be on agenda for Jan 23
Building code enforcement in town	Support	SB 1239	Herring	Referred to General Laws & Technology; on Jan 21 agenda (45min after adj)	HB 1574	Minchew	Referred to General Laws. Subcommittee recommended reporting (Jan 16); On full committee agenda for Jan 17
Arts & Cultural Districts - real estate tax incentive	Support	SB 1065	Herring	Referred to Local Government	HB 1586	Minchew	Referred to CCT, Subcommittee #1 Meets Wednesdays at 7:30am (not on Jan 16 agenda)
Demolition of derelict structures	Support	SB 744	Black	Referred to Local Government	HB 1589	Minchew	Referred to CCT, Subcommittee #2 Meets Thursdays at 7:00am (not on Jan 17 agenda)
Joint Town/County powers	Support				HB 1535 HB 1585	Rust Minchew	Referred to CCT, Subcommittee #1 Meets Wednesdays at 7:30am (not on Jan 16 agenda)
Precious metals dealers	Requesting amendment				HB 1649	BaCote	Referred to General Laws; reported from subcommittee; on full committee agenda for Jan 17
Agricultural zoning authority	Oppose				HB 1430	Lingamfelter	Referred to ACNR, Ag Sub Meets Mondays @ 5pm
Temporary Family Health Care Structures	Oppose				HB 1419	Pogge	Referred to CCT, Subcommittee #2 Meets Thursdays at 7:00am (not on Jan 17 agenda)
Attorney's Fees in Zoning Cases	Oppose	SB 1073	Obenshain	Referred to Local Government	HB 1429	Morris	Referred to Courts of Justice, Civil Subcommittee On agenda for Jan 16 subcomm meeting
Water & Sewer Rates	Oppose	SB 850	Stuart	Referred to Local Government	HB 1648	Ransone	Referred to CCT, Subcommittee #1 Meets Wednesdays at 7:30am (not on Jan 16 agenda)
Real estate property taxes	Oppose				HB 1401	Cole	Referred to Finance, Sub #2; subcommittee recommended reporting; next full committee meeting is Jan 21

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Workers Comp	<a href="#">SB 0896</a>	Reeves, Bryce	Workers' compensation; off-premises injuries incurred by public safety employees	Eliminates, with respect to off-premises injuries incurred by public safety employees, the condition for eligibility for workers' compensation benefits that the nature of an employee's employment exposed the employee to a particular risk of injury that is usually not faced by a member of the public. The measure would eliminate an employer's defense that such an injury was an act of God not covered by the Workers' Compensation Act because the risk of injury was no greater for the employee than for members of the public	Neutral	Commerce & Labor	Worker's Comp	
Workers Comp	<a href="#">SB 1126</a>	Norment, Thomas	Workers' compensation; injuries to public safety employees	Provides that a public safety employee who is injured in the course of his employment is not required to prove that the nature of his employment exposed him to a special, additional, peculiar, or particular risk of injury to which a member of the public is not generally subject. The measure further provides that (i) an injured public safety employee is not required to prove a causal connection between the conditions under which his employment was required to be performed and the resulting injury and (ii) the characterization of the causation of such an injury as an act of God shall not be a defense to a claim for compensation under this title	Ask Karen	Commerce & Labor	Worker's Comp	
Workers Comp	<a href="#">SB 1199</a>	Saslaw, Richard	Workers' compensation; injuries to public safety officers	Provides that a public safety officer who is injured in the course of his employment while on duty on a public or private street or highway in the Commonwealth is not required to prove that the nature of his employment exposed him to a special, additional, peculiar, or particular risk of injury to which a member of the public is not generally subject. The measure further provides that such an injured employee is not required to prove a causal connection between the conditions under which his employment was required to be performed and the resulting injury	Ask Karen	Commerce & Labor	Worker's Comp	
Town Code	<a href="#">SB 1228</a>	Saslaw, Richard	Control of firearms; property owned or leased by localities	Repeals provisions preventing localities from adopting ordinances and taking administrative actions regarding firearms and authorizes localities to adopt ordinances that prohibit firearms, ammunition, or components, or a combination thereof, on property owned or leased by a locality	Support	Courts of Justice		

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Parks & Recreation	<a href="#">SB 0709</a>	Hanger, Emmett	Concession stands at youth athletic activities; exempt from regulations applicable to restaurants	Exempts concession stands at youth athletic activities from regulations governing restaurants, provided that such concession stands are promoted or sponsored either by a youth athletic association or by any charitable nonprofit organization or group thereof that has been recognized as being a part of the recreational program of the political subdivision where the association or organization is located by an ordinance or resolution of such political subdivision.	Neutral	Education & Health	Health Care	
Public Safety	<a href="#">SB 0940</a>	Stuart, Richard	School resource officers; local law-enforcement agencies to provide	Requires every school board throughout the Commonwealth to coordinate with the local law-enforcement agency to provide at least one school resource officer for every public elementary, middle, and high school within the district. The bill provides that funding for these school resource officers shall be provided through the general appropriation act and not by any locality or school board.	Support	Education & Health	Public Education	
Transportation Funding	<a href="#">SB 0700</a>	Alexander, Kenneth	Taxes of fuels; issuance of bonds	Makes the retail sale of gasoline, diesel fuel, and other fuels subject to the general five percent retail sales and use tax and reduces the fuels tax on such fuels by \$0.05 per gallon from \$0.175 per gallon to \$0.125 per gallon. Under current law, the sale of fuels is exempt from the general retail sales and use tax, but fuels are subject to a fuels tax imposed at the rate of \$0.175 per gallon. Of the net additional revenues generated each year under the bill, \$250 million would be deposited into the Highway Maintenance and Operating Fund and the remainder would be deposited into the Highway Construction Projects Trust Fund created under the bill	Needs research	Finance		
Taxes	<a href="#">SB 0710</a>	Hanger, Emmett	Local taxes; interest on refunds and delinquent taxes	Authorizes a locality to not pay interest on refunds owed to a taxpayer that are due to willful errors made by the taxpayer. The bill also directs the Chairmen of the House and Senate Committees on Finance to convene a working group to consider the feasibility and fiscal impact on local governments of establishing uniform methods of assessing interest earned on overpayment of taxes or charged for underpayment of taxes and uniform criteria for evaluating the timely repayment of taxes.	Support	Finance		On committee docket for Jan 16

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Transportation Funding	<a href="#">SB 0717</a>	Watkins, John	Sources of revenue; establishing and adjusting for appropriations of State and its localities	Establishes a five percent tax on motor fuels sales. Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. Prohibits the placement of tolls on existing roads in the Commonwealth without the approval of the General Assembly; Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013; Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.	Needs research	Finance		
Taxes	<a href="#">SB 0767</a>	Wagner, Frank	Retail sales and transient occupancy taxes on room rentals	Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.	Support	Finance		
Benefits	<a href="#">SB 0854</a>	Petersen, J. Chapman	Virginia Retirement System; benefits for certain local employees	Allows that a political subdivision may by resolution irrevocably declare that persons employed as firefighters, emergency medical technicians, or law-enforcement officers shall be considered to have 60 months of creditable service as of January 1, 2013, for purposes of the Virginia Retirement System. The bill also declares that if the political subdivision adopts such a resolution, those employees shall not be eligible to participate in the new hybrid retirement program	Neutral	Finance		

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Transportation Funding	<a href="#">SB 0855</a>	Petersen, J. Chapman	Transportation; funding and administration	Increases the base fuel tax rate in Virginia by 10 cents to \$0.275 per gallon of gasoline, gasohol, and diesel fuel, and then increases or decreases the rate each year using a fuel efficiency index. The bill also establishes a \$10 fee for the sale of each new electric motor vehicle battery, with the proceeds being deposited into the Highway Maintenance and Operating Fund. Finally, the bill increases the membership of the Commonwealth Transportation Board from 17 members to 23 members, with four members representing Northern Virginia, three members representing Hampton Roads, and two members representing Richmond. Currently, each of those areas has one representative on the Board	Neutral	Finance		
Transportation Funding	<a href="#">SB 0872</a>	McWaters, Jeffrey	Assignment of general fund balance; Transportation Trust Fund	Increases from 67 percent to 75 percent the portion of the general fund surplus remaining at the end of each fiscal year that is deposited into the Transportation Trust Fund. Such deposit takes place after deposits are made to the Revenue Stabilization Fund and the Water Quality Improvement Fund and other statutorily mandated commitments are met	Neutral	Finance		
Transportation Funding	<a href="#">SB 0925</a>	McWaters, Jeffrey	Sales and use tax revenue dedicated to the Transportation Trust Fund	Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a 0.75 percent tax rate, phased in over a period of three years	Neutral	Finance		
Hotel taxes	<a href="#">SB 1094</a>	Hanger, Emmett	Retail sales and transient occupancy taxes on room rentals	Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.	Support	Finance		

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Utilities	<a href="#">SB 1095</a>	Hanger, Emmett	Bond issuance for wastewater treatment facilities	Authorizes the Virginia Public Building Authority to issue an additional \$150 million in bonds to continue installing nutrient removal technology in eligible wastewater treatment facilities to comply with the Chesapeake Bay TMDL and the Watershed Implementation Plan. These funds would complete projects at facilities under existing signed Water Quality Improvement Fund agreements and at additional eligible facilities that did not receive moneys from the original bonds issued in 2007	Support	Finance		
Zoning	<a href="#">SB 0841</a>	Locke, Mamie	Uniform Statewide Building Code, establishment of occupancy standards for residential dwelling units	Authorizes an owner or managing agent of a residential dwelling unit to develop and implement reasonable occupancy standards restricting the maximum number of occupants permitted to occupy the dwelling unit, provided such standards comply with the federal standards established under federal laws and regulations. The bill also authorizes an owner or managing agent to restrict the number of occupants in a dwelling unit to two persons per bedroom and clarifies that such restriction will not be enforceable under the provisions of the Uniform Statewide Building Code	Oppose	General Laws & Technology		
Procurement	<a href="#">SB 0902</a>	Reeves, Bryce	Virginia Public Procurement Act; alternative forms of security	Authorizes the acceptance of a cashier's check in lieu of a bid, payment, or performance bond. Currently the only acceptable alternative forms of security are a certified check or cash escrow	Support	General Laws & Technology		Reported from committee
Procurement	<a href="#">SB 0990</a>	Miller, John C.	Virginia Public Procurement Act; bid match preference for Virginia businesses	Provides a bid match preference for Virginia business. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent of the lowest bid of an out-of-state bidder	Oppose	General Laws & Technology		
Procurement	<a href="#">SB 1170</a>	Deeds, R. Creigh	Virginia Public Procurement Act; resident employment and apprenticeship participation; required contract provisions	Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" does not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor. The required provisions do not apply to any contracts for the procurement of professional services.	Oppose	General Laws & Technology		

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Procurement	<a href="#">SB 1197</a>	Saslaw, Richard	Virginia Public Procurement Act; contracts for architectural or professional engineering services by certain localities	Authorizes localities within Planning District 8 to enter into individual contracts for architectural or professional engineering services up to \$5 million. Planning District 8 is composed of the counties of Arlington, Fairfax, Loudoun, and Prince William, the cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park, and the towns of Dumfries, Herndon, Leesburg, Purcellville and Vienna.	Support	General Laws & Technology		
Zoning	<a href="#">SB 1239</a>	Herring, Mark	Uniform Statewide Building Code; enforcement by towns	Provides that if any town does not elect to enforce the Uniform Statewide Building Code, then such enforcement shall be the responsibility of the county in which the town is situated. The bill also provides that the enforcement by the county shall be with equal dignity as the county does in unincorporated areas of the county and no agreement between the town and the county shall be required as a prerequisite for the county to perform this obligation	Support	General Laws & Technology		
Procurement Capital Projects	<a href="#">SB 1246</a>	Colgan, Charles	Virginia Public Procurement Act; multiple project contracts for architectural or professional engineering services	Raises, for certain local public bodies, the maximum cost of architectural or professional engineering services for all projects in one contract term of a multiple project contract from \$500,000 to \$1.5 million, and raises the maximum cost of architectural or professional engineering services for any single project from \$100,000 to \$500,000 for airports and aviation transportation projects. For a locality or authority or sanitation district with a population in excess of 80,000, the bill raises the maximum cost of such services from \$1 million to \$2 million	Support	General Laws & Technology		
Legal	<a href="#">SB 1263</a>	Stuart, Richard	Virginia Freedom of Information Act; meeting by electronic communication	Allows a member of any public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances. Currently, such remote participation is allowed only for emergency, medical condition, or distance from the meeting location of more than 60 miles. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.	Neutral	General Laws & Technology		
Derelict structures	<a href="#">SB 0744</a>	Black, Richard	Demolition of a derelict nonresidential structure with consent	Authorizes a locality to demolish or remove a derelict nonresidential structure and to file a lien against the property for the cost of the demolition or removal. The bill requires the locality to obtain the written consent of the property owner for such demolition or removal and prohibits the use of the authority to remove a building that is located in a local historic district or individually designated as a historic landmark.	Support	Local Government		
Utilities	<a href="#">SB 0764</a>	Carrico, Charles	Smyth County; ordinance providing that charges for water and sewer shall be a lien on real estate	Adds Smyth County to the list of localities permitted to provide by ordinance that charges for water and sewer shall be a lien on the real estate served by such waterline or sewer.	Neutral	Local Government		

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Legal	<a href="#">SB 0765</a>	Carrico, Charles	Advertisement of legal notices on websites by the Towns of Damascus and Glade Spring	Allows each of the Towns of Damascus and Glade Spring to publish required legal notices on the locality's website instead of advertising them in a newspaper having a general circulation in the locality.	Support	Local Government		
Utilities	<a href="#">SB 0850</a>	Stuart, Richard	Discounted fees and charges for certain low-income and disabled customers	Provides that any locality by ordinance may develop criteria for providing discounted water and sewer fees and charges for low-income and disabled customers	Oppose	Local Government		
Balch Endowment	<a href="#">SB 0890</a>	Black, Richard	Local endowment for certain libraries; Town of Leesburg	Provides that the Town of Leesburg by ordinance may establish an endowment fund for the purpose of supporting a library that is not part of the town's public library system. The endowment may receive all gifts, grants, or contributions designated for inclusion in the endowment. No part of the endowment shall revert to the general fund of the town. The endowment shall be established and administered by the governing body of the town or by a nonprofit entity created or approved by the governing body for such purpose.	Support	Local Government		Reported from committee
Economic Development	<a href="#">SB 1065</a>	Herring, Mark	Local arts and cultural districts; tax incentives	Permits a locality to include the reduction or rebate of real estate property taxes among the tax incentives it makes available in an arts and cultural district established by ordinance. Current law provides for reductions in three other types of taxes or fees as examples of permissible incentives	Support	Local Government		
Legal	<a href="#">SB 1073</a>	Obenshain, Mark	Attorney fees in certain land use cases	Provides that a court, in addition to any other relief provided, and for good cause, may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action successfully challenging an ordinance, administrative act, or other local action related to planning, subdivision of land, zoning, or other land use activity.	Oppose	Local Government		
Finance	<a href="#">SB 1124</a>	Ruff, Frank	Auditing of local government records	Clarifies the authority of the Auditor of Public Accounts (APA) and the type of audit that shall satisfy the annual audit requirement for localities and constitutional officers. The bill provides that the completion of an audit by the APA per § 30-134 shall satisfy the requirement stipulated by § 15.2-2511 that each locality have its accounts and records audited by an independent certified public accountant. The bill also clarifies that the authority of the APA to audit accounts only when special circumstances require or fraud is suspected is not exclusive but rather exists in addition to the other auditing authority of the APA	Neutral	Local Government		

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Land Development	<a href="#">SB 1226</a>	Stuart, Richard	Zoning, cash proffers	Extends from 7 to 12 years the time by which a locality must begin utilization of cash proffers. The bill also removes the requirement that when cash proffers are used for alternative improvements, such improvements must be used in the same vicinity as the initial improvements.	Support	Local Government		
Town Code	<a href="#">SB 1253</a>	Northam, Ralph	Smoking in certain public areas	Allows localities to ban smoking in designated public parks, public beaches, and similar outdoor public areas.	Support	Local Government		
Unfunded Mandates	<a href="#">SB 0810</a>	Garrett, Thomas	Bills requiring expenditures by localities	Prohibits any committee of the General Assembly from reporting any bill impacting localities that does not fully fund any net expenditures that otherwise would have to be paid by localities	Support	Rules		
Public Works	<a href="#">SB 0888</a>	Deeds, R. Creigh	Advertising within highway rights-of-way	Provides that penalties and costs collected as the result of an agreement between the Commissioner of Highways and a locality to enforce the prohibition on advertising within highway rights-of-way shall be paid to the locality.	Support	Transportation		Reported from committee
Public Safety	<a href="#">SB 0959</a>	Favola, Barbara	Crossing highways	Allows local governing bodies to adopt ordinances requiring users of shared-use paths to stop before crossing highways at marked crosswalks.	Support	Transportation		Reported from committee
Capital Projects	<a href="#">SB 1075</a>	Barker, George	Transportation planning and projects	Requires a locality to repay the Department when a locality requests termination of a project and the Department does not agree to the termination. The bill also expands the step before a locality requests alterations to a project to include the approval of project scope and final engineering by the Department	Neutral	Transportation		
Planning	<a href="#">SB 1293</a>	Barker, George	Comprehensive plan; transportation	Provides that the transportation component of a local comprehensive plan shall be consistent at the interstate and primary levels with various state and local transportation plans. The bill also shortens from 90 to 45 days the time period by which the Department of Transportation shall provide comment upon submission of such local plans for review	Support	Transportation		

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Zoning	<a href="#">HB 1430</a>	Lingamfelter, L. Scott	Right to Farm Act	Expands the definition of agricultural operations to include the commerce of farm-to-business and farm-to-consumer sales. The commerce and sale of certain items, such as art, literature, artifacts, furniture, food, beverages, and other items that are incidental to the agricultural operation, and constitute less than a majority amount of production or sales, or less than a majority of annual revenues from such sales, are defined as part of the agricultural operation. The bill gives persons engaged in agricultural operations a cause of action against the county or any official or employee of the county for violations of the Right to Farm Act. Two provisions of the bill are retroactively effective to the original enactment of the Right to Farm Act on July 1, 1981. The first is expansion of the definition of agricultural operation; the second asserts that any ordinance directed at persons, property, or activity on land that is zoned agricultural or silvicultural that seeks to restrict free speech or the right to assembly, among other rights, is null and void	Oppose	ACNR	Agriculture	
Stormwater	<a href="#">HB 1488</a>	Rush, Nick	Local implementation of stormwater management program	Delays the date that local governments will have to assume responsibility for administering the stormwater management program from July 1, 2014, to July 1, 2015.	Support	ACNR	Chesapeake	
Economic Development	<a href="#">HB 1839</a>	Lingamfelter, L. Scott	Home-produced operations; exempts food products processed in homes from certain regulations	Exempts food products processed or prepared in private homes or farms from Board of Agriculture and Consumer Services regulations that apply to food establishments so long as the products are sold to end consumers and labeled with the producer's name and address, the product ingredients, and the statement that the product is not subject to Virginia's food safety laws and regulations. The bill also exempts these facilities from examinations conducted by the State Health Commissioner of establishments in which crustacea, finfish, and shellfish are handled	Support	ACNR	Agriculture	
Economic Development	<a href="#">HB 1852</a>	Orrock, Robert	Home-processed food; inspection of food establishments and labeling of foods	Exempts private homes where the resident processes and prepares food products, other than meat or dairy products, from inspection by the Virginia Department of Agriculture and Consumer Services (VDACS), so long as the resident processing and preparing the product affixes a label to the product that indicates that the residence has not been inspected by the VDACS. The bill also requires a food establishment, food manufacturing plant, food storage warehouse, or retail food store to include on its product labels a statement that the facility has been inspected by the VDACS. If a label does not contain this statement, the owner of the establishment may be subject to a Class 1 misdemeanor for the misbranding of a product.	Support	ACNR	Agriculture	
Public Safety	<a href="#">HB 1863</a>	Robinson, Roxann	Adoption of ordinances for the control of dangerous or vicious dogs	Expands the list of statutes that a locality may use as the basis for parallel ordinances by adding § 3.2-6540, which deals with the control of dangerous or vicious dogs, to the list of available Code sections. A local ordinance that parallels § 3.2-6540 may be more stringent than that section	Support	ACNR	Agriculture	

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Capital Projects	<a href="#">HB 2137</a>	Byron, Kathy	Localities; environmental impact reports and the purchase of certain deicing agents	Raises from \$500,000 to \$2 million the total cost after which highway construction, reconstruction, or improvement projects by localities would be required to have an environmental impact report. The bill also allows localities to purchase deicing agents containing urea for the purpose of deicing airports, provided the use of the deicing agent does not exceed benchmark monitoring parameters of stormwater permit requirements	Support	ACNR	Chesapeake	
Stormwater	<a href="#">HB 2190</a>	Cosgrove, John	Stringency of stormwater management ordinances	Requires localities that adopt more stringent stormwater management requirements than those necessary to ensure compliance with the minimum regulations of the Soil and Water Conservation Board to submit such requirements to the Board to confirm that statutory requirements have been met and that the locality's determinations pursuant to the statute are reasonable. The bill ensures the availability of best management practices authorized by the Virginia Stormwater Management Regulations and the Virginia Stormwater BMP Clearinghouse Committee as a means of complying with regulations and requirements.	Oppose	ACNR		
Benefits	<a href="#">HB 1331</a>	Farrell, Peter	Retirement benefits for local employees	Provides that any locality may establish and maintain a defined contribution retirement plan for its employees in lieu of any other retirement plans for employees hired on or after July 1, 2013.	Support	Appropriations	Compensation & Retirement	
Benefits	<a href="#">HB 1532</a>	Bulova, David	Virginia Retirement System; certain local employees	Makes technical changes necessary to carry out the purpose of Chapter 811 of the 2012 Acts of Assembly, permitting localities to exempt firefighters, emergency medical technicians, and law-enforcement officers from the higher age and service requirements for normal and early retirement applicable to employees hired on or after July 1, 2010	Neutral	Appropriations	Compensation & Retirement	
Line of Duty Act	<a href="#">HB 2188</a>	Jones, Chris	Line of Duty Act	Allows a political subdivision with employees eligible for coverage under the Line of Duty Act to make an irrevocable election to self-fund the benefits available under the Line of Duty Act	Oppose	Appropriations	Compensation & Retirement	
Public Safety	<a href="#">HB 2244</a>	Spruill, Lionell	School Resource Office Grants Program and Fund	Provides that proceeds of the School Resource Officer Grants Fund may be disbursed to award matching grants to local law-enforcement agencies and local school boards that have established a collaborative agreement to employ school resource officers in elementary schools within their shared district. Under current law, funds may be disbursed only when school resource officers are employed in middle or high schools within the district	Support	Appropriations		
Grants	<a href="#">HB 1324</a>	Morris, Rick	Efficiency Evaluation Fund; grants to localities.	Creates the Efficiency Evaluation Fund to provide matching grants to localities to pay for evaluations by private consultants to determine ways in which localities may become more efficient.	Neutral	CCT	#1	
Finance	<a href="#">HB 1332</a>	Farrell, Peter	Local government audit; Auditor of Public Accounts.	Allows a local governing body to request an audit from the Auditor of Public Accounts at any time upon a majority vote, with the expense of the audit to be borne by the locality.	Support	CCT		

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Legal	<a href="#">HB 1373</a>	Head, Christopher	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	Support	CCT	#2	
Legal	<a href="#">HB 1378</a>	Cole, Mark	Advertisement of legal notices on websites	Allows a locality to publish required legal notices on its website instead of advertising them in a newspaper having a general circulation in the locality	Support	CCT	#2	
Land Development	<a href="#">HB 1404</a>	Cole, Mark	Residential development; impact fees to defray the costs of public facilities	Authorizes any locality to impose impact fees on residential developments in order to defray the costs of constructing public facilities necessitated by those developments. Under current law, such impact fees may be imposed only by those localities that have established urban transportation service districts in accordance with § 15.2-2403.1.	Support	CCT	#2	
Land Development	<a href="#">HB 1408</a>	Scott, James	Requirement that certain planning commissioners own real property	Removes the requirement that at least one-half of the members of a local planning commission be owners of real property.	Oppose	CCT	#2	
Land Development	<a href="#">HB 1419</a>	Pogge, Brenda	Zoning provisions for temporary family health care structures	Amends requirements governing zoning ordinances for temporary family health care structures to reduce from two to one the number of activities of daily living with which a person must require assistance to qualify as a "mentally or physically impaired person" eligible to reside in a temporary family health care structure; amend the occupancy restriction to allow a married couple, both of whom are mentally or physically impaired persons, to reside in a temporary family health care structure; and extend the time by which a temporary family health care structure must be removed from 30 to 90 days from the date on which the temporary family health care structure was last occupied by a mentally or physically impaired person receiving or in need of assistance.	Oppose	CCT	#2	
Legal	<a href="#">HB 1426</a>	O'Quinn, Israel	Legal notices, advertisement on websites by Towns of Damascus and Glade Spring	Allows each of the Towns of Damascus and Glade Spring to publish required legal notices on the locality's website instead of advertising them in a newspaper having a general circulation in the locality.	Support	CCT	#2	
Joint Town/County Powers	<a href="#">HB 1535</a>	Rust, Thomas	Joint town and county powers	Clarifies that where a town and county generally enjoy the same power, a county power applies in or as to a town when the county power is granted and exercised for a county-wide purpose, as determined by the county. A town may by ordinance negate the application of the exercised county power in or as to the town; may itself exercise the joint power, preempting the exercise of the county's power in or as to the town; or may adopt and affirm the application of the exercised county power in or as to the town. Where a county and a town generally enjoy the same power, and the county power is granted and exercised for a local or municipal purpose that expressly or impliedly only applies in the unincorporated county, the county power does not apply in or as to the town absent the town's ordinance so applying the exercised county power in or as to the town. The bill also provides that this act is declarative of existing law.	Support	CCT	#1	

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Balch endowment	<a href="#">HB 1558</a>	Minchew, J. Randall	Local endowment for certain libraries	Provides that any locality by ordinance may establish an endowment fund for the purpose of supporting a library that is not part of the locality's public library system. The endowment may receive all gifts, grants, or contributions designated for inclusion in the endowment. No part of the endowment shall revert to the general fund of the locality. The endowment shall be established and administered by the governing body of the locality or by a nonprofit entity created or approved by the governing body for such purpose	Support	CCT	#1	
Housing	<a href="#">HB 1565</a>	Orrrock, Robert	Affordable housing dwelling unit program	Allows the governing body of any locality to amend its zoning ordinances to provide for an affordable housing dwelling unit program. Under current law only certain specific localities are permitted to provide for such a program	Support	CCT	#2	
Joint Town/County Powers	<a href="#">HB 1585</a>	Minchew, J. Randall	Joint town and county powers	Clarifies that where a town and county generally enjoy the same power, a county power applies in or as to a town when the county power is granted and exercised for a county-wide purpose, as determined by the county. A town may by ordinance negate the application of the exercised county power in or as to the town; may itself exercise the joint power, preempting the exercise of the county's power in or as to the town; or may adopt and affirm the application of the exercised county power in or as to the town. Where a county and a town generally enjoy the same power, and the county power is granted and exercised for a local or municipal purpose that expressly or impliedly only applies in the unincorporated county, the county power does not apply in or as to the town absent the town's ordinance so applying the exercised county power in or as to the town. The bill also provides that this act is declarative of existing law	Support	CCT	#1	
Economic Development	<a href="#">HB 1586</a>	Minchew, J. Randall	Local arts & cultural districts; tax incentives	Permits a locality to include the reduction or rebate of real estate property taxes among the tax incentives it makes available in an arts and cultural district established by ordinance. Current law provides for reductions in three other types of taxes or fees as examples of permissible incentives	Support	CCT	#1	
Derelict Structures	<a href="#">HB 1589</a>	Minchew, J. Randall	Demolition of a derelict nonresidential structure with consent	Authorizes a locality to demolish or remove a derelict nonresidential structure and to file a lien against the property for the cost of the demolition or removal. The bill requires the locality to obtain the written consent of the property owner for such demolition or removal and prohibits the use of the authority to remove a building that is located in a local historic district or individually designated as a historic landmark	Support	CCT	#2	
Utilities	<a href="#">HB 1648</a>	Ransone, Margaret	Discounted fees and charges for certain low-income and disabled customers	Provides that any locality by ordinance may develop criteria for providing discounted water and sewer fees and charges for low-income and disabled customers	Oppose	CCT	#1	
Public Safety	<a href="#">HB 1661</a>	BaCote, Mamyne	Authority to require safety equipment on mobility aids	Authorizes localities to require the attachment of safety equipment, such as safety flags, to electric personal assistive mobility devices and other mobility aids, such as wheelchairs, walkers, mobility canes, or crutches. The bill also makes technical amendments.	Support	CCT	#1	

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Planning	<a href="#">HB 1717</a>	Anderson, Richard	Comprehensive plan; transportation	Provides that the transportation component of a local comprehensive plan shall be consistent at the interstate and primary levels with various state and local transportation plans. The bill also shortens from 90 to 45 days the time period by which the Department of Transportation shall provide comment upon submission of such local plans for review	Support	CCT	#2	
General	<a href="#">HB 1722</a>	Head, Christopher	Assistance and documentation required from localities	Provides that in any instance in which a person is seeking a business permit, a license, or an application for any similar local government approval from a locality, the locality shall provide documentation and instructions that outline all steps necessary to obtain the permit, license or approval. The locality shall also specify any further permit, license or other approval that may be required to complete the original project or business activity and shall disclose the expected time required by the locality for the completion of each step of the process to obtain the license, permit or other approval	Oppose	CCT	#1	
Zoning	<a href="#">HB 1744</a>	BaCote, Mamyé	Cutting of grass; nuisance abatement	Provides that one notice per incident or per growing season shall constitute reasonable notice to property owners for purposes of nuisance abatement	Support	CCT	#1	
General	<a href="#">HB 1836</a>	Lingamfelter, L. Scott	Local budgets; discretionary items	Provides that the itemized contemplated expenditures in a local budget shall include any discretionary funds to be designated by individual members of the governing body and the specific uses and funding allocation planned for those funds by the individual member	Neutral	CCT	#1	
Vehicle Licenses	<a href="#">HB 1990</a>	Sickles, Mark	License taxes on certain motor vehicles.	Allows localities to impose a license tax, not to exceed \$250 annually, upon resident owners of motor vehicles that do not display license plates issued by the Commonwealth and that are not exempt from the requirements of displaying such license plates	Support	CCT	#1	
Legal	<a href="#">HB 2072</a>	Peace, Christopher	Local application process; condemnation	Provides that no locality shall condition or delay the timely consideration of any application for or grant of any permit or other approval for any real property over which it enjoys jurisdiction for the purpose, expressed or implied, of allowing the locality to condemn or otherwise acquire the property or to commence any process to consider whether to undertake condemnation or acquisition of the property	Jeanette researching	CCT		
Land Development	<a href="#">HB 2238</a>	Marshall, Daniel	Recorded plats and final site plans	Provides that a site plan shall be deemed final once it has been reviewed and approved by the locality if the only requirement remaining to be satisfied in order to obtain a building permit is the submission of any other administrative documents, agreements, deposits, or fees required by the locality in order to obtain the permit. The bill also amends a 2012 act by adding an enactment that clarifies the validity of previous extensions of valid plats and site plans	Oppose	CCT		
Land Development	<a href="#">HB 2239</a>	Marshall, Daniel	Cash proffers	ides that cash proffers shall not be used for any capital improvement to an existing facility that does not expand facility capacity or for any operating expense of an existing facility such as ordinary maintenance or repair	Oppose	CCT		

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Payday Loans	<a href="#">HB 1359</a>	Ware, R. Lee, Jr.	Consumer finance companies; rate of interest	Adjusts the caps on the annual rate of interest that a consumer finance company may charge on loans. This measure allows a consumer finance company to charge interest at a rate not exceeding 78 percent annually on loans of not more than \$1,500 and not exceeding 36 percent annually on loans of more than \$1,500. Currently, a consumer finance company may charge interest at a rate not exceeding 36 percent annually on loans of not more than \$2,500, and may charge interest at any rate agreed to in its contract with the borrower on loans of more than \$2,500.	Support	Commerce & Labor		
Payday Loans	<a href="#">HB 1977</a>	Yancey, David	Open-end credit plans	Prohibits anyone other than the seller of goods to be used for personal, family, or household purposes from extending credit under an open-end plan at interest rates that exceed the legal rate of interest. To extend credit under such a plan, the loan must be for the sole purpose of financing the bona fide purchase price of such goods	Support	Commerce & Labor	#1	
Payday Loans	<a href="#">HB 1986</a>	Helsel, Gordon	Open-end credit plans	Establishes requirements for open-end credit plan loans, which are revolving loans made under an open-end credit or similar plan under which a finance charge is imposed only if the obligor fails to repay the loan in full prior to the next billing date, which must be at least 25 days after the date the agreement is entered into and at least 25 days after the prior billing date. Persons making open-end credit plan loans are required to be licensed by the State Corporation Commission and are required to post a bond or equivalent instrument approved by the Commission. A violation of the measure is a prohibited practice under the Consumer Protection Act. The existing provision authorizing certain open-end loans to be at unlimited interest rates is limited to loans for the sole purpose of financing the bona fide purchase price of goods to be used for personal, family, or household purposes. The measure becomes effective on October 1, 2013.	Support	Commerce & Labor	#1	
Legal	<a href="#">HB 1374</a>	Head, Christopher	Summary judgment; use of depositions	Allows motions for summary judgment to be based, in whole or in part, upon depositions, answers to interrogatories, admissions in the proceedings, or affidavits. Currently, such motions cannot be based on depositions unless agreed to by the parties.	Support	Courts of Justice		
Public Works	<a href="#">HB 1405</a>	Bell, Richard	Private road easements; maintenance and repairs.	Provides that all the property owners served by a private road or right-of-way that serves as the primary source of ingress and egress for the properties are jointly and equally responsible for the cost of maintaining and repairing the road or right-of-away unless the owners agree otherwise. Such costs include the cost of snow removal but do not include the cost of capital improvements to the road or right-of-way.	Neutral	Courts of Justice	#2 Civil	Subcommittee recommends tabling
Legal	<a href="#">HB 1429</a>	Morris, Rick	Zoning, attorney fees	Provides that a court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in a zoning action brought against it or that successfully challenges the validity of a zoning ordinance.	Oppose	Courts of Justice	#2 Civil	

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Legal	<a href="#">HB 1708</a>	Habeeb, Gregory	Civil remedies; use of depositions	Allows for motions for summary judgment to be based, in whole or in part, upon pleadings, depositions, answers to interrogatories, admissions on file, or affidavits. Currently, such motions cannot be based on depositions unless agreed to by the parties.	Support	Courts of Justice		
Local Fines	<a href="#">HB 1901</a>	Carr, Betsy	Fines under certain local ordinances paid to local school division and Literary Fund	Provides that fines imposed under certain local ordinances dealing with DUI, disposition of children in juvenile and domestic relations district courts, and appropriate provisions of Title 46.2, when those ordinances incorporate Code of Virginia provisions, are to be paid to the school division of the locality in which the fines were imposed and into the state treasury to the credit of the Literary Fund in the proportions as follows: beginning July 1, 2013, and through June 30, 2014, 67 percent to the local school division and 33 percent to the Literary Fund; beginning July 1, 2014, and through June 30, 2015, 33 percent to the local school division and 67 percent to the Literary Fund; and beginning July 1, 2015, 100 percent to the Literary Fund.	Oppose	Courts of Justice	#1 Criminal	
Taxes	<a href="#">HB 1329</a>	Head, Christopher	Local taxes, interest on refunds & delinquent taxes	Authorizes localities not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer.	Support	Finance	#2	
Taxes	<a href="#">HB 1330</a>	Greason, Thomas	Admissions tax in Loudoun County	Adds Loudoun County to the list of counties that are authorized to levy a tax on admissions charged for attendance at events.	Neutral, if overlapping town/county powers issue resolved	Finance		
Taxes	<a href="#">HB 1401</a>	Cole, Mark	Real property tax; sale of sole dwelling for delinquent taxes	Prohibits localities from instituting a judicial sale for delinquent taxes on real property that is the sole dwelling of the taxpayer.	Oppose	Finance	#2	
Taxes	<a href="#">HB 1437</a>	Purkey, Harry	Intangible personal property tax; machinery and tools	Classifies as intangible personal property, and therefore subject solely to state taxation, machinery and tools purchased on or after July 1, 2013, that have not been in service for more than three years.	Oppose	Finance	#2	
Taxes	<a href="#">HB 1522</a>	Villanueva, Ronald	Personal property tax; motor vehicles leased by a locality or constitutional officer	Creates a separate classification, for purposes of permitting localities to set a lower personal property tax rate, on motor vehicles leased by a county, city, town, or constitutional officer if the locality or constitutional officer is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle.	Support	Finance	#2	
Taxes	<a href="#">HB 1534</a>	Dance, Rosalyn	Local taxes; interest on refunds and delinquent taxes	Authorizes localities to not pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer, but only if the locality does not collect interest on taxes that are delinquent due to errors made by the locality	Oppose	Finance	#2	
Taxes	<a href="#">HB 1578</a>	Wilt, Tony	Local taxes; interest on refunds and delinquent taxes	Authorizes each locality not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer, provided that the locality does not collect interest on taxes that are delinquent because of errors made by the locality. The benefit of not collecting or paying interest applies only when the refund or payment of the delinquent taxes is made within 60 days of notice of the error	Oppose	Finance	#2	

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Real Property Assessments	<a href="#">HB 1598</a>	Anderson, Richard	Real property tax; boards of equalization	Modifies several provisions governing boards of equalization including (i) adding new qualifications for membership of certain boards; (ii) authorizing boards to receive complaints electronically as long as taxpayers may also file complaints on paper forms; (iii) prohibiting a board to deny relief based on a lack of information from the taxpayer as long as certain specified information is provided; (iv) providing procedures by which a taxpayer may appoint a representative; and (v) providing procedures to be followed before a board may increase assessments on certain types of property	Neutral	Finance	#2	
Transportation Funding	<a href="#">HB 1663</a>	Minchew, J. Randall	Local motor fuels tax	Authorizes any county or city to impose a tax at a rate not to exceed \$0.10 per gallon on motor fuel sold by a wholesale distributor to a retail dealer in the locality. The revenue from such tax shall be used solely for transportation projects		Finance	#1	
Taxes	<a href="#">HB 1687</a>	Iaquinto, Salvatore	Real property tax; increases in assessed value for prior years.	Reduces the period of time in which the assessed value of real property may be increased for prior years from the three preceding tax years to the preceding tax year.	Neutral	Finance	#2	
Taxes Economic Development	<a href="#">HB 1831</a>	Lingamfelter, L. Scott	Tax incentives for beginning businesses	Exempts beginning businesses owned by disabled veterans with service-connected disabilities from certain fees imposed by the State Corporation Commission (SCC) and exempts all beginning businesses from the local business license tax. The bill also establishes state tax credits for beginning businesses for local personal property taxes paid by such businesses. The exemptions and tax credits would apply up through the first two full years that the business is in operation in the Commonwealth. The SCC fee exemptions and the business license tax exemption would only apply to businesses beginning operations on or after July 1, 2013, while the state tax credits would apply to businesses beginning operations on or after January 1, 2013.	Oppose	Finance	#3	
Taxes	<a href="#">HB 1982</a>	May, Joe	Local tax bills	Permits treasurers to convey, with the consent of the taxpayer, any tax bill by permitting the taxpayer to access his tax bill online from a database on the treasurer's website	Support	Finance	#2	
Transportation Funding	<a href="#">HB 2224</a>	Howell, Algie	Motor fuels tax; rate increase	Increases the motor fuels tax rate by \$0.10 per gallon and dedicates the additional revenue to the operation, maintenance, improvement, and expansion of the Commonwealth's transportation system	Needs research	Finance	#1	
Benefits	<a href="#">HB 1356</a>	Yost, Joseph	Health insurance for local government employees	Gives local governments the option of having all their employees and retirees, as well as their dependents, eligible to participate in the state employee health insurance plan in lieu of the current state-administered local health insurance plan. The local government shall be responsible for whatever portion of the cost of such insurance that is not paid by the employee, except any portion that the General Assembly elects to pay	Support	General Laws	#4 Professions/ Occupations	

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Zoning	<a href="#">HB 1521</a>	Villanueva, Richard	Virginia Residential Property Disclosure Act; required disclosures; tourism activity zones	Authorizes any locality to designate one or more tourism activity zones as areas that may be used for special events, including parades, events requiring temporary street closures, and indoor and outdoor activities. An owner of residential property located partially or wholly within a designated tourism activity zone must disclose the presence of the property within the zone by either (i) disclosing in writing to any prospective purchaser or lessee of the property that the subject property is located within a tourism activity zone or (ii) including a statement on all recorded surveys, subdivision plats, and all final site plans approved after July 1, 2013, giving notice that a parcel of real property either partially or wholly lies within a tourism activity zone	Neutral, if optional	General Laws	#1 Housing	
Zoning	<a href="#">HB 1574</a>	Minchew, J. Randall	Uniform Statewide Building Code; enforcement by towns	Provides that if any town does not elect to enforce the Uniform Statewide Building Code, then such enforcement shall be the responsibility of the county in which the town is situated. The bill also provides that the enforcement by the county shall be with equal dignity as the county does in unincorporated areas of the county and no agreement between the town and the county shall be required as a prerequisite for the county to perform this obligation.	Support	General Laws	#1 Housing	
Pawnbrokers	<a href="#">HB 1649</a>	BaCote, Mamy	Pawnbrokers and precious metals dealers; records required to be maintained; certain digital images	Requires pawnbrokers and precious metals dealers to take a digital image of the form of identification used by the person involved in the transaction. The bill also prohibits a pawnbroker from pawning or accepting goods or articles if the original serial number affixed to the good or article has been removed, defaced, or altered.	Support	General Laws	#4 Professions/ Occupations	Subcommittee recommends reporting
Procurement	<a href="#">HB 1823</a>	Villanueva, Ronald	Public procurement; posting by local public bodies of procurement opportunities	Requires local public bodies to post required procurement notices on the Department of General Services' central electronic procurement website and makes newspaper publication or posting on other appropriate websites optional. The bill provides, however, that no local public body shall be required to post on the Department of General Services' central electronic procurement website if (i) the amount of such contract is not expected to exceed \$100,000 or (ii) the local public body has a website for the posting of such notices and provides the website address to the Department of General Services for posting on its central electronic procurement website.	Support	General Laws		

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Procurement	<a href="#">HB 1882</a>	Morrissey, Joseph	Virginia Public Procurement Act; resident employment and apprenticeship participation; required contract provisions	Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" shall not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor. The bill provides that it does not apply to any contracts for professional services.	Oppose	General Laws	#2 FOIA/ Procurement	
Procurement	<a href="#">HB 1951</a>	Yancey, David	Virginia Public Procurement Act; bid match preference for Virginia businesses	Provides a bid match preference for Virginia business. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent of the lowest bid of an out-of-state bidder.	Oppose	General Laws	#2 FOIA/ Procurement	
General	<a href="#">HB 2021</a>	LeMunyon, James	Public employment, non-discrimination	Prohibits discrimination in public employment based on race, color, religion, political affiliation, national origin, sex, age, disability, or any other reason except reasons related to skills, knowledge, or ability. The bill contains technical amendments.	Neutral	General Laws		
Legal	<a href="#">HB 2026</a>	Dudenhefer, Mark	Virginia Freedom of Information Act; remote participation in a meeting by a member of a public body	Allows a member of a public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances.	Neutral	General Laws	#2 FOIA/ Procurement	
Procurement	<a href="#">HB 2078</a>	Peace, Christopher	Public procurement; design-build; construction management; protests; private investment	Increases public notice of requests for proposals from 10 to 30 days. The bill also (i) limits the use of competitive negotiation for construction projects, including certain public institutions of higher education, for which the aggregate or sum of all phases is not expected to exceed \$10 million, the nature of the project is such that it is unusually complex or extraordinary conditions exist, and the Director of the Department of General Services and the Secretary of Administration certify such conditions exist; (ii) requires posting on eVa and other appropriate websites for state and local public bodies using certain methods of procurement; (iii) changes the process for procurement of design-build or construction management projects; and (iv) allows a bidder or offeror to protest a public body's use of competitive negotiation	Oppose	General Laws	#2 FOIA/ Procurement	
Legal	<a href="#">HB 2125</a>	Keam, Mark	Virginia Freedom of Information Act; requests for records	Provides that FOIA requests may be made by any citizen of the United States and not just citizens of the Commonwealth. The bill also allows a public body to require prepayment before providing requested records when the cost for production of the records is likely to exceed \$100	Oppose	General Laws	#2 FOIA/ Procurement	

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Procurement	<a href="#">HB 2128</a>	Byron, Kathy	Virginia Public Procurement Act; small procurements; localities	Provides that local public bodies are not required to post on the Department of General Services' central electronic procurement website for small purchase procurements	Support w/ revised language in HB 1823	General Laws	#2 FOIA/ Procurement	
Procurement	<a href="#">HB 2170</a>	Cole, Mark	Public procurement; posting by local public bodies of procurement opportunities	Requires local public bodies to post required procurement notices on the Department of General Services' central electronic procurement website and makes newspaper publication or posting on other appropriate websites optional.	Support w/ revised language in HB 1823	General Laws	#2 FOIA/ Procurement	
Procurement	<a href="#">HB 2205</a>	Webert, Michael	Virginia Public Procurement Act; qualified Virginia businesses afforded opportunity to bid	Requires a public body to solicit bids directly from potential contractors who are residents of Virginia and have been prequalified or deemed qualified under the criteria set forth in the solicitation. The bill defines businesses that are Virginia residents.	Oppose	General Laws		
Procurement	<a href="#">HB 2210</a>	Scott, James	Virginia Public Procurement Act; procurement of professional services	Allows any city located in Planning District 8 to procure architectural or professional engineering services relating to multiple construction projects where the sum of all such projects does not exceed \$5 million. The bill also allows such localities to procure such services for a single project where the project does not exceed \$1 million. Currently, only localities with a population in excess of 80,000 have this authority	Support w/ change from "city" to "locality"	General Laws		
Procurement	<a href="#">HB 2212</a>	McQuinn, Delores	Virginia Public Procurement Act; women-owned and minority-owned businesses; remedial measures	Provides that the Governor shall require state agencies to implement appropriate enhancement or remedial measures consistent with prevailing law when a persuasive analysis exists that documents statistically significant disparity between the availability and utilization of women-owned and minority-owned businesses	Oppose	General Laws		
Parks & Recreation	<a href="#">HB 1473</a>	Scott, Edward	Regulations applicable to restaurants; concession stands at youth athletic activities exempt.	Exempts concession stands at youth athletic activities from regulations governing restaurants, provided that such concession stands are promoted or sponsored either by a youth athletic association or by any charitable nonprofit organization or group thereof that has been recognized as being a part of the recreational program of the political subdivision where the association or organization is located by an ordinance or resolution of such political subdivision.	Neutral	Health, Welfare & Institutions		Reported from ACNR; referred to Health, Welfare & Institutions
Public Safety	<a href="#">HB 1662</a>	BaCote, Mamy	Control of firearms; 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.	Support	MPPS	#1	
Surplus Property	<a href="#">HB 1395</a>	Marshall, Daniel	Sale of abandoned vehicles	Allows localities to sell "by any commercially reasonable means" abandoned vehicles they have taken into custody. Under current law, these vehicles must be sold at public auction.	Support	Transportation	#2	
Public Works/Capital Projects	<a href="#">HB 1633</a>	Cosgrove, John	Local beautification projects	Requires localities that intend to install plant materials in a public right-of-way in connection with a local beautification project to provide at least 30 days' advance notice thereof to VDOT's State Maintenance Engineer. The bill requires any locality that violates the law in carrying out such project to bear the cost of bringing the project into compliance with the law	Oppose	Transportation	#4	

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Capital Projects	<a href="#">HB 1718</a>	Anderson, Richard	Transportation projects; reimbursement of VDOT by localities & metropolitan planning organizations	Provides for reimbursement of VDOT by localities and metropolitan planning organizations when certain projects are terminated or altered	Neutral	Transportation	#4	
Vehicle Licenses	<a href="#">HB 1841</a>	Lingamfelter, L. Scott	Local vehicle licenses	Permits localities to issue local vehicle licenses free of charge for vehicles owned or leased by members of the Virginia Defense Force, provided that no Defense Force member shall receive more than one free license.	Support	Transportation	#1	
Procurement	<a href="#">HB 1994</a>	Massie, James	Virginia Public Procurement Act; contract pricing arrangements	Provides that the award of a public contract may be made on the basis of cost plus a percentage of the private investment made by a private entity in cases of the procurement of commercial or financial consulting services related to a qualifying transportation facility under the Public-Private Transportation Act or a qualifying project under the Public-Private Education Facilities and Infrastructure Act, where the commercial or financial consulting services are sought to solicit or to solicit and evaluate proposals for the qualifying transportation facility or the qualifying project. The bill defines "private entity," "qualifying transportation facility," and "qualifying project."	Oppose	Transportation	#3	
Public Works	<a href="#">HB 2141</a>	Keam, Mark	Street maintenance payments	Provides for increased highway maintenance payments by the Commissioner of Highways to municipalities where traffic volumes exceed the statewide average by more than 20 percent	Support	Transportation		
Public Safety	<a href="#">HB 2217</a>	Greason, Thomas	Crossing highways	Allows local governing bodies to adopt ordinances requiring users of shared-use paths to stop before crossing highways at marked crosswalks	Support	Transportation		
Transportation Funding	<a href="#">HB 1403</a>	Cole, Mark	Sales and use tax revenue dedicated to the Transportation Trust Fund	Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a one percent tax rate, phased in by a 0.1 percent increase each year for five years, or over a longer period of time if there is a lack of growth in general fund revenues.	Needs research			
Transportation Funding	<a href="#">HB 1472</a>	Watts, Vivian	Transportation funding and administration	Provides additional funding for transportation by (i) imposing a motor fuels sales tax rate of five percent for highway maintenance; (ii) increasing the state sales tax in Northern Virginia by 0.5 percent for transportation projects in Northern Virginia; and (iii) adding an additional recordation tax in Northern Virginia at a rate of \$0.40 per \$100 valuation. The bill also reduces the sales and use tax rate on food for human consumption from 1.5 percent to one percent, and repeals the authority for certain localities to impose a local income tax. The bill removes the sunset date (June 30, 2018) from the legislation that reduced the special real property tax rate on commercial property in Northern Virginia from \$0.25 per \$100 of assessed value to \$0.125 per \$100 of assessed value. Finally, the bill increases the special real property tax rate on commercial property in localities in Hampton Roads from \$0.10 per \$100 of assessed value to \$0.125 per \$100 of assessed value.	Needs research			

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Transportation Funding	<a href="#">HB 1677</a>	Hugo, Timothy	Transportation funding; elimination and increasing certain taxes	Adjusts the sources and amounts of funding for transportation by repealing the tax on all motor fuels except diesel fuel and diesel blended fuel, increasing the retail sales and use tax rate by 0.75 percent and allocating the additional revenue to transportation according to the current formula for motor fuels tax revenue allocation, and doubling the amount of current sales and use tax revenue dedicated to the Transportation Trust Fund	Needs research			
Transportation Funding	<a href="#">HB 1878</a>	Morrissey, Joseph	Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities	Establishes a five percent tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the Highway Maintenance and Operating Fund, the Transportation Trust Fund, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes; Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new five percent tax on motor fuels sales; Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate; Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013; Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.	Needs research			
Transportation Funding	<a href="#">HB 2063</a>	Rust, Thomas	Establishing and adjusting sources of revenues for appropriations of the Commonwealth	Establishes a 5% tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the Highway Maintenance and Operating Fund, the Transportation Trust Fund, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes; Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new 5% tax on motor fuel sales; Repeals income tax credits for vehicle emissions testing equipment effective for taxable years beginning on or after January 1, 2013;	Needs research			
Procurement	<a href="#">HB 2079</a>	Jones, Chris	Virginia Public Procurement Act; methods of procurement	Reorganizes the definitions of competitive sealed bidding and competitive negotiation. The bill also adds a definition of job order contracting	Support			

Virginia General Assembly 2013 Session

Subject Area	Bill Number	Patron	Title	Summary	Staff Recommendation	Committee	Sub	Status
Transportation Funding	<a href="#">HB 2179</a>	Rust, Thomas	Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities	Establishes a five percent tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the Highway Maintenance and Operating Fund, the Transportation Trust Fund, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes; Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new five percent tax on motor fuels sales; Prohibits the placement of tolls on existing roads in the Commonwealth without the approval of the General Assembly; Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate; Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013. Eliminates the sales tax	Needs research			
Transportation Funding	<a href="#">HB 2253</a>	Albo, David	Transportation funding	The bill (i) decreases all individual income tax rates by 0.2%; (ii) adopts market-based sourcing for corporate income tax for the sourcing of services, marketable securities, and property; and (iii) repeals (a) the land preservation tax credit, (b) the long-term care insurance tax credit, and (c) the coalfield employment enhancement tax credit, including the ability of electricity generators to allocate tax credits earned by such persons for purchasing coal to persons with an economic interest in coal. Imposes a 5% state tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed for maintenance of roads in the secondary state highway system and construction of new roads. Increases the additional state registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new 5% tax on motor fuels sales. Imposes a 2% state transient occupancy tax, an initial 1% state motor vehicle registration fee, and a \$0.20 per \$100 recordation fee in any locality in Northern Virginia that is imposing either of the two local taxes set forth below. Completely exempts food for human consumption from state and local sales taxes. repeals the sales and use tax exemption for nonprofit	Needs research			
Land Development	<a href="#">HB 2265</a>	Knight, Barry	Cash proffers	Provides that a locality may waive certain written notice requirements in order to reduce, suspend, or eliminate outstanding cash proffer payments for residential construction calculated on a per-dwelling-unit or per-home basis that have been agreed to, but unpaid, by any landowner	Neutral			
Legal	<a href="#">HB 2280</a>	Ward, Jeion	Virginia Freedom of Information Act; exempt records	Exempts disaster preparedness plans from FOIA regulations	Support			

## Status of 2013 Legislative Agenda Items

As of January 17, 2013

<b>Agenda Item</b>	<b>Current Status</b>
<p><b>Thomas Balch Library Endowment Fund</b></p> <p>The Town Council requests legislation that would allow the Town to establish an endowment fund in support of the Thomas Balch Library.</p>	<p>SB 890, introduced by Senator Black, has been reported out of committee and is on the Senate floor for approval.</p> <p>HB 1558, introduced by Delegate Minchew, is in subcommittee.</p>
<p><b>Arts &amp; Cultural Districts; Real Estate Tax Incentives</b></p> <p>The Town Council requests amendment of State Code Section 15.2-1129.1 that specifically lists real estate property tax rebates and/or reductions as a tax incentive that may be offered in local arts and cultural districts.</p>	<p>SB 1065, introduced by Senator Herring, is in committee.</p> <p>HB 1586, introduced by Delegate Minchew, is in committee.</p>
<p><b>Enforcement of Building Code in Towns</b></p> <p>The Town Council requests amendment of State Code Section 36-105 to clarify that if a town does not have a building department, no agreement is required between the town and the county for the county to enforce the Uniform Statewide Building Code within the town.</p>	<p>SB 1239, introduced by Senator Herring, is in committee.</p> <p>HB 1574, introduced by Delegate Minchew, has been reported out of committee and is on the House floor for approval</p>
<p><b>Overlapping Town &amp; County Powers</b></p> <p>The Town Council supports the addition of State Code Section 15.2-110 regarding overlapping town and county powers.</p>	<p>HB 1535, introduced by Delegate Rust, is in committee.</p> <p>HB 1585, introduced by Delegate Minchew, is exactly the same language, and will either be struck from the docket or incorporated into HB 1535.</p>
<p><b>Derelict Non-residential Structures</b></p> <p>The Town Council requests amendments to State Code Title 15.2, Chapter 9 that would grant localities the authority to demolish derelict non-residential structures and place liens on the properties for the costs of demolition.</p>	<p>SB 744, introduced by Senator Black, is in committee.</p> <p>HB 1589, introduced by Delegate Minchew, is in committee.</p> <p>Staff are working with VML &amp; VACo on amended language, to address concerns.</p>
<p><b>Revision of Local Fines &amp; Fees Distribution</b></p> <p>The Town Council supports a revision of the local fines and fees distribution that allows localities to retain all fines and fees resulting from citations issued by local law enforcement.</p>	<p>Delegate Minchew has submitted a budget amendment (HB 1500) that would require funds to be transmitted to the localities within a set timeframe, and with an accounting of the fines and fees collected.</p>

<p><b>Temporary Family Health Care Structures</b></p> <p>The Town Council requests the repeal of HB 1307, which requires that localities allow temporary family health care structures as a by-right use in all residential zoning</p>	<p>HB 1419, introduced by Delegate Pogge (James City and York Counties), reduces the requirements for persons living in such structures and increases the timeframe for removal. Based on the Council’s adopted position, we oppose this bill.</p>
<p><b>Water &amp; Sewer Rates</b></p> <p>The Town Council supports the existing authority of localities or locally created authorities to impose utility rates and connection fees adequate to support the full cost of water, wastewater and stormwater utility systems, and opposes any legislation that would limit that authority.</p>	<p>SB 850 and HB 1648 would allow “any locality” to establish discounted water and sewer rates for low-income and disabled customers. We oppose this bill because it doesn’t specify that “any locality” must be the owner of the system.</p>

## **Draft Legislative Agenda and Positions Statement Motions**

1. I move that the following item be added to the Town's 2013 Legislative Agenda:

### **Precious Metals Dealers**

The Town Council requests legislation to amend Section 54.1-4100 of the Virginia State Code to exempt retail merchants with a permanent place of business for whom purchases of precious metals account for less than 5% of the merchant's total business from regulations regarding precious metals dealers.

2. I move that the following items be added to the Town's 2013 Legislative Positions Statement:

### **Local Authority to Prohibit Firearms on Public Property**

The Town Council supports legislation that authorizes localities to adopt ordinances that prohibit firearms and ammunition on property owned or leased by the locality.

### **Posting Legal Notices on Websites**

The Town Council supports legislation that would give localities the authority to post legal notices on websites as a substitute for publishing legal notices in newspapers.

### **State Funding for School Resource Officers**

The Town Council supports legislation that would provide state funding for school resource officers at all public elementary, middle and high schools.

### **Virginia Public Procurement Act**

The Town Council supports the position of the Virginia Association of Governmental Purchasing on legislation regarding the Virginia Public Procurement Act.

3. I move that the Town Council oppose HB 1401, which would prohibit localities from instituting a judicial sale for delinquent taxes on real property that is the sole dwelling of the taxpayer.
4. I move that the Town Council oppose HB 1430, which would limit the Town's authority to regulate land use on agriculturally-zone land within the Town.
5. I move that the Town Council oppose SB 1073 and HB 1429, which would allow courts to award attorney's fee in successful challenges to the Town's Zoning Ordinance, administrative acts or other local actions related to land use.